

## **Covid-19 and data protection guidance**

### **1. Overview**

- 1.1 In light of the Covid-19 pandemic, the University will need to ensure that it continues to provide a safe environment for people to work and study and that appropriate measures are in place to support compliance with Government guidance.
- 1.2 As part of that, the University will need to collect and otherwise process personal data about staff, students and third parties, including health data. This guidance provides general information on the factors to be considered in any such data collection and processing, and in ensuring a fair and transparent approach to handling people's data.
- 1.3 In circumstances where there will be any processing of health data on a large scale, a [Data Protection Impact Assessment](#) must be completed.

### **2. Data protection principles**

- 2.1 The Information Commissioner has published '*Six data protection principles for organisations*'<sup>1</sup> which set out the key steps that organisations need to consider about the use of personal data in relation to Covid-19, lockdown and other restrictions, and Government guidance.
- 2.2 In collecting and processing such data, the University will comply with those principles and will:
  - 2.2.1 Only collect and use what's necessary
  - 2.2.2 Keep data to a minimum
  - 2.2.3 Be clear, open and honest about the use of personal data
  - 2.2.4 Treat data subjects fairly
  - 2.2.5 Keep personal data secure
  - 2.2.6 Ensure that data subjects can exercise their [information rights](#).

### **3. Our basis for processing such data**

- 3.1 The University has legal obligations in relation to the health and safety of our staff, students and others and this is our lawful basis where the processing of personal data is necessary to comply with our health and safety responsibilities.
- 3.2 Where that is not the case, our lawful basis for processing will be 'legitimate interests'. We have to be satisfied that the processing is necessary for the purposes of the legitimate interests pursued by the University and that those are not overridden by the interests or rights of data subjects.
- 3.3 Our data processing may also include special categories of personal data, namely health data such Covid-19 symptoms and test results. We are permitted to process this data as it is necessary

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<sup>1</sup> <https://ico.org.uk/global/data-protection-and-coronavirus-information-hub/coronavirus-recovery-six-data-protection-steps-for-organisations/>

for the purpose of carrying out our health and safety obligations and for reasons of public interest in the area of public health.

#### **4. How will data be used**

4.1 The University will collect and process personal data for the following purposes:

4.1.1 To protect the health of staff, students and other members of the University community and to inform decisions about the steps to take in meeting our health and safety obligations;

4.1.2 To assess and manage any risks relating to individuals working, studying or living on campus, including both the return to and departure from campus, for example, at the start and end of term; and

4.1.3 To record and monitor the self-isolation and quarantine of individuals, for example where necessary to protect the health of staff, students or others (such as our campus partners), to provide necessary support to individuals, and to meet other public health obligations in response to Government guidance.

4.2 Data should only be shared with other University staff or parties outside of the University (such as our campus partners) where it is necessary, for example, to protect the health of members of the University community. Any personal data that is disclosed should be limited to what is needed.

#### **5 What data should be collected**

5.1 The University will only collect and retain the minimum amount of personal data that we need to fulfil the above purposes. We will need to collect data that is adequate for these purposes but should not collect unnecessary or excessive data.

5.2 Data may relate to staff, students or other members of the University community, as well as third parties such as others in their household or family members. It may include health data, such as Covid-19 symptoms, test results, or information about underlying health conditions. Any data should meet the principles of necessity and proportionality.

#### **6. Data retention and deletion**

6.1 Data should only be kept for as long as is necessary for the above purposes and then deleted. Whilst it is retained, data must be held securely. Appropriate technical and organisational measures should be put in place to ensure the security of the data, including protection against unauthorised or accidental loss, damage or disclosure of data.

#### **7. Further information**

7.1 Any queries about the use of personal data relating to Covid-19 can be raised with the Data Protection Officer at [dpo@sussex.ac.uk](mailto:dpo@sussex.ac.uk)