

Collection of Personal Data for Test & Protect - Privacy Notice

For the health and safety of the customers/visitors and staff in these premises, we are recording the name and contact details of everyone who enters to support NHS Scotland's efforts in tackling COVID-19. This information will be used to enable NHS Scotland and statutory partners to contact you should you have been in the premises around the same time as someone who has tested positive for coronavirus.

Contacting people who might have been exposed to the virus is an important step in stopping the spread of the virus. For further information on the NHS Scotland Test and Protect strategy please visit the NHS website.¹

1. Why do we need to collect this data?

The purpose for which we are processing your personal data is to assist with NHS Scotland's efforts in tackling the coronavirus public health epidemic. This will involve the gathering and, when necessary, the sharing of information with NHS Scotland and statutory partners.

2. Who will we share your data with and when?

In order to assist in the containment of the virus, we will only share your data when it is requested directly by NHS Scotland and statutory partners. We will only do this if there is a cluster of coronavirus cases linked to the premises.

Before sharing any information we will carefully consider and balance any potential impact on you and your rights.

3. What data will we collect?

Along with the date and time of your arrival and departure, we will collect the following personal data if applicable:

- your name; and
- contact telephone number.

If you do not have a telephone number, you have the option to provide:

- a postal address; or
- an email address.

3. What is our lawful basis for collecting this data?

To collect your personal data, there needs to be a lawful basis for doing so. For the majority of our buildings, the lawful basis for collecting this data is '**public task**'.

¹ <https://www.informationgovernance.scot.nhs.uk/use-of-your-data-for-track-trace-isolate-tti/>

This applies because the “processing is necessary for the performance of a task carried out in the public interest”. In this case, to help protect you and others in response to the coronavirus public health epidemic.

In our hospitality and tourist venues, the lawful basis is ‘legal obligation’. This is because the Health Protection (Coronavirus) (Restrictions) (Scotland) Amendment (No. 11) Regulations 2020 require us to collect your data and share it with public health officers if they request it.

4. How long will we retain the data?

We only need your personal data for the purposes stated in this privacy notice for 21 days.

We may keep your name and contact information for longer if we have also collected it for another Council purpose, for example, providing you with a service connected with your visit. All personal data will be held and disposed of in a safe and secure manner, in accordance with the [Council’s record retention schedule](#).

5. Your rights

As defined in the data protection law, you have the following rights:

- **The right to be informed** about the collection and use of your personal data. This is outlined above.
- **The right to access** information we hold about you. This is known as a subject access request and is free of charge.
- **The right to erasure.** You have the right to ask us to delete your information or stop using it.
- **The right to object** to us processing your personal data.
- **The right to rectification.** If the information held is in any way incorrect, you can tell us and request that the information be rectified.

To exercise any of these rights, visit the Council’s [website](#). In certain circumstances exemptions to these rights may apply.

6. Do you have a complaint?

If you are concerned about what we do with your data, or think something has gone wrong, for example if you have received correspondence from the Council which is not addressed to you, contact the Council’s Data Protection Officer to report a data protection incident.

Email: dataprotectionofficer@edinburgh.gov.uk

Or write to: Kevin Wilbraham, Data Protection Officer, Information Governance Unit,
The City of Edinburgh Council, Waverley Court – 2:1, 4 East Market Street, Edinburgh,
EH8 8BG

If you remain dissatisfied you can make a complaint to the Information Commissioner,
who is an independent regulator. The Information Commissioner can be contacted at:

Information Commissioner's Office Wycliffe House, Water Lane, Wilmslow, Cheshire
SK9 5AF, or 0303 123 1113, or casework@ico.org.uk.

Any complaint to the Information Commissioner is without prejudice to your right to
seek redress through the courts.