

PHA PRIVACY NOTICE – COVID 19 CONTACT TRACING PROGRAMME

1. Introduction

The Public Health Agency (PHA) through its Health Protection Service has a lead role in protecting the public from infectious diseases. The PHA is accountable to the Department of Health (DoH), which is responsible for developing policy, and associated legislation, allocating resources and determining priorities. The DoH is accountable through the Minister for Health to the NI Assembly.

The DoH 'Covid-19 Test, Trace and Protect Strategy' (27 May 2020) sets out the public health measures to be put in place to help contain and reduce the spread of Covid-19 and minimise the risk of a second wave of infection. Contact Tracing is a fundamental element of this Strategy.

The PHA is responsible for operating the NI Contact Tracing Centre.

This privacy notice describes the type of personal data collected and held by the PHA for the Contact Tracing Programme, the way that it is used and your rights in respect of this.

2. Contact Tracing Programme

The Contact Tracing Programme is designed to break the chain of transmission of the virus by contacting people who have had a positive test result for covid-19, tracing people who may have become infected by being in close contact with them and supporting all those people to self-isolate so that, if they have the disease, they are less likely to transmit it to others.

All members of the public with symptoms of covid-19 can book a test via the National Covid-19 Testing Programme. You will be informed of the result of your test either by email or text SMS. More details on the National Testing Programme and Privacy Notice relating to it can be found at: <https://www.publichealth.hscni.net/covid-19-coronavirus/testing-and-tracing-covid-19/testing-covid-19>

Information about positive test results are shared with the NI Contact Tracing Centre (see section 7, 'Where do you get my personal data from' of this Privacy Notice).

If your test is positive, and you have given us your mobile number and are over 16 years old, you will also receive an SMS message (text message) from 'HSCtracing' inviting you to use Digital Self-Trace (DST), an on-line web portal, where you can enter information about your close contacts (see criteria below). The SMS will include a unique code that will enable you to access the secure web page, which only you will have access to. You will be asked some questions about yourself:

- name,
- age
- postcode,

- contact telephone number
- ethnic group
- Employment details
- accommodation type
- Symptomatic (Y/N)
- Isolation behaviours
- Travel outside Northern Ireland in the specified number of days before their symptoms appeared (or test, if no symptoms).

And about your close contacts:

- Name
- Mobile or other phone number
- Postcode
- Household member?
- Do they work in healthcare?
- Has the 'contact' been unwell since you last saw them (to the best of your knowledge)
- Under 16?
- Time frame of contact (within 24hours up to five days ago or longer)
- Type of contact
- Contact Location (settings, such as a sports venue or a restaurant)

Close contacts may include someone:

- Who lives with you,
- who has been in direct contact with you or your bodily fluids (for example droplets from a cough or sneeze), or
- who has been within 2 metres for more than 15 minutes (continuously).

Using Digital Self-Trace will enable the PHA Contact Tracing Service to collect information about your close contacts as quickly as possible, enabling the Contact Tracing Service to be able to communicate with them and inform them of the need to self-isolate to reduce the spread of the virus.

You may also be contacted by telephone by a PHA health professional (Contact Tracer) from the NI Contact Tracing Centre. This will allow the Contact Tracer to identify, through discussion with you, anyone who has had close contact with you during the time that you were likely to be infectious (contacts), if you have not already entered this information on Digital Self-trace. If you have already entered the information, the Contact Tracer will check this with you. (See section 4 – What information is collected)

You will also be given relevant public health advice and information during the call.

Following assessment of the information provided by you, the Contact Tracing Centre will send an SMS message to all your close contacts (where a mobile number has been provided and they are over 16 years old), advising them that they have been in contact with someone who has tested positive for COVID 19 and that they must now isolate for the required length of time.

The Contact Tracing Service may also telephone your close contacts and provide advice on what they should do.

Children

If you are under 16 years of age, the contact tracer will ask to speak to someone who can speak on your behalf (for example, in the case of children this would be your parent or guardian).

SMS messages will not be sent to children under 16 years of age.

If you are under 16 years of age and have tested positive for COVID 19, the contact tracer will phone your parent or guardian (or where we only have your contact details, the contact tracer will ask to speak to your parent or guardian).

