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Merthyr Tydfil County Borough Council
PRIVACY NOTICE

COVID-19 EMERGENCY RESPONSE REGIONAL CONTACT TRACING PRIVACY NOTICE

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

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Responsible Department: Contact Tracing Service
Responsible Manager: Ellis Cooper

How we use your personal information for Contact Tracing purposes within the Cwm Taf Morgannwg area.

We have summarised in this privacy notice some of the keyways in which Bridgend County Borough Council, Merthyr Tydfil County Borough Council and Rhondda Cynon Taf County Borough Council (collectively referred to as 'we or us' in this notice) use your personal information for Contact Tracing purposes within the Cwm Taf Morgannwg area. This information should be read in conjunction with the Council's corporate privacy notice.

This information should be read in conjunction with the [National Contact Tracing Privacy Notice for Wales](#)

1. What is Contact Tracing and how does it work?

You will be aware from the media and in particular from Welsh Government and Public Health Wales of the Test Trace Protect scheme which is key in the on-going fight against COVID-19 (Corona virus) and helping to find a way for people in Wales to live and work alongside the virus whilst containing its spread.

Contact tracing is a known method of controlling the spread of an infectious disease. As soon you start to display symptoms you should arrange to take a test as quickly as possible, whilst you and members of your household self-isolate.

As lockdown restrictions are slowly relaxed, we will all need to take steps to protect ourselves, families and the community. Contact tracing plays an important role in helping us resume day-to-day activities.

It must be noted that during this challenging and unusual time of dealing with the Coronavirus pandemic, each of the Council's has to very quickly change the way in which they are working to continue to provide you with the support and services you need. We will always follow advice and guidance from the Welsh Government and Public Health Wales and any changes to the way in which we provide you with that support with regards to Test, Trace, Protect will be updated within this privacy notice.

2. Who provides Contact Tracing?

In order to respond to the COVID-19 pandemic Contact Tracing is being undertaken across the whole of the UK, delivered by a number of key government agencies and organisations.

Within Wales, Welsh Government, Public Health Wales NHS Trust, the 7 Local Health Boards, 22 Local Authorities, Velindre Hospital NHS Trust (through the NHS Wales Informatics Service – NWIS) and the Welsh Ambulance Service are working together to provide Contact Tracing.

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.

The following outlines what each organisation does in relation to Contact Tracing specifically in the Cwm Taf Morgannwg area.

Regional Contact Tracing Teams

For the Cwm Taf Morgannwg area; Bridgend County Borough Council, Merthyr Tydfil County Borough Council and Rhondda Cynon Taf County Borough Council are working together to deliver Contact Tracing for people who live within these counties.

The regional Contact Tracing Team will contact individuals who have received a positive test to discuss their symptoms and establish who they have been in contact with (referred to as 'contacts') and when.

The team will also make contact with the contacts on a daily basis to see if they are experiencing any symptoms and to offer advice and guidance on self-isolating.

All calls made by the Contact Tracing teams are recorded for monitoring/training purposes and to assist with resolving any complaints that maybe received.

If a telephone call is not convenient you will be given the option of updating your details, symptoms and who you have been in contact with, yourself via an online form. This will save you time as it generally takes 20-30 instead of a longer phone call. If you decide this is the best option for you, we will send you a

text message with a link to the form plus a 6-digit code that you enter, along with your date of birth to access the form. However, if you do not complete the form with 24 hours, the Contact Tracing Team will telephone you again.

NHS – Cwm Taf Morgannwg University Health Board

For residents who have been in hospital for more than 3 days, you will be classed as a 'hospital acquired Covid case' and the Local University Health Board will undertake Contact Tracing on behalf of the Local Authority.

Your details will be passed to the hospital's Infection Prevention and Control Team (IP&C) who will contact/meet with you to undertake the contact tracing questions.

This will be the same process for someone who has been discharged from hospital, but soon after discharge, tests positive for Covid, the IP&C Team will contact you to discuss your symptoms and who you have been in contact with.

NHS – National Wales Informatics Service (NWIS)

NWIS are providing the digital system in which all information captured by the Regional Contact Tracing teams are securely stored.

Public Health Wales (PHW)

Public Health Wales are providing specialist support, advice and leadership at a national level to NHS Wales, Local Health Boards and Local Authorities in relation to COVID.

In addition, PHW also provide and co-ordinate Contact Tracing for cross boarder cases, for example where an individual has travelled to and from different counties or countries both inside and outside the UK. This is explained further in this notice.

If a telephone call is not convenient you will be given the option of updating your details, symptoms and who you have been in contact with, yourself via an online form. This will save you time as it generally takes 10-30 minutes instead of a longer phone call. If you decide this is the best option for you, we will send you a text message with a link to the form plus a 6-digit code that you enter, along with your date of birth to access the form. However, if you do not complete the form by 10pm the same day, the Contact Tracing Team will telephone you again.

3. What and whose personal information we hold?

The Contact Tracing Team will hold the following information about the following people:

Individual 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.

