

North Lanarkshire Council

Active and Creative Communities

Privacy Notice – COVID 19 Coronavirus Test and Protect Strategy

1. Who we are

North Lanarkshire Council is a local authority constituted under the Local Government etc. (Scotland) Act 1994. Its head office is at Civic Centre, Windmillhill Street, Motherwell, ML1 1AB. North Lanarkshire Council is the data controller and responsible for your personal information.

2. Information we are collecting about you

For the health and safety of the customers and staff in these premises, we are recording the name and contact details of everyone who enters to support NHS Scotland's Test and Protect Strategy. This information will be used to enable NHS Scotland to contact you should you have been in these premises around the same time as someone who has tested positive for coronavirus. Contacting people who might have been exposed to the virus is an important step in stopping the spread.

3. Commitment to Privacy

We are committed to protecting the privacy and confidentiality of any personal information that we hold. This privacy notice will tell you how we look after this information and tell you about your rights.

We will ensure that your personal information is kept secure, in line with the General Data Protection Regulation ("GDPR") and the Data Protection Act 2018. We will only collect the minimum information necessary to fulfil this purpose; when we don't have a need to keep this information about you, it will be disposed of in a secure manner.

Information Commissioner's Office

You have the right to make a complaint at any time to the Information Commissioner's Office, the UK data protection regulator who can be contacted via the contact details below, however, we would welcome the opportunity to discuss your concerns with you before you do so:

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF

Phone: 0303 123 1113 (local rate) or 01625 545 745 or visit their website at <https://ico.org.uk/make-a-complaint/>

4. Data Protection Officer

We have appointed a Data Protection Officer (DPO) who is responsible for overseeing questions in relation to this privacy notice. If you have any questions about this privacy notice, including any requests to exercise your legal rights, you can contact the DPO via the contact details below:

Data Protection Officer
North Lanarkshire Council
Civic Centre
Windmillhill Street
Motherwell
ML1 1AB

Email: DataProtection@northlan.gov.uk
Telephone: 01698 302554

5. The personal information we are asking you to provide

Along with the date and time of your arrival and departure we will ask for: your name and contact telephone number. If you do not have a telephone number, you have the option to provide a postal address or an email address. Customer health information will **not** be requested or stored.

6. How your personal information is collected?

We will ask you for this information when you attend these premises.

7. Purposes for which we will use your personal data

As described above, the purpose for which we are processing your personal data is to assist with NHS Scotland's Test and Protect strategy in relation to the coronavirus public health epidemic. This will involve the gathering and, when necessary, the sharing of information with NHS Scotland as the responsible body for Test and Protect. We will only share this information with NHS Scotland in relation to the coronavirus public health epidemic. This data will not be used for any other purpose including any marketing purposes.

8. Lawful Basis for Collection and Sharing of this Information

We will use your personal information on the following basis:

Under data protection law, GDPR Article 6(1) (e) we are allowed to collect and process personal information where necessary to perform a task carried out in the public interest or in the exercise of official authority vested in us. Under Section 20 of the Local Government in Scotland Act 2003 a local authority has the power to do anything which it considers likely to promote or improve the wellbeing of its area and persons within that area. This includes entering into any arrangements with any person in that area. Collection of this information will assist us in providing services and carrying

out official functions safely. It will help us to assist with NHS Scotland's Test and Protect Strategy in relation to the coronavirus public health epidemic.

8. Sharing your personal information

We will share the personal information you provide only with NHS Scotland and only for the purposes described in this notice. In order to assist in the containment of the virus, we will only share your data when it is requested directly by NHS Scotland. This will only be in the unlikely event there is a cluster of coronavirus cases linked to the venue. Information will be transferred securely to NHS National Services Scotland who will use the data to contact trace those who were in the establishment at the same time as the positive case, and will provide guidance and support to those who may be advised to self-isolate. Read further information on the NHS Scotland Test and Protect strategy on the NHS website at: www.informationgovernance.scot.nhs.uk/use-of-your-data-for-track-trace-isolate-tti/

9. How long will we hold your information

Your personal data will be retained only for the purposes stated in this privacy notice and will be held by us for no more than 3 weeks (21 days). All personal data will be held and disposed of in a safe and secure manner.

7. Your Legal Rights

You have rights under data protection laws in relation to your personal information. You have the right to

- **Request access** to your personal information (known as a "data subject access request"). This enables you to receive a copy of the personal information we hold about you and to check that we are lawfully processing it.
- **Request correction** of the personal information that we hold about you. This enables you to have any incomplete or inaccurate data we hold about you corrected, though we may need to verify the accuracy of the new data you provide to us.
- **Object to processing** of your personal information where we are relying on a legitimate interest (or those of a third party) and there is something about your particular situation which makes you want to object to processing on this ground as you feel it impacts on your fundamental rights and freedoms. You also have the right to object where we are processing your personal information for direct marketing purposes. In some cases, we may demonstrate that we have compelling legitimate grounds to process your information which override your rights and freedoms.
- **Request restriction of processing** of your personal information. This enables you to ask us to suspend the processing of your personal information in the following scenarios: (a) if you want us to establish the data's accuracy; (b) where our use of the data is unlawful but you do not want us to

erase it; (c) where you need us to hold the data even if we no longer require it as you need it to establish, exercise or defend legal claims; or (d) you have objected to our use of your data but we need to verify whether we have overriding legitimate grounds to use it.

- **Not be subject to a decision based on solely automated processing** if that produces a legal effect concerning you or similarly significantly affects you. Note that this right does not apply if the decision is (i) necessary for entering into, or performance of, a contract between us and you; (ii) authorised by law; or (ii) based on your explicit consent
- If at any point within the 21 days after your visit you decide you'd like us to delete the personal data you provided, please advise us and we will delete the information which you have provided.

If you wish to exercise any of the rights set out above, please contact us.

No fee usually required

You will not have to pay a fee to access your personal information (or to exercise any of the other rights). However, we may charge a reasonable fee if your request is clearly unfounded, repetitive or excessive. Alternatively, we may refuse to comply with your request in these circumstances.

What we may need from you

We may need to request specific information from you to help us confirm your identity and ensure your right to access your personal information (or to exercise any of your other rights). This is a security measure to ensure that personal information is not disclosed to any person who has no right to receive it. We may also contact you to ask you for further information in relation to your request to speed up our response.

Time limit to respond

We try to respond to all legitimate requests within one month. Occasionally it may take us longer than a month if your request is particularly complex or you have made a number of requests. In this case, we will notify you and keep you updated.

For information about how North Lanarkshire Council process wider personal information for other purposes please see our privacy notice at:

<https://www.northlanarkshire.gov.uk/index.aspx?articleid=15003>