Where a child under 16 years of age is identified as a close contact, the contact tracer will ask for the contact details for your parent/guardian, who will then be phoned.

Travel

All travellers to the UK (unless exempt¹) from outside the Common Travel Area² must complete a passenger locator form (PLF) prior to their arrival in the UK. Travellers arriving in the Republic of Ireland with a Northern Ireland end destination can choose to voluntarily complete a UK PLF.

The Contact Tracing Centre receives information from the UK Home Office in respect of travellers who have completed a UK PLF and entered a Northern Ireland address as their end destination. (See Section 4: What Information is Collected)

This information is required by the Contact Tracing Centre to provide relevant public health advice and information including to co-ordinate COVID-19 testing for travellers arriving in Northern Ireland from 'red list' countries or travellers who have passed through 'red list' countries³. Red list countries are countries that are associated with COVID-19 variants that may be considered a higher risk and as a result are subject to tighter travel restrictions to reduce the introduction and transmission of new variants of COVID-19 within the UK⁴. Travellers arriving in Northern Ireland, from, or who have visited 'red list' countries are provided with relevant public health advice and information on the measures they are required to take (including self-isolation and testing) in order to control/reduce the spread of COVID 19 within Northern Ireland.

¹ Travellers to the UK, from outside the CTA, who fulfil certain jobs are exempt and do not have to complete a PLA

² Common Travel Area means, the open borders area comprising the United Kingdom, the Republic of Ireland, the Isle of Man, and the Channel Islands

³ Coronavirus (COVID-19): red list travel ban countries detailed via the following link:

<https://www.gov.uk/guidance/transport-measures-to-protect-the-uk-from-variant-strains-of-covid-19>

⁴ The Health Protection (Coronavirus, International Travel) Regulations (Northern Ireland) 2020 ("the Regulations") with the subsequent amendments, ("the Amending Regulations") made by the Department of Health Northern Ireland in exercise of the powers conferred by sections 25B and 25F(2) of the Public Health Act (Northern Ireland) 1967 impose requirements on individuals arriving in Northern Ireland and who have been in a country or territory outside the Common Travel Area in order to prevent the spread of infection or contamination from coronavirus or coronavirus disease.

All calls from the PHA Contact Tracers will come from the number 028 9536 8888.

All SMS messages come from HSCtracing.

Further information on the NI Contact Tracing Service can be found at:

<https://www.publichealth.hscni.net/covid-19-coronavirus/testing-and-tracing-covid-19/contact-tracing>

3. Why are you processing my personal information?

The PHA is the data controller for the personal data held by the PHA COVID 19 Contact Tracing Programme, under the Data Protection Act 2018, and uses your personal information for the following purposes:

- To contact you if you have tested positive for COVID 19, to provide public health advice if appropriate and to seek information on others that you have been in contact with;
- To contact you, if you have been in contact with someone who has tested positive, to give you appropriate public health advice to self-isolate and seek a test if you are symptomatic, in order to prevent further transmission of the virus;
- Sharing personal information with the responsible public health bodies in Wales/Scotland/England/Republic of Ireland (or other country where relevant), if you live in that country, or visited it during the period you may have been infectious, to inform their local planning and public health responses to COVID 19;
To provide relevant public health advice and information on the measures travellers from 'red list' countries or travellers who have visited 'red list' countries are required to take (including self-isolation and testing) in order to control/reduce the spread of COVID 19 within Northern Ireland.
- To identify and manage clusters of disease;
- Public health surveillance – identify trends in the COVID 19 disease outbreak and to prevent/control spread;
- Analysis – for reports and the production of official statistics (anonymised);
- Planning of services/actions in response to COVID 19 (anonymised);

Information provided by you, and collected about you, for the purposes of contact tracing for COVID 19 will not be used for any purpose that is not linked to COVID 19.

