

Merthyr Tydfil County Borough Council PRIVACY NOTICE

COVID-19 EMERGENCY RESPONSE

This notice has been written in accordance with the General Data Protection Regulations and relevant legislation.

Information Governance Team

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Cyngor Bwrdeistref Sirol
MERTHYR TUDFUL
MERTHYR TYDFIL
County Borough Council

Date Created: 23 March 2020
Responsible Department: Corporate Management Team
Responsible Manager: Ellis Cooper
Address: Civic Centre, Castle Street, Merthyr Tydfil, CF47 8AN

This privacy notice provides information on how Merthyr Tydfil County Borough Council, the Council, is coordinating and delivering the response to the Coronavirus, Covid-19, Emergency within Merthyr Tydfil.

This privacy notice has been designed to provide you with details of how the Council will collect, use and hold personal data about you during this crisis.

The Council is responsible for deciding how we hold and use personal information we collect. We are required under the data protection legislation to notify you of the information contained in this privacy notice. This notice does not form part of any contract to provide services. We may update this notice at any time if we do, we will ensure that an updated copy of this notice is made available to you as soon as reasonably practical.

It is important that you read this privacy notice together with our Privacy Standards Policy and full privacy notice which contains more detailed information about our data processing and can be accessed on our website.

WHO WE ARE:

The Council is the controller and responsible for your personal data. The Council is made up of different departments, details of which can be found on our website. In order to provide an effective response to the Covid-19 Emergency the Council has had to gather our resources and as such all departments are responsible for delivering our response.

This notice applies to all individuals residing in the Borough, Council Staff, Volunteers, Clients Customers, Business Owners and Sole Traders.

The Councillors, who are our political representatives, will also be assisting us coordinate our response to the Covid-19 pandemic. A full list of our Councillors can be located on our website www.merthyr.gov.uk.

The Council has appointed a Data Protection Officer who can be contacted using the details provided below:

Address: Civic Centre, Castle Street, Merthyr Tydfil, CF47 8AN

Email: data.protection@merthyr.gov.uk

Tel: 01685 725000

HOW WE ARE USING YOUR PERSONAL DATA:

We will only use your personal data where the Data Protection Legislation allows us too. The Data Protection Legislation includes the General Data Protection Regulation and the Data Protection Act 2018.

We have created a designated coronavirus webpage which provides detailed information regarding the services we are offering the public during this emergency. These webpages are being regularly updated and can be found using the following link:

<https://www.merthyr.gov.uk/coronavirus>

Below are some of the activities that are taking place within Merthyr Tydfil in relation to the Council's COVID-19 Emergency Response:

Testing:

Testing individuals for Coronavirus is an essential element in preventing the spread of the virus and ensures we can effectively deliver our services by ensuring our staff are not positive. The Council is working alongside our colleagues in the South Wales Local Resilience Forum and Public Health Wales to ensure that the Council's keyworkers, our frontline staff, are being tested for Coronavirus.

In accordance with the Public Health Wales' Guidance, keyworkers who have household members experiencing symptoms with the virus are required to isolate at home for 14 days. As such we will begin testing the household members to enable our keyworkers to return to their duties as soon as possible. If you reside in a household with a Council keyworker and develop symptoms, our Keyworker will inform us, and we will contact you to arrange a test. Please do not contact the Council to request a test if you are not an employee of ours.

If the ability to test is increased we may also come to a point where we are able to test our essential workers, who are back office staff supporting the Council deliver our services, which could also be extended to their household members where possible.

Free School Meals:

In order to ensure your children, who were receiving a free school meal prior to the school closures, continue to receive a free school meal the Council has created a team who are coordinating the delivery and recording of these meals by redeploying staff from other service areas to support this process. The Council's Education Department's databases have been used to identify and create the lists needed to deliver this service. If your child was eligible to receive a free school meal then the

Council will be providing financial support, paid directly to your bank account, or vouchers which you can use in supermarkets to help you financially during the period that schools are closed.

