

Privacy notice – relating to how the Council’s Health Visitors and School Nurses will deal with information concerning children on a protection plan or looked after children for Covid-19 purposes

This privacy notice explains how Southend on Sea Borough Council (as a Data Controller) will collect, use and protect personal data specifically regarding information concerning children on a protection plan or looked after children by Health Visitors and School Nurses in the 0 – 19 service for Covid-19 purposes during the Coronavirus Pandemic.

NHS Digital has been requested by NHS England to share certain information with 0-19 Services Providers concerning children on a protection plan or looked after children for use by Health Visitors and School Nurses during the COVID-19 Pandemic. This is for the purpose of enabling Health Visitors and School Nurses to have important information about children on a protection plan or looked after children in support of their child health services role.

Specifically, due to school closures and social distancing restrictions, there has been an increase in risk to vulnerable children on a protection plan or looked after children. The data used by Health Visitors and School Nurses will enable them to perform any urgent Covid 19 priority safeguarding actions where required as part of the healthcare services they provide to children and young people. This will also enable them to identify and prioritise their workload and prioritise a list of vulnerable children and families they can follow up with during this period. In addition to allowing them to maintain contact with vulnerable children and young people to help reduce the risk of poor health outcomes, abuse, injuries and in extreme circumstances avoidable death whilst quarantined in their homes during the corona virus (Covid-19) response.

Legal basis for processing personal data

How we are processing your personal data will determine the legal basis for processing. The legal bases for processing by the council will be:

1. processing is necessary for compliance with a legal obligation to which the controller is subject. GDPR Article 6(1)(c)
2. where disclosure is in the vital interests of yourself or another person. GDPR Article 6(1)(d) and 9(2)(c)
3. processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller. GDPR Article 6(1)(e)
4. Where it is necessary for the reasons of substantial public interest. GDPR Article 9(2)(g)
5. processing is necessary for the purposes of preventative or occupational medicine, where is it necessary for the provision of social care, the provision

of health care or treatment or for the management of a health or social care system. GDPR Article 9(2)(h)

6. Where it is in the interest of public health. GDPR Article 9(2)(i)

In addition to the legal basis stated above data may also be processed under Regulation 3(4) of the Health Service (Control of Patient Information) Regulations 2002 (COPI) as issued by the Government's Secretary of State to require certain public bodies to process confidential patient information for the purposes set out in Regulation 3(1) of the COPI Regulations, to support the Secretary of State's response to Covid-19.

A record will be kept of any confidential patient information processed under the COPI regulation.

Security of information

We will ensure that all personal data processed will comply with the GDPR, the Data Protection Act 2018, all applicable law concerning privacy or the processing of personal data and the Duty of Confidence when processing the data disclosed by NHS Digital.

Southend on Sea Borough Council has obtained a Standard Met Compliance for the Data Security and Protection (DSPT) Toolkit for 2019/20.

Sharing your personal data

In this current pandemic we may share your information with other public authorities, emergency services, and other stakeholders as necessary and proportionate to do.

How long we keep your personal data

We will only keep personal data for as long as is necessary for the purpose for which we are processing it, unless we have a legitimate reason for keeping it, for example, any legal requirement to keep the data for a set time period.

Where we do not need to continue to process the personal data, it will be securely destroyed.

Use of data processed under the COPI regulation will be reviewed by NHS Digital and NHS England in August 2020 and if not required for any other legal basis by Southend on Sea Borough Council it will no longer be able to be processed for this purpose unless an extension to this is agreed.

You can also view the Council's main [privacy notice](#).