Individual who has 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.
- DOB
- Details on any COVID-19 symptoms you may be experiencing.
- Disability and ethnicity data.
- A record of any advice and information we have given you.
- Any other information that may be relevant to contact tracing that you may wish to share with us.

4. Where does the service get my information from?

If you have tested positive for COVID-19 your information will be passed to the Contact Tracing Team by the NHS. The Contact 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.

Individual who has been in contact with a person who has tested positive for COVID-19:

If you are identified as being in contact with someone 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). Where this individual does not have all of the information we need about to contact you, such as your full address, home and mobile telephone number etc. we may use other Council systems and records to assist in our search for this information in order to contact you, for example your Council Tax record.

Depending on who has tested positive, where they live and the places/areas they have visited, your information may also be provided to use by other organisations involved in contact tracing both inside and outside of Wales – such as other local authority Contact Tracing teams, Public Health England etc.

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.

Schools and Council managed childcare settings

There is a legal requirement for Contact Tracing Teams to work closely with education settings such as Council managed nurseries and Schools in relation to public safety. This is to ensure that any child who has tested positive for COVID and any children, teachers or staff they have been in contact with, are kept away from school/nursery for the required period of time.

In order to ensure this, a child's COVID test result will be shared by the Contact Tracing Team with the relevant Head teacher or the Councils Flying Start Childcare Manager if they attend a Council run nursery. Likewise, the Head teacher and the Flying Start Childcare Manager will share test information with the Contact Tracing Team if they become aware of a child who is positive or is undergoing a test.

Information will also be shared relating to anyone who may have come into contact with the child who has tested positive, including parent contact information (where the child is of a young age) so that the Contact Tracing Team identify contacts and make contact with them to advise on any steps they need to take, such as self-isolation.

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.

Travelling within Wales and the rest of the UK

If you have travelled outside of the Cwm Taf Morgannwg area, including day visits, short breaks etc. to other parts of Wales or the UK, we are required to forward your details to the relevant Local Authority or Public Health Authority for the area in which you have visited, should they request it, or you have disclosed to us that you have visited a particular place.

Travelling from abroad

If you have arrived back in the UK by airplane or ferry, you may be required to self-isolate depending on the country from which you have returned. Following your return home, if you become unwell or are identified as a contact of a positive case, your information will be shared with us by the relevant Public Health Authority or Local Authority for contact tracing and vice versa.

5. What will we do with your personal information?

Individual who has tested positive for COVID-19:

If we have been notified that you have tested positive, 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.

It may be necessary for us to refer your case to other departments in the Council.

Individual who has 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, a Contact 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. 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.

Duty to self-isolate

It has always been your responsibility to follow the advice of the Contact Tracing Team and ensure you self-isolate if told to do so.

The Welsh Government have now made it a legal requirement that you must follow the advice of the Contact Tracing Team. If you do not self-isolate, or are isolating at an address other than the address you should be, the Police are able to take action against you. If requested by the Police, the Contact Tracing team will confirm if you are supposed to be isolating (the dates) and provide them with your name, address and contact information.

Reporting to your Employer

If you fail to comply with the restrictions set out by Welsh Government and go to work when you have been advised not to, you are putting your colleagues and others at risk of catching COVID 19 (as well as potentially causing operational issues for your employer).

Your employer may be at risk of breaking health and safety laws and public health regulations. This could mean that you have broken the terms and conditions in your contract of employment.

If your employer has reason to believe that you have not followed restrictions, have acted inappropriately and put others at risk, they are able to ask for information from the Contact Tracing team, such as any call recordings/transcripts/confirmation of advice you have been given.

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.

Vaccination

As part of the vaccination program we will be processing data on those that have been identified as being eligible for the vaccination. We may be required to obtain this information from external care settings and external care worker agencies. The data of the individuals that have been identified as being eligible will then be passed on the Public Health Wales to arrange a vaccination.

6. What is the legal basis for the use of this 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)

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

These pieces of legislation allow the Council to discharge certain duties in terms of protecting the public from a communicable disease which includes; preventing, protecting against or controlling the risk to the public. This includes allowing the Council to use information we may already hold on you, to identify you as a contact and to share your information with other agencies.

7. Does the service share my personal information with any other organisation?

As described throughout this privacy notice, the Contact Tracing Team may share your personal information with other organisations and agencies involved in the delivery of COVID-19 Contact Tracing. The requirement to share this information will depend who has tested positive, the people they have been in contact with and the places they have visited.

Organisations and agencies may include, but are not limited to;

- Local Authorities
- Internal Council Departments
- Local Health Boards
- NHS Trusts
- Public Health agencies
- Travel companies, airlines, port authorities etc.

8. 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.

9. Your information, your rights

The General Data Protection Regulation (GDPR) gives you important rights, including the right to access the personal information the services hold about you.

Click [here](#) for further information on your information rights and how to exercise them.

10. 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:

Merthyr Tydfil County Borough Council
Information Governance Team
Civic Centre,
Castle Street,
Merthyr Tydfil
CF47 8AN

By email: Data.Protection@merthyr.gov.uk