Community Support:

The Council has been working with numerous voluntary groups who have been offering their service to you, ensuring you are able to access as much support as possible to get through this incredibly difficult time. In order to facilitate this the Council has created a database of those individuals, who were identified by Welsh Government as being extremely vulnerable or are required to shield those who are extremely vulnerable. The information contained within this database is being shared with voluntary organisations across the borough to help us ensure you receive the help you need to get through this crisis.

Please read the Welsh Governments guidance for more information on shielding and protecting people defined on medical grounds as extremely vulnerable from coronavirus. You can find this guidance here:

[https://gov.wales/guidance-on-shielding-and-protecting-people-defined-on-medical-grounds-as-extremely-vulnerable-from-coronavirus-covid-19-html#section-38705.](https://gov.wales/guidance-on-shielding-and-protecting-people-defined-on-medical-grounds-as-extremely-vulnerable-from-coronavirus-covid-19-html#section-38705)

Community support is essential to ensuring we have volunteers to help assist you in getting the supplies you need. The Council will not be sharing details of your medical conditions with the voluntary organisations. However, we will retain this data internally for our own records.

We are actively trying to engage with the public to ensure that those in need receive as much assistance as possible. To do this we will need to share your personal data with these organisations so that they are able to contact you to make appropriate arrangements.

Protecting Vulnerable People:

Adult social care is working to deliver high quality care, centred around you promoting wellbeing. Like the NHS, the social care system is facing an unprecedented challenge from COVID-19 and we are committed to doing what it can to support this vital sector.

We know that some people are more likely to be seriously impacted by the COVID-19 disease. Age is a significant factor, with older people at risk of serious COVID-19 disease. Other groups of people (e.g. some people with learning disabilities) may have conditions (such as respiratory diseases) that tend to be associated with a higher risk. Whilst our approach is to secure social care for everyone using services, we need to be particularly mindful of those who may be most severely impacted.

We are working with the Welsh Government and public health experts to help care providers reduce the spread of infection. Furthermore, we are using data, obtained from our Council Tax database and Electoral Register, to create additional lists of those individuals who do not have a medical condition but are still considered to be at risk. This list will predominantly identify those aged 70 and over. With the help of our community volunteers we will be using this data to help those identified through the pandemic.

The Welsh Government guidance sets out some of the steps that we should take to support care providers through the pandemic. This has all been supported by additional funding, announced in March 2020, to support local government which can meet some of the rising costs providers are facing and additional pressures on social care.

Hospital Discharge Service:

We will be working alongside our colleagues in the NHS to assist people who have been discharged from hospital during the pandemic. Working in partnership with adult social care the Council will be helping identify availability within our care homes to ensure the transfers go ahead without delay.

Helping Frontline Staff - Personal Protective Equipment (PPE):

Personal Protective Equipment (PPE), such as gloves and aprons, has only historically been needed in some settings in adult social care, such as for certain care activities provided in individuals' homes and care homes. For others, it has generally not been required. Care providers that need it have normally made their own arrangements to buy PPE, generally our care providers have not needed facemasks. However, as a result of COVID-19 the latest PPE guidance recommends facemasks for the adult social care sector in certain circumstances.

To address this, the Council has created a team that will support the supply and distribution of PPE to our staff working in the care sector. We will be compiling a database which will identify the staff that require PPE and ensure they receive it without delay. We will also be ensuring the staff required to use PPE are adequately trained in its use in order to control the spread of infection.

Business Support:

The Councils Revenues Department has been working alongside colleagues in Welsh Government to administer business grants to the sole traders, self-employed, and other individuals who are eligible to receive financial support apply for it. We are co-ordinating the administration of this funding from Welsh Government and will be helping you get the financial support you are entitled to.

There are many other ways in which the Council is assisting you during this emergency which will include specific support from our Social Services Department, who will be carrying our additional duties to help protect vulnerable children and adults during this time. We have several Privacy Notices in place relating to Safeguarding, Child Protection and Domestic Abuse which should be read in conjunction with this notice.

