

**This privacy notice relates to the Covid-19 response of Merton College and applies to all members of the Merton College community**

**Members of the College are reminded that they should self-isolate in accordance with government advice from the point at which Covid-19 symptoms appear.**

### **A summary of what this notice explains**

Merton College is committed to protecting the privacy and security of personal data. In line with government expectations for educational establishments and individuals during the ongoing Covid-19 pandemic, the College has implemented additional policies and procedures to minimise risk of infection and respond swiftly to occurrences of Covid-19 within the College community.

This notice explains what personal data Merton College holds about you relating to Covid-19, how we use it internally, how we share it, how long we keep it and what your legal rights are in relation to it. For the parts of your personal data that you supply to us, this notice also explains the basis on which you are required or requested to provide the information. For the parts of your personal data that we generate about you, or that we receive from others, it explains the source of the data.

**Merton College has published separate notices, which are applicable to other groups and activities. Those notices may also apply to you, depending on your circumstances, and it is important that you read this privacy notice together with other applicable privacy notices, available at [www.merton.ox.ac.uk/privacy](http://www.merton.ox.ac.uk/privacy):**

- 1. applicants and prospective students**
- 2. alumni and donors (including what financial information we hold about our alumni and how we use it when considering fundraising initiatives)**
- 3. archives (which explains what data we hold about former students in our archive)**
- 4. security, maintenance and health and safety (including how we use CCTV)**
- 5. website and cookies (including how we monitor use of our website)**
- 6. IT systems (including how we monitor internet and email usage)**
- 7. Staff (which may be relevant for example if you are a graduate student and tutor)**

### **What is your personal data and how does the law regulate our use of it?**

“Personal data” is information relating to you as a living, identifiable individual. We refer to this as “your data”.

“Processing” your data includes various operations that may be carried out on your data, including collecting, recording, organising, using, disclosing, storing and deleting it.

Data protection law requires us:

- To process your data in a lawful, fair and transparent way;
- To only collect your data for explicit and legitimate purposes;
- To only collect data that is relevant, and limited to the purpose(s) we have told you about;
- To ensure that your data is accurate and up to date;
- To ensure that your data is only kept as long as necessary for the purpose(s) we have told you about;
- To ensure that appropriate security measures are used to protect your data.

### **Merton College's Contact Details**

If you need to contact us about your data, please contact:

Data Protection Officer

Merton College

Merton Street

Oxford

OX1 4JD

Telephone: 01865 276310

Email: [dpo@merton.ox.ac.uk](mailto:dpo@merton.ox.ac.uk)

### **Data that you provide to us and the possible consequences of you not providing it**

Data relating to your health, specifically your Covid-19 infection status is provided by you on a voluntary basis, either directly or via the Oxford University Early Alert Service with which you have chosen to engage.

Failure to provide data as to your personal infection status will have no impact upon the services we provide to you. However, all members of the Merton College community should be aware that breaching national mandatory isolation requirements following a positive Covid-19 test may affect the health and wellbeing of others within the community, and may constitute a disciplinary offence.

### **Other sources of your data**

Apart from data that you provide to us directly, we will process data regarding Covid-19 status received from the University of Oxford's Early Alert Service, or from other third parties.

### **Details of our processing activities**

#### *Positive test results:*

Notification of positive Covid-19 tests will be received initially by telephone by the Chaplain, or the duty Porter if the Chaplain is unavailable. If a member of academic staff, or a student, has tested positive, the Senior Tutor will be informed. If a member of non-academic staff has tested positive, the Domestic Bursar will be informed. Email notification of positive Covid-19 tests will be

received at a dedicated email address to which only the Chaplain, the Domestic Bursar, and the Student Support Administrator will have access.

Members of the College who live on College grounds are within households based on living arrangements. In the event that a member of the College community has a positive Covid-19 test, appropriate members of College staff will:

- contact the individual to check that they understand their self-isolation requirements; the individual will also be contacted by a clinician and PHE;
- contact the other members of the student's household, and inform them of their need to self-isolate for 14 days;
- check that there are appropriate notices warning that the relevant residential area is off-limits to third parties;
- check in on the individual who has tested positive and other members of their household regularly; and
- take other steps, as necessary, to safeguard your interests, health and wellbeing, and that of the College community.

These actions will not ordinarily require disclosure by the College of the identity of an infected individual. Access to identifiable details of actual or potential Covid-19 infection within the College will be limited to those who need access as part of their work.

#### *Negative test results*

Where an individual has accessed a Covid-19 test via the University's Early Alert Service, the College will be notified of negative results. The data received will be used to contact the individual (and any relevant members of their College household) to inform them that they no longer need to self-isolate unless other grounds for self-isolation exist.

