

# NHS Wales Test Trace Protect - Privacy Notice

## The purpose of this notice

This privacy notice explains how your personal information that has been collected within the Contact Tracing Service part of the NHS Wales Test Trace Protect programme is processed and used to help control and reduce the spread of coronavirus (COVID-19).

The Contact Tracing Service is provided by the following organisations:

- All 22 Welsh Local Authorities
- All 7 Local Health Boards
- Public Health Wales NHS Trust
- Velindre Hospital NHS Trust (through NHS Wales Informatics Service - NWIS)
- Welsh Ambulance Service Trust

All the organisations are working together as 'Joint Data Controllers', which means they are responsible in law for the data they process.

Contact Tracing within Carmarthenshire is carried out by a 'Data Processor', Delta Wellbeing Ltd. Delta is a Local Authority Trading Company wholly owned by Carmarthenshire County Council, which was set up in June 2018 and operates the Council's Careline service. It has experienced call handlers, which reduces the impact on Council staff whose expertise is required to perform other important duties.

Depending on where you live and the contact you have through the Contact Tracing Service, your data may be processed by any of the organisations listed above.

## What is contact tracing and why are you holding my information?

Contact tracing is a fundamental part of the Test Trace Protect Programme and has the aim of reducing the number of secondary cases of COVID-19 and the consequences of infection in subsequent cases.

Contact tracing will seek to achieve its purpose by:

- Identifying contacts who may have come into contact with the person with COVID-19 at the time the case was infectious and
- Notifying them that they must self isolate to prevent the spread of the virus.

To achieve this purpose we have to hold and process certain personal information about you.

More information about contact tracing generally can be found here <https://gov.wales/contact-tracing-your-questions>

## What personal information do you hold and process about me?

We hold and process the following information about you if you have tested positive or have been in contact with a person who has tested positive for COVID-19:

- Full name
- Full address and contact information such as your telephone number and email.
- Date of birth
- Sex
- NHS number
- Details on COVID-19 test information such as test date, result date, result (positive)
- Details on COVID-19 symptoms
- Information about whether you are in a care home or hospital.
- Information about whether you are a Shielded Patient and the reason why.
- Disability and ethnicity data
- Details of your household and living arrangements.
- Information about the people you have been in contact with, this may include household members, family, friends and colleagues etc.
- Information about the places you have visited.
- If you have been in contact with colleagues we may also need information about your place of work and employment.
- Any other information that may be relevant to contact tracing that you may wish to share with us.
- A record of any advice and information we have given you.

If you are aged 16 and over you can give permission for us to speak to someone else on our behalf.

If you are under the age of 16 we will speak to your parents/guardians about your symptoms.

## Where does the Contact Tracing Service receive my information from?

### **If you tested positive for COVID-19:**

- Your information will be passed to the Local Authority Regional Contact Tracing Team by your Local Health Board.
- Your Information could also be received from any other Public Health Board if you were tested at a test centre outside Wales.
- The Tracing Team will also gather more information directly from you when they speak to you and you agree to answer questions from the Contact Tracer.

**If you have been identified as someone who has been in contact with a person who has tested positive for COVID-19:**

- Your name and contact details will have been provided to us by the individual who has tested positive (please note for confidentiality reasons we will not be able to tell you who that person was).
- If the person who tested positive has visited a public place where you also visited and registered your details, we will contact that location and they will provide us with your details.
- The Tracing Team will also gather more information directly from you when they speak to you and you agree to answer questions from the Contact Advisor.

**Permission to act on your behalf:**

If you are aged 16 and over you can give permission for us to speak to someone else on our behalf if you prefer.

If you are under the age of 16 we will speak to your parents/guardians about your symptoms.

**How is my information used as part of the Contact Tracing Service?**

**If you tested positive for COVID-19:**

A Contact Tracer will contact you to provide advice and support, they will ask about your symptoms and try to establish who you have been in contact with.