WHAT TYPES OF PERSONAL DATA WE ARE USING:

We may collect, use, store and transfer different kinds of personal data about you in order to prevent the spread and assist the Government control the outbreak of COVID-19. The following types of personal data may be used by the Council depending on the nature of our response:

- Personal descriptors such as your title, name including middle, last and previous names, other names such as nicknames or alias', address, previous addresses, contact telephone

numbers, email address, age, place of birth, date of birth, gender, weight, height, eye colour, hair colour, images, CCTV recordings.

- Identification numbers including health IDs, IP Address, MAC address, phone numbers, National Insurance Numbers (NI), social security numbers (SSN), payroll numbers, unique pupil number, PIN numbers, debit and credit card numbers, car registration number, business reference numbers, passport numbers, driving licence numbers, benefit claim reference numbers.
- Financial information including income, loan records, transactions, purchases, spending habits, savings and investments. We may collect information relating to your salary payment such as how you get paid, what your net pay and gross pay is and how often you get paid. Whether you are receiving an occupational pension, which will include the amount you are receiving, we will also hold information relating to your pension contributions. We may collect data relating to your benefit entitlements which will include whether you are in receipt of Disabled Living Allowance, Personal Independence Payments or any grants for vehicles, Housing benefit or Council Tax Reduction, this may include the dates of your last claims, any previous claims and the name of the Local Authority making those payments to you. We may also collect information relating to your income history and future earnings. Whether you are paying costs towards childcare
- Education details such as whether you are currently in education, what type of education you are in (mainstream school, college, university) education history, exam results, attendance registers, Additional Learning Needs (ALN).
- Employment information which includes employee files, employment history, evaluations, reference interviews, disciplinary actions, your employers details, when you started your employment, any other employers you have or have had. This may also include your employment Status which may be whether you are Employed, Self Employed, receiving Statutory Sick Pay, receiving Statutory Maternity Pay, receiving an Adoption Payment, Special Occupation Payment, Statutory Paternity Pay or any other type of payment received during the course of your employment.
- Lifestyle information that relates specifically to your character, general reputation, general appearance, financial status, social status, marital status, personal characteristics, cultural information, and any special dietary requirements, this may also include whether you or a member of your immediate family is currently serving in the armed forces, whether you are a registered foster carer, how many children you have, whether any of your children are non-dependant and are currently studying away or are serving in the armed forces.
- Geospatial data which will include GPS signals, location data, longitude and latitude, MAC address that relates to the Wi-Fi signal on your mobile phone, IP Address that relates to the Wi-Fi signal on your computer or laptop.

Due to the severity of the Coronavirus the Council may also need to use more sensitive personal data which may include details relating to your:

- Health data relating to your physical or mental health, disabilities, family or individual health history, dental and medical health records, blood type, prescriptions, assessments of needs, whether you have been admitted into hospital and the length of your stay, we will also collect data relating to whether you have or are a registered carer and they type of care you are receiving
- Life information which relates to your religion, political affiliations and beliefs, trade union membership, opinions, comments, intentions

Criminal information which relates to any convictions, charges, pardons, and information received from the disclosure and barring service checks (DBS), we may also hold information relating to whether you are in prison or on probation.

THE LAWFUL BASIS FOR USING YOUR PERSONAL DATA:

The General Data Protection Regulation requires specific conditions to be met to ensure that the way we use your personal data is lawful. The Council relies upon the following conditions to use your personal data in response to this emergency:

