



This is important information on Data Protection, Brexit & Coronavirus testing

Please pass to your Business Manager & DPO



Brexit & Data Protection – Cause for concern?

Now that the UK officially left the European Union we thought it would be useful to clarify what this means for data protection and the European Union's General Data Protection Regulation (GDPR).

Happily preparations relating to data protection are well in hand.

The UK Government is keeping the General Data Protection Regulation and has renamed this the UK GDPR.

To ensure UK data can continue flowing freely with the EU (and EEA) the UK GDPR will have to pass an 'adequacy' process with the EU (and EEA).

The good news is that the trade deal agreed between the UK and the EU allows a bridge of up to 6 months where data can continue to flow whilst adequacy negotiations continue.

The GDPR and the UK GDPR are therefore at this time a 'like for like' regulation & will be treated accordingly.

Information Commissioner, Elizabeth Denham said:

'This is the best possible outcome for UK organisations processing personal data from the EU. Organisations can be confident in the free flow of personal data from 1st January, without having to make any changes to their data protection practices.'

We will communicate any outcomes from the adequacy process with the EU (and EEA) as soon as they become clear.

Coronavirus Testing in Schools – latest advice relating to Data Protection.

DfE advice regarding Covid-19 testing in schools is being frequently updated & we are being asked about data protection.

Our advice is that schools should adopt the DfE advised privacy notice & seek consent from individuals who are undergoing testing.

The DfE has some excellent resources which give further explanation and in particular the recommended privacy notice is accessible here: [Resources - Google Drive](#) .

The key points to remember are;

- Notify parents & staff that the current DfE advisory letter was withdrawn on the 7th of January. A brief explanation of the process based on your schools approach & a copy or link to the privacy notice is advised.
- Ensure consent is captured using the form included on the DfE portal [Consent form.docx - Google Drive](#) .You should retain a copy of this consent form 2 weeks. The NHS will retain the information for 8 years in line with existing Health & Social Care Guidance

If you have any other queries don't hesitate to drop us a line –

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You might also want to check out our Twitter feed for more on what's going on – we update regularly: <https://twitter.com/OneWest>

We hope this is useful for you.

Thanks

The One West Team



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