#### *Queries and concerns*

The College has also provided a specific email account ([covid-19@merton.ac.uk](mailto:covid-19@merton.ac.uk)) to enable members of the College community who are worried that they have Covid-19 symptoms to get in touch and obtain guidance as to what to do next. Access to emails received by that account will be only provided to those who need access as part of their work.

### **The lawful basis on which we process your data**

The law requires that we provide you with information about the lawful basis on which we process your personal data, and for what purposes.

Information concerning your Covid-19 infection status will be processed on the following lawful grounds:

- it is necessary for the performance of a task in the public interest;
- it is necessary to comply with a legal obligation;
- it is necessary for our legitimate interests (or those of a third party) and your interests and fundamental rights do not override those interests.

Although it is your choice as to whether to provide us with information concerning your Covid-19 infection status, we do not rely upon your consent for the processing of that information.

#### *How we apply further protection in the case of "Special Categories" of personal data*

"Special categories" of particularly sensitive personal data, such as health information, require higher levels of protection, which means that we must meet additional requirements to process it. The additional requirement we meet to process your health data is that the processing is necessary for reasons of substantial public interest, specifically to enable the College to fulfil its legal obligations and duties (including health and safety obligations).

Processing of information regarding Covid-19 infections is also necessary for reasons of public interest in the area of public health, and to the extent that medical assistance is required, processing of your data is necessary for the diagnosis and provision of care.

#### **How we share your data**

Access to your data within the College will be provided to those who need to view it as part of their work. We may also be required to share your data with Public Health England, other health services, and potentially with the University, to protect your interests, health and wellbeing, and to minimise the risk of transmission of Covid-19.

We may share your data with companies and other organisations who provide services to us. Where we share your data with a third party, we will seek to share the minimum amount necessary. Any other organisation who receives your data is required to take appropriate security measures to protect your data.

#### **Automated decision-making**

We do not envisage that any decisions will be taken about you based solely on automated means, however we will notify you in writing if this position changes.

#### **Sharing your data outside the European Union**

We will not transfer your data outside the European Union.

#### **How long we keep your data**

Notifications of negative test results will be deleted once actioned by the College. Other correspondence and records will be retained for as long as needed to meet our purposes, including any relating to legal, accounting, or reporting requirements.

#### **Your legal rights over your data**

Subject to certain conditions set out in UK data protection law, you have:

- The **right to request access** to a copy of your data, as well as to be informed of various information about how your data is being used;
- The **right to have any inaccuracies in your data corrected**, which may include the right to have any incomplete data completed;
- The **right to have your personal data erased** in certain circumstances;
- The **right to have the processing of your data suspended**, for example if you want us to establish the accuracy of the data we are processing.
- The right to receive a **copy of data you have provided to us**, and have that transmitted to another data controller (for example, another University or College).
- The **right to object to any direct marketing** (for example, email marketing or phone calls) by us, and to require us to stop such marketing.
- The **right to object to the processing of your information** if we are relying on a “legitimate interest” for the processing or where the processing is necessary for the performance of a task carried out in the public interest. The lawful basis for any particular processing activity we carry out is set out in our detailed table of processing activities, available at [www.merton.ox.ac.uk/privacy/student-data-ropa](http://www.merton.ox.ac.uk/privacy/student-data-ropa).
- The **right to object to any automated decision-making** about you which produces legal effects or otherwise significantly affects you.
- Where the lawful basis for processing your data is **consent**, you have the **right to withdraw your consent at any time**. When you tell us you wish to exercise your right, we will stop further processing of such data. This will not affect the validity of any lawful processing of your data up until the time when you withdrew your consent. You may withdraw your consent by contacting the relevant part of the University that you are dealing with or that is processing your data.

Further guidance on your rights is available from the Information Commissioner’s Office (<https://ico.org.uk/>). You may also wish to contact the College’s Data Protection Officer (see contact details above) if you are considering how or whether to exercise your rights.

You have the right to complain to the UK’s supervisory office for data protection, the Information Commissioner’s Office if you believe that your data has been processed unlawfully.

### **Future changes to this privacy notice, and previous versions**

We may need to update this notice from time to time, for example if the law or regulatory requirements change, if technology changes, if the University makes changes to its procedures, or to make Merton College’s operations and procedures more efficient. If the change is material, we will give you not less than two months’ notice of the change so that you can decide whether to exercise your rights, if appropriate, before the change comes into effect. We will notify you of the change by email and via the student intranet.

You can access past versions of our privacy notices at [www.merton.ox.ac.uk/privacy/archive](http://www.merton.ox.ac.uk/privacy/archive).

**Version control: V.1.0 (September 2020)**