Description:	GDPR Provision:	DPA Ref:	Statutory Provision:	
Keyworker Testing	Article 6 (1)(c) Legal Obligation	Article 9 (2)(h) Preventative or Occupational Medicine	Sch 1. Pt. 1 (2) Health	<u>Health and Safety at Work Act 1974</u>
Essential Worker Testing	Article 6 (1)(c) Legal Obligation	Article 9 (2)(h) Preventative or Occupational Medicine	Sch 1. Pt. 1 (2) Health	<u>Health and Safety at Work Act 1974</u>
Household Member Testing	Article 6 (1)(e) Public Task	Article 9 (2)(h) Preventative or Occupational Medicine	Sch 1. Pt. 1 (2) Health	<u>Public Health Wales Covid-19 Guidance</u>
Contact Tracing	Article 6 (1)(e) Public Task	Article 9 (2)(h) Preventative or Occupational Medicine	Sch 1. Pt. 1 (2) Health	<u>Guidance and standard operating procedure - COVID-19 virus testing</u>
Covid-19 Mobile Phone Apps	Article 6 (1)(e) Public Task	Article 9 (2)(g) Substantial Public Interest	Sch 1. Pt. 2 (6) Statutory	<u>Welsh Government Guidance - Track and Trace Coronavirus</u>
Identification FSM Children	Article 6 (1)(e) Public Task	Article 9 (2)(g) Substantial Public Interest	Sch 1. Pt. 2 (6) Statutory	<u>Education Act 1996</u>
Delivery of FSM	Article 6 (1)(e) Public Task	Article 9 (2)(g) Substantial Public Interest	Sch 1. Pt. 2 (6) Statutory	<u>Education Act 1996</u>

School Hubs	Article 6 (1)(e) Public Task	Article 9 (2)(g) Substantial Public Interest	Sch 1. Pt. 2 (6) Statutory	<u>Welsh Government Guidance - School and Childcare during Coronavirus Pandemic</u>
Childcare Hubs	Article 6 (1)(e) Public Task	Article 9 (2)(g) Substantial Public Interest	Sch 1. Pt. 2 (6) Statutory	<u>Welsh Government Guidance - School and Childcare during Coronavirus Pandemic</u>
Third Sector Support	Article 6 (1)(e) Public Task	Article 9 (2)(g) Substantial Public Interest	Sch 1. Pt. 1 (2) Health	<u>Welsh Government Guidance - Volunteering</u>
Public Engagement	Article 6 (1)(e) Public Task	Article 9 (2) (g) Substantial Public Interest	Sch 1. Pt. 2 (6) Statutory	<u>Welsh Government Guidance - Volunteering</u>
Data Matching	Article 6 (1)(c) Legal Obligation	Article 9 (2)(b) Employment, Social Security and Social Protection	Sch 1. Pt. 2 (18) Safeguarding	<u>Social Services and Well-being (Wales) Act 2014</u> <u>Cwm Taf Safeguarding Board Policies and Procedures</u> <u>Welsh Government Guidance</u>
Wellbeing Campaign	Article 6 (1)(e) Public Task	Article 9 (2)(g) Substantial Public Interest	Sch 1. Pt. 2 (6) Statutory	<u>Public Health Wales Wellbeing Campaign</u>
Child Protection	Article 6 (1)(c) Legal Obligation	Article 9 (2)(b) Employment, Social Security and Social Protection	Sch 1. Pt. 2 (18) Safeguarding	The Children Act 1989
Domestic Abuse	Article 6 (1)(c) Legal Obligation	Article 9 (2)(b) Employment, Social Security and Social Protection	Sch 1. Pt. 2 (18) Safeguarding	Violence against Women, Domestic Abuse and Sexual Violence (Wales) Act 2015
Hospital Discharge Service	Article 6 (1)(e) Public Task	Article 9 (2)(g) Preventative or Occupational Medicine	Sch 1. Pt. 1 (2) Health	<u>Welsh Government - Hospital Discharge Service</u>
Care Home PPE	Article 6 (1)(e) Public Task	Art 9 (2)(h) - Preventative or Occupational Medicine	Sch 1. Pt. 1 (2) Health	<u>Welsh Government. Fund - Supporting Staff obtain PPE in Care Homes</u>
Heroes of Merthyr		Article 6 (1)(f) Legitimate Interest		
Business Grants		Article 6 (1)(e) Public Task		<u>Welsh Governments Business Grants Support</u>

We may also process your personal data to protect your vital interests in accordance with Article 6(1)(d) of the GDPR.