4. What information is collected?

We collect the following information on people who have tested positive for COVID 19 (*not all information fields will be relevant to, or collected, for all people who test positive*):

- Name
- Address
- Postcode
- Contact Number
- DOB
- HCN (Health and Care Number)
- Next of kin
- Email

- Gender
- Occupation
- Health Care Worker
- Place of work
- HSCNI role/job title
- GP
- Date of test sample
- Date of result
- Result
- Date of onset of COVID 19 symptoms
- Informed of result
- Symptomatic⁵
- Date of Death⁶
- Proxy Name⁷
- Proxy telephone number
- Proxy relationship

Most of the information will come from the National Testing Initiative and Hospital Information Systems (See section 7 'Where do you get my personal data from') and further information will be provided by you during the telephone call with the PHA Contact Tracer.

We collect the following information if you are the contact of a person who has tested positive:

- Name
- Phone Number
- Email address
- Work address
- Contact address
- Date of contact
- Type of contact (2metres for 15 minutes or more)
- Any places been eg shops
- Contact work in healthcare?
- Contact been unwell?
- Email address
- Proxy Name
- Proxy telephone number
- Proxy relationship
- Occupation

⁵ Do you have any symptoms of COVID 19, (including a new persistent cough, fever or loss of or change in sense of taste and smell)

⁶ Date of Death provided by Next of Kin. To inform contact tracing timeframe and sensitivities.

⁷ 'Proxy' is where someone else speaks on your behalf, for example a parent/guardian for a child under 16 years of age; where a person is unable to speak or understand English etc)

- Place of work
- HSCNI role/job title
- Symptoms

Your name, contact details and type of contact will be provided by the person who has tested positive (who you have been in contact with), further information will be provided by you during the phone call with the PHA Contact Tracer.

Any information that you give to the PHA Contact Tracing Service is not mandatory; however you are strongly encouraged to provide the information requested by the PHA Contact Tracers or Digital Self-trace, to help protect your family, friends and the wider community from COVID 19.

We collect the following information about people who have completed a UK Home Office PLF and have provided a Northern Ireland address as an end destination:

Contact and personal details

- full name
- date of birth
- gender
- telephone number
- email address
- passport number
- exemption declaration
- time and date of PLF completion

Address

- traveller's permanent address and address they will be staying at in Northern Ireland
- details of any quarantine hotel provider

Travel details

- planned date of entry
- entry location
- travel origin
- flight number/train service/ship name

Travel companions

- Name
- date of birth
- gender
- relationship to the traveller for any companions of the traveller

Travel history

- all countries visited or passed through in the last 140 days

All calls from the PHA Contact Tracers will come from the number 028 9536 8888.

All SMS messages come from HSCtracing.

Please note that Contact Tracers will never:

- Disclose any of your personal or health/medical information to your contacts (although it may be possible for the person you have been in contact with to deduce your identity, from circumstantial information);
- Ask you to dial a premium rate number (for example, those starting 09 or 087) to speak to us;
- Ask you to make any form of payment or purchase a product of any kind;
- Ask for any details about your bank account;
- Ask for your social media identities or login details, or those of your contacts;
- Ask for any passwords or PINs, or ask you to set up any passwords or PINs over the phone;
- Ask you to download any software to your PC or ask you to hand over control of your PC, smartphone or tablet to anyone else;
- Ask you to access any website or smartphone application that does not belong to the Government, NHS, HSC, DoH or PHA.

Analytics and cookies will not be stored on Digital Self-trace.

5. The lawful basis for processing your personal information

The lawful basis for processing your personal information according to the UK General Data Protection Regulations (GDPR) and the Data Protection Act 2018 is:

UK GDPR Article 6(1)(e) - the processing is necessary for the performance of the Public Health Agency's official tasks carried out in the public interest.

The official functions of the Public Health Agency are set out in the Health and Social Care (Reform) Act (Northern Ireland) 2009. <https://www.legislation.gov.uk/nia/2009/1/contents>. The Act sets out the PHA health Protection function, including that "*The health protection functions are the protection of the community (or any part of the community) against communicable disease in particular by the prevention or control of such disease*".

In respect of COVID 19, this means that the PHA will operate the Contact Tracing Service to help break the chain of transmission of the virus, as required by the Department of Health, in line with the DoH 'Covid-19 Test, Trace and Protect Strategy: Saving lives by minimising SARS-CoV2 transmission in the community in Northern Ireland', 27 May 2020.

<https://www.health-ni.gov.uk/publications/covid-19-test-trace-protect-support-strategy>

By identifying people who have been in close contact with someone who has tested positive for coronavirus, and then asking them to self-isolate we can limit the spread of the virus, help keep others safe and help the move to more normal social and economic lives. This will also help to protect the Health Service from being overwhelmed.

Contact tracing is an established and recognised measure to control and reduce the spread of communicable diseases, internationally, as determined by the World Health Organisation (WHO). As well as identifying individuals who have been in contact with someone who has tested positive for COVID 19, and providing them with advice on the actions that they should take to prevent further spread, and advice on what to do should they develop symptoms, the information from contact tracing is also essential for managing and controlling clusters; this would not be possible without the collection of personal data to identify time, place and person.

The data collected by the Contact Tracing Service includes personal data. Some of this data relates to health data which is described as ‘special category data’.

UK GDPR Article 9(2) (i) – applies to this processing, that is, the processing is necessary for reasons of public interest in the area of public health.

Data Protection Act 2018 – Schedule 1, Part 1 (3) – reasons of public interest in the area of public health:

“This condition is met if the processing—

(a) is necessary for reasons of public interest in the area of public health, and

(b) is carried out—

(i) by or under the responsibility of a health professional, or

(ii) by another person who in the circumstances owes a duty of confidentiality under an enactment or rule of law.

6. Do I need to give my consent?

The data is obtained on the lawful basis of public interest (as outlined in section 5 above) and therefore consent is not required.

7. Where do you get my personal data from?

If you have a positive test result: Much of the data we use will have been provided directly by you, when you booked your test (or someone booked it on your behalf).

The NI Contact Tracing Centre receives Test results directly from:

- The national COVID 19 testing initiative
- Health and Social Care (HSC) Trust laboratories
- HSC Hospital Information Systems

Data from the National Testing initiative, HSC Trust laboratories and HSC Hospital Information Systems is transferred to a Central Testing Registry, held by the HSC Business Services Organisation (BSO), from where it is transferred to the PHA Contact Tracing Information System. All data is held in, and transferred via, secure systems.

The NI Contact Tracing Information System is hosted in the secure isolated cloud storage solution provided by Microsoft within the UK. Data is transferred within the secure HSCNI network. Access to the systems is restricted and governed by firewalls, and only known authorised user accounts can gain successful access.

You will also be asked to provide some additional information about yourself when you are contacted by the Contact Tracers, for example date when symptoms commenced, place of work, recent travel)

Contacts: Your name and contact details will be provided by the person (above) who you have been in contact with. If you have travelled on a flight or a ship with someone who has tested positive your details will be provided by the relevant service provider. Information may also come from Health Protection bodies in England, Scotland, Wales or Republic of Ireland, if you have been in contact with someone who has tested positive in one of these jurisdictions.

You may also be asked to provide some additional information about yourself if you receive a telephone call from the Contact Tracers, for example if you have any symptoms, when these commenced, place of work, recent travel)

All calls from the PHA Contact Tracers will come from the number 028 9536 8888.

All SMS messages come from HSCtracing.

Travel Data

The Contact Tracing Centre receives personal data collected in the PLF from the UK Home office for:

- All travellers arriving in the UK from outside the CTA by land, air or sea who have entered a Northern Ireland address as an end destination.
- Travellers arriving in the ROI who have a Northern Ireland address as an end destination and have chosen to complete a UK PLF.

8. Do you share my personal data with anyone else?

Yes. To help us provide the best service for you, we may need to share your information with your GP, through a referral from a doctor in the Contact Tracing Centre to your GP. We would ask your consent to do this. However, on rare occasions it may be necessary to do this in the absence of your consent, for example if you took ill or collapsed during the phone call.

We may need to share your personal information with the responsible public health bodies in Wales/Scotland/England/Republic of Ireland (or other country where relevant) if you live in that country or visited it during the period when you may have been infectious. The information would be used to inform their local planning and public health responses to COVID 19 including for their contact tracing service.

If you have travelled to Northern Ireland from a red list country, or have passed through red list countries, your details will be shared with your local Health and Social Care Trust (HSCT), to arrange a COVID 19 test. This will be discussed with you during the initial call from the Contact Tracing Centre.

We also may share some anonymised information with external organisations such as Department of Health NI, universities, auditors and research bodies, to help identify trends in disease and help develop measures to reduce the spread and severity of the COVID 19).

Non identifiable data may also be shared with Public Health England for the purposes of UK national disease surveillance.

Disease surveillance is a core public health function, making sure we have the right information available to us at the right time to inform decisions and actions across the public health system to help control the spread of the disease.

Surveillance involves gathering a wide range of data about a disease from a range of sources, to provide us with situational awareness.

We need to understand the areas of the country which are most affected by an outbreak of disease, whether particular groups of people are affected, whether symptoms are getting more severe and when the outbreak might have peaked. This is then used to inform public health action to help prevent and control the disease.

Surveillance also provides data to be used by modelers, i.e. scientists who aim to predict how outbreaks will progress based on a range of different scenarios.

9. Do you transfer my personal data to other countries?

Only in exceptional circumstances, for example, where information needs to be shared with Public Health agencies outside the UK (for example where you live or have visited another country, such as the Republic of Ireland) for the purposes of disease surveillance and to protect the health of individuals and others potentially affected by an outbreak. (See above section 8 'Do you share my personal data with anyone else?')

Any transfers will be made in full compliance with GDPR and only when we have a legitimate and lawful basis for doing so, and it is proportionate and necessary to achieve these legitimate and lawful purposes.

Information is shared with other countries in line with International Health Regulations (2005) part VIII, Article 45, Treatment of Personal Data. A Memorandum of Understanding (MOU) for data sharing is also in place with the Republic of Ireland.

10. How long do you keep my personal data?

We will only retain your data for as long as necessary, in line with our Retention and Disposal Schedule and specific guidance issued by the Department of Health in Northern Ireland (Good Management, Good Records).

While contact tracing records are not specifically referenced in GMGR, the most relevant schedule is Disposal Schedule Section G Part 2 (G86) (<https://www.health-ni.gov.uk/articles/disposal-schedule-section-g-part-2>) This means that we will keep your personal data for a period of up to 8 years.

Please note, the retention period is currently under further consideration, and this Privacy Notice will be updated as soon as the timescale is confirmed.

11. What rights do I have?

- We provide information on the collection and use of your personal information, through this Privacy Notice, the Data Protection Impact Assessment of the Contact Tracing Service, and through a range of public information on the PHA website.
(<https://www.publichealth.hscni.net/covid-19-coronavirus/testing-and-tracing-covid-19/contact-tracing/>);
- We only hold information about you that we need. You can ask for copies of the information that we hold about you;
- You can ask us to make changes to information we hold about you if you think that it is wrong;
- As your information is necessary to help us to control and reduce the spread of COVID 19 we will not be able to delete your information;
- You can ask us to stop processing information about you, however this will not always be possible as information will still need to be processed for the purpose of public health protection;
- It will not be possible to transfer your data to another organisation if requested;
- If you are not happy with what we do with the information we hold about you, you can speak to us about this;
- We use computers to hold and look at your information, but we do not use automated individual decision-making.

If you want more detailed information on these rights, this can be found on the ICO website, at: <https://ico.org.uk/for-organisations/guide-to-data-protection/guide-to-the-general-data-protection-regulation-gdpr/individual-rights/>

If you wish to ask us about any of these rights please contact the PHA Data Protection Officer (see address below)

12. How do I complain if I am not happy?

If you are unhappy with any aspect of this privacy notice, or with how your personal information is being processed, please contact the Data Protection Officer at the following address:

Public Health Agency Data Protection Officer:

Ms Rosemary Taylor

Public Health Agency, 12-22 Linenhall Street, Belfast, BT2 8BS

Tel: 0300 555 0114

Email: dpo.pha@hscni.net

Should you have any concerns about how your data has been handled or remain dissatisfied with any PHA response regarding the processing of your personal data, you can raise these concerns with the ICO, as follows:

Information Commissioner's Office

Wycliffe House, Water Lane, Wilmslow, Cheshire, SK0 5AF

Tel: 0303 123 1113

Email: casework@ico.org.uk

<https://ico.org.uk/global/contact-us/>

Changes to this Privacy Notice

This Privacy Notice will be kept under regular review and any updates will be placed on our website.