**If you have been in contact with a person who has tested positive for COVID-19:**

If you have been in contact with someone who has tested positive, an Advisor will make contact with you and if you agree to answer the questions they will provide you with advice on what to do next, for example how long you need to isolate for.

You will also receive daily wellbeing calls to see how you are doing and, if you develop symptoms, you will be advised to book a test and how to do this. You can choose to receive and respond to this information by text message if you prefer.

If you do not engage with the team and do not want to answer any questions, we are required to send you a letter explaining what action you need to take.

[You can see how each organisation uses your data in the table at Appendix A.](#)

**What is the legal basis for the use of my information?**

The legal basis for processing your personal data for contract tracing purposes under the General Data Protection Regulation (GDPR) is:

- Article 6(1)(e) – Task carried out in the public interest or in the exercise of official authority vested in the controller

For more sensitive data such as health information (known as special category data) an additional legal basis is required and is:

- Article 9(2)(i) - Processing must be necessary for reasons of public interest in the area of public health (such as protecting against serious cross-border threats to health or ensuring high standards of quality and safety of health care and of medicinal products or medical devices)
- Article 9(2)(h) - Provision of preventative or occupational medicine, health or social care or treatment, or the management of health or social care systems

This is supported by the following legislation:

- Public Health (Control of Diseases) Act 1984
- The Health Protection (Wales) Regulations 2010
- The Health Protection (Notifications)(Wales) Regulations 2010
- The Health Protection (Local Authority Powers) (Wales) Regulations 2010
- The Coronavirus Act 2020
- The Health Protection (Coronavirus Restrictions)(Wales) Regulations 2020
- The Health Service (Control of Patient Information) Regulations 2002

### **Do you have any other purposes for processing my data?**

#### **Research & Reporting –**

Analysis of the above information may also be used by us, the NHS, Public Health and Welsh Government to produce reports that will;

- Understanding COVID-19 and risks to public health, trends in COVID-19 and such risks, and controlling and preventing the spread of COVID-19 and such risks
- Identifying and understanding information about patients or potential patients with or at risk of COVID-19
- Delivering services to patients, clinicians, the health services to our citizens.
- Research and planning in relation to COVID-19 (including potentially being invited to be part of clinical trials)
- Monitoring the progress and development of COVID-19.

### **Is my personal information shared with any other organisation?**

Your data is not shared with any organisations other than those listed in this document

## How long will my information be kept?

We will only keep your personal data for as long as is necessary and for the purpose for which we are processing it.

For an individual who has tested positive for COVID-19 this will be for 7 years.

For an individual who has been in contact with someone who has tested positive, but does not have any symptoms themselves, we will keep your records for 5 years.

## What rights do I have in relation to this processing of my information?

The General Data Protection Regulation provides you with certain rights in respect of your own data.

Click [here](#) for further information relating to your individual rights.

To exercise your Rights to Restriction and Erasure please contact the Data Protection Officer in your local health board. The local health board website links are found in the contact us section below.

To exercise any other rights please contact your local authority Data Protection Officer. The local authority website links are found in the contact us section below.

## Contact us

If you have any concerns or would like to know more about how your personal information is being used for Contact Tracing purposes please contact us at:

You can find contact details for your Local Health Board and Local Authorities by visiting

<https://www.wales.nhs.uk/ourservices/directory/LocalHealthBoards>

<https://www.wlga.wales/welsh-local-authority-links>

If you have any concerns or complaints over the handling of your personal data you should in the first instance contact the Data Protection Officer at your local authority or Local Health Board. You can find their details within the websites contained in the details above.

If however you remain dissatisfied you may complain to the Information Commissioner's Officer at the following address

Information Commissioner's Office – Wales  
2nd Floor, Churchill House  
Churchill Way

Cardiff  
CF10 2HH  
Telephone 0330 414 6421  
Email: [wales@ico.org.uk](mailto:wales@ico.org.uk)