

23/03/2021

COVID-19 asymptomatic testing programme for school/ELC staff and pupils

Dear [Parent/Guardian],

I am writing to let you know about the new Schools/ELC Asymptomatic Testing Programme, which is being put in place as part of the package of COVID-19 risk reduction mitigations in schools across Scotland, and to give you more information about how the programme will operate in our school.

I am also requesting that, as a parent/guardian of a pupil in our school who is eligible for testing, you discuss the contents of this letter and the attached privacy notice with them. If you and they are content, please ensure that the attached consent form is completed and returned at the earliest opportunity. This will ensure that your child can participate in testing if he/she wishes to do so.

Why is our school/setting participating in the programme?

Along with the other protective measures we are implementing to keep our school community safe, regular testing of staff and pupils will help to further reduce risks for staff and children and young people in our school.

It will do so by helping to identify asymptomatic individuals in school environments at the earliest possible opportunity, and asking them and their close contacts to self-isolate, thus minimising the likelihood of them passing on the virus.

Who can take part?

The regular testing is open to all school staff and pupils who are regularly attending the school premises. The testing programme also includes school-aged childcare staff and early learning and childcare staff in settings that are attached to schools. References to 'school staff' within this letter include this wider group of childcare staff.

Does everyone have to take part?

Testing is voluntary. No-one who is otherwise permitted to come to school will be prevented from doing so just because they do not wish to participate. However, we are strongly encouraging all school staff and pupils who are attending school to participate wherever possible, in order to contribute to the wellbeing of our school community.

However, if staff or pupils are working or learning from home, they should not participate. This is because the programme is intended specifically to reduce risks in the school environment.

What will the testing involve?

Our school is being provided with a supply of Lateral Flow Device (LFD) test kits by the Scottish Government and the UK Department of Health and Social Care for use at home.

We will give each participating staff member and pupil a supply of these test kits to take home, together with the 'Instructions for Use'. Each staff member and pupil will be asked to sign for these in a log at the point of handover. Completion of this test kit log is a regulatory requirement.

We will then ask individuals to test regularly at home, twice a week (every three to four days, ideally in the morning before school). We recommend that you test on a Monday and Thursday

The tests supplied do not require laboratory processing and can provide a quick result in around 30 minutes. Comprehensive guidance on conducting self-testing is contained in the 'Instructions for Use' leaflet which will be provided with the test kit. There is a useful video showing participants how to administer the test here:

<https://www.youtube.com/playlist?list=PLvaBZskxS7tzQYIVg7lwH5uxAD9UrSzGJ>.

Once the test has been conducted individuals must log the test result – whether positive, negative or void – online at www.gov.uk/report-covid19-result. Tests are free of charge and will be provided by the school.

NB: It is important to note that this regular testing is only for individuals without symptoms. Those with symptoms must continue to follow the usual guidance. They must self-isolate and book a PCR test at a test centre or via a home test kit at the earliest opportunity. People with symptoms must not rely on a negative LFD result to continue to attend school.

NB: A negative test result must not be taken as leave to relax or ignore physical distancing or other measures intended to reduce transmission – testing is an additional intervention that contributes to reducing risk.

What happens next?

Please discuss the contents of this letter and the privacy notice with your child. If your child wishes to participate in testing, and you are content for them to do so, please ensure that the attached consent form is completed and returned at the earliest opportunity.

We intend to start distributing test kits to staff and pupils on Monday 29th March

We are inviting your child to collect a test kit at school from the main office on Monday 29th, Tuesday 30th and Wednesday 31st of March from 09:30-15:00. They may then begin testing at home in the days prior to their return at the End of the Easter holidays.

We will continue to support and communicate with our staff, pupils and school communities as we implement this programme. Please let us know if you have any questions. In the meantime, some Frequently Asked Questions can be found in the annex to this letter.

Yours faithfully,

Nick Burge

Annex – Frequently Asked Questions

How will my child know how to use the tests?

The school will provide those participating with the most up to date Instructions for Use along with their test kits. Participants will be asked to ensure they use these, and not the ones that are pre-packaged in the test kits.

The Instructions for Use set out clearly how to use the test kits, or how to support someone to do so. They also provide a number to call if there are any problems with the test kits.

Are the tests safe and accurate?

LFD tests have been widely and successfully used to detect COVID-19 in asymptomatic individuals. No test is perfect, but the speed and convenience of LFD tests supports detection of the virus in asymptomatic individuals who would not otherwise be tested. They are clinically approved and are crucial in the fight against the virus. The Medicines and Healthcare products Regulatory Agency (MHRA) has approved the use of these at-home tests for these purposes.

LFD tests are very accurate, which means that only a very small proportion of people who do not have coronavirus will receive a positive result (false positive). The tests are better at picking up true positive cases when a person has a higher viral load and is more contagious. There is a risk of returning a false negative result when viral loads are low (e.g. in the early stages of infection). This is why Public Health Scotland recommend two LFD tests 3 to 4 days apart, or regular testing, to enhance detection by picking up any cases which were not detected during the first test and to catch any new infections.

If someone tests positive using an LFD, it is likely that they are infectious at that moment, whereas people testing positive on a 'Polymerase Chain Reaction (PCR)' test could be in the less infectious early or late stages of disease. This means that by using the LFD, we can identify people with a high viral load who are the most likely to spread the virus further.

What happens if there is a problem with the tests?

Any incidents that could potentially impact the quality or safety of testing should be reported to the Medicines and Healthcare products Regulatory Agency (MHRA).

For incidents occurring in a home setting, please report any issues (for example: something damaged, or missing or difficult to use in the kit, you are unable to log a result) to **0300 303 2713**.