As the pandemic continues the way our services are delivered to you may change. These changes will be reflected in the Councils Covid-19 Register of Processing Activities however amendments may not be made to this Notice.

HOW WE SHARE YOUR PERSONAL DATA

We may share your personal data with other agencies to provide a coordinated response to combating the Coronavirus and to provide you with the support you require. Due to the nature of the Council's response we will also share your data internally across all Council departments.

The Council is sharing its combined databases with voluntary organisations within Merthyr Tydfil including:

Voluntary Action Merthyr Tydfil
Merthyr Tydfil Housing Association
Twyn Community Hub
Gellideg Foundation
Barod Project
Mens Project
Stephen and George Charitable Trust
Hope Church
Alzheimer's Society
Dowlais Engine House – Pant and Dowlais Boys and Girls Club

The Council is ensuring the appropriate agreements are in place to ensure the security of the personal data and the relevant GDPR provisions are satisfied during this crisis.

The Council is co-ordinating testing with Public Health Wales, we are ensuring that data protection laws are being complied with. We are currently in the process of establishing formal data disclosure agreement.

If you are a Key worker and your child is attending one of the Hub Schools, then we will be sharing the personal data of you and your child to that school. The Hub Schools are listed below:

Ysgol Rhyd Y Grug
Trelewis Primary School
Troedyrhiw Community Primary School
Caedraw Primary School
Goetre Primary School

If you are a key worker and you are using one of the Hub Childcare Providers based in Merthyr Tydfil, then we will be sharing the personal data of you and your child with that childcare provider. The Hub Childcare Providers are listed below:

Funtazia Day Nursery
Seren Bach Pre-School
Here we Grow Day Nursery
Cylch Meithrin Twyncarmel
Trinity Day Nursery

Kidzden
Llwynog Bychain Beddllwynog – Bedlinog Little Foxes
Pili Pala Nursery

If you have applied for Business Grants support, we will be checking your application with the Cifas Fraud Screening Service for Covid-19 Grants. This is to ensure all claims are legitimate. If we find that you have made a fraudulent claim, then we may be required to submit that information to our auditors. For more information on how we use your personal data for auditing purposes please read our privacy notice relating to the National Fraud Initiative.

We will not transfer your data to any countries outside of the European Economic Area. If we do, we will inform you as soon as possible and you can expect a similar degree of protection in respect of your personal information.

HOW LONG WILL WE KEEP YOUR PERSONAL DATA

We will only retain your personal information for as long as necessary to fulfil the purposes we collected it for, including for the purposes of satisfying any legal, accounting, or reporting requirements. The personal information collected in accordance with the processing detailed in this notice will be retained in accordance with the statutory provisions and the Councils Retention Schedule.

Details of retention periods for different aspects of your personal information are available in our Records Management Policy which is available on our website (www.merthyr.gov.uk).

HOW WE ARE KEEPING YOUR PERSONAL DATA SECURE

We have implemented appropriate security measures to prevent your personal information from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed. In addition, we limit access to your personal information to those employees who have a business need to know. They will only process your personal information on our instructions, and they are subject to a duty of confidentiality.

We have put in place procedures to deal with any suspected data security breach and will notify you and any applicable regulator of a suspected breach where we are legally required to do so.

YOUR LEGAL RIGHTS

Under certain circumstances, you have rights under data protection laws in relation to your personal data including the right to receive a copy of the personal data we hold about you these rights are detailed in the full privacy notice. You also have the right to make a complaint at any time to the Information Commissioner's Office, the UK supervisory authority for data protection issues:

Address: Information Commissioner's Office (Wales), 2nd Floor, Churchill House, Churchill Way, Cardiff, CF10 2HH

Email: casework@ico.org.uk

Tel: 0330 414 6421

FURTHER DETAILS

If you are looking for more information on how we process your personal data including data security, data retention, individual rights please access our full privacy policy. You can also obtain information directly from Information Commissioners Office website, www.ico.org.uk.