

Privacy Notice – COVID-19

Introduction

This privacy notice is to make it easier to understand and provide you with more information about how the Office of the Police and Crime Commissioner for Merseyside (OPCCM) may seek to collect and hold information about you in relation to the unprecedented challenges we are all facing during the Coronavirus pandemic (COVID-19). It should be read in conjunction with the general Privacy Policy which provides further information.

The OPCCM may seek to collect and process your personal data in response to the recent outbreak of COVID-19, which is above and beyond what would ordinarily be collected from its officers, staff and their dependents, to ensure their safety and well-being.

Such information will be limited to what is proportionate and necessary, taking into account of the latest guidance issued by the Government and health professionals, in order to manage and contain the virus. It will enable the Police and Crime Commissioner (PCC) and OPCCM staff to effectively fulfil their functions to keep people safe, put contingency plans into place to safeguard those vulnerable and aid business continuity.

Where the information is to be used to make organisational decisions, steps will be taken to anonymise the data and general statistics/numbers used, wherever possible.

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What personal data is being collected?

Personal data is being collected to enable the OPCCM to identify any staff (or those closely linked to staff/dependents) who are in any of the high risk categories and would be considered vulnerable, if infected with COVID-19.

What is our lawful basis for processing your personal data?

The General Data Protection Regulation requires specific conditions to be met to ensure that the processing of personal data is lawful. These relevant conditions are below:

- GDPR article 6.1(c) (legal obligation, Ss 1 & 2 of the Police Reform and Social Responsibility Act 2011) and
- Article 6(1)(d) – is necessary in order to protect the vital interests of the data subject or another natural person.
- *Recital 46 adds that “some processing may serve both important grounds of public interest and the vital interests of the data subject as for instance when processing is necessary for humanitarian purposes, including for monitoring epidemics and their spread”.*
- Article 6(1)(e) – is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller.

Section 8(c) of the Data Protection Act sets out that such a task must be necessary for the performance of a function conferred on a person by an enactment or rule of law. The Police Reform and Social Responsibility Act 2011 provides that Chief Constable may do anything which is calculated to facilitate or is conducive or incidental to the exercise of the functions Chief Constable.

The processing of special categories of personal data, which includes data concerning a person’s health, are prohibited unless specific further conditions can be met. These further relevant conditions are below:

- Article 9(2)(i) – is necessary for reasons of public interest in the area of public health, such as protecting against serious cross-border threats to health.

Schedule 1, Part 1(1) – is necessary for the performance or exercising obligations or rights which are imposed or conferred by law on the controller or the data subject in connection with employment, e.g. Health and Safety at Work Act 1974.

Schedule 1, Part 1(3) – is necessary for reasons of public interest in the area of public health, and is carried out by or under the responsibility of a health professional, or by another person who in the circumstances owes a duty of confidentiality under an enactment or rule of law, e.g. [Governmental guidance published by Public Health England](#)

Am I required to provide my personal data under a statutory or contractual requirement, or am I obliged to provide it?

Whilst the provision of data cannot be mandated, you are strongly advised that it is in the best interests of all to provide this information to the OPCCM.

The information will be managed in confidential manner. All information will be held securely and processed on a 'need to know' basis by only a limited number of people. If there is a need to disclose outside of this, the minimal amount of personal data will be used.

For how long will my personal data be retained?

The OPCCM will only keep your information for as long as it necessary, taking into account of Government advice and the on-going risk presented by COVID-19.

Information provided by staff in relation to this outbreak of COVID-19 will not be used for any other purpose, including to be held within personnel files 'just in case' it may be needed again.

When the information is no longer needed for this purpose, it will be securely deleted.

Your rights

If you would like to know more about your information rights or how to exercise them, or how we process your data you can contact the Data Protection Officer via 0151 777 8412 or Data.Protection.Officer@merseyside.police.uk

Further advice and guidance from the ICO on this issue can be found: <https://ico.org.uk/for-organisations/data-protection-and-Coronavirus/>