If there is a clinical incident which led to, or has the potential for, harm (e.g. swab breaks in the mouth, bleeding, allergic reaction on using the kit etc.) please report it on <https://coronavirusyellowcard.mhra.gov.uk>.

This is not for seeking immediate medical care. Medical care should be sought through the usual route of contacting 111 or 999.

What happens if my child tests positive?

If your child receives a positive result on your Lateral Flow Device at home, they must report the result online at www.gov.uk/report-covid19-result, self-isolate and book a confirmatory PCR test. This can be done via <https://www.gov.uk/get-coronavirus-test>. We advise visiting a community or drive-through test site as this is the quickest way to get tested, or you can order a home test kit.

It is important that your child begins self-isolation immediately after they receive the positive result from the LFD test, and does not wait until the result of their PCR test.

What happens if my child tests negative?

They must report the result online at www.gov.uk/report-covid19-result. Individuals who test negative will be able to stay in schools and resume their activities as normal.

What happens if the test result is “void”?

This means the test has not run correctly. Your child must report the result online at www.gov.uk/report-covid19-result. They will need to take another test. Use a new test kit, and do not reuse anything from the first kit.

What if my child has been in close contact with someone who tests positive?

If a pupil or member of staff has tested positive, they will have to self-isolate as per government guidelines. The pupil or member of staff should also inform the school of their absence, and are strongly encouraged to report a positive case to their school to support contact tracing activities.

Both Test and Protect and, once informed, the school will get in contact with staff members and pupils who were in close contact with a positive case to inform them that they need to self-isolate.

What if my child develops symptoms?

This testing programme at school is for people with no symptoms. If your child develops symptoms at any time (such as a high temperature; a new, continuous cough; or a loss or change to their sense of smell or taste) they must immediately self-isolate, and book a test by calling 0800 028 2816 or visiting <https://www.nhsinform.scot/>. People with symptoms must not rely on a negative LFD result to continue to attend school.

Can staff/pupils' families get tested too?

No, this asymptomatic LFD testing is aimed at staff and pupils only. The tests will be handed to staff and pupils for personal use and should not be used for anyone else. Family members of staff or pupils taking part are not eligible.

If family members experience COVID-19 symptoms, they must follow standard Government guidance, including self-isolating immediately and booking a test through the NHS Coronavirus (COVID-19) service or by calling 0300 303 2713 in Scotland.

NHS TEST AND PROTECT CONSENT FORM for COVID 19 Testing

(Guidance note: this common consent form has been designed for use by: staff; parents and guardians of senior phase pupils under 16; and senior phase pupils over 16. Underlined sections should be deleted as applicable and the form should be completed as follows:

- **for pupils younger than 16 years**, this form must be completed by the parent or legal guardian. Remember to complete **one consent form for each child** you wish to enrol.
- **for pupils over 16 who are able to provide informed consent**, this form can be completed by themselves, having discussed participation with their parent/guardian.
- **for any pupil who does not have the capacity to provide informed consent** - this form must be completed by the parent or legal guardian.
- **staff** will complete this form themselves.

This COVID 19 testing programme is being led by the Department for Health and Social Care and the Scottish Government to provide asymptomatic testing in schools for staff and senior pupils.

Taking part in testing is voluntary. There is no expectation or obligation to participate. Nobody should be required to undergo testing without consent, and nobody should be excluded from school if they do not wish to test.

Please read the following sections, complete the questions below and return this form to the school as soon as possible:

I have had the opportunity to consider the information provided to me by the school about this testing programme in the letter dated 17/02/21. I have had the opportunity to ask any questions about the programme and, if I have, I have had these answered satisfactorily.

For parents/carers/guardians of under 16s: I have discussed the testing with my child and my child is happy to participate. If on the day of testing they do not wish to take part, then they will not be made to do so.

Please delete the appropriate and sign below if you agree to the following:

1. I consent to participate/ my child participating in this testing programme.
2. I have understood that my/my child's data will be held and shared in accordance with the data privacy notice.
3. I agree that if my / my child's test results are confirmed to be positive, I / my child will inform the school to support contact tracing.
4. I agree to accurately record all of my/my child's test results at www.gov.uk/report-covid19-result or by calling 0300 303 2713.

Staff name: (PRINT) _____

Signature: _____

Date: _____

Name of Pupil: (PRINT) _____

Year group _____

Name of Parent/Guardian: (PRINT) _____

Signature _____

Date: _____

Relationship to child: _____

Privacy Notice for LFD at Home Testing: Secondary Schools, Primary Schools, Special Schools and Early Learning and Childcare Providers

Background

The Scottish Government/NHS Test and Protect, in partnership with the UK Department of Health and Social Care, is responsible for the overall delivery of COVID-19 Lateral Flow Testing (LFT) of staff in primary, secondary and special schools and Early Learning and Childcare (ELC) and senior phase pupils (S4-S6) in Scotland. The testing of asymptomatic people can support education settings to identify positive cases, break chains of transmission and reduce risks in settings.

[Schools/ELC providers will need to add any information or process where they collect data in order that their processes are fully covered]

Scope of this privacy notice

This privacy notice covers the uses of personal data of staff in primary, secondary and special schools and Early Learning and Childcare (ELC) settings, and senior phase pupils (S4-S6), by NHS National Services Scotland (NHS NSS) and Public Health Scotland (PHS).

This privacy notice provides you with information about how your personal data will be collected and used in connection with COVID-19 Lateral Flow Testing. It covers the collection and use of your personal data, from providing the LFT data to the test results being recorded and processed.

As part of this testing, different organisations may require a different level of information about your LFT data, including the Department of Health and Social Care (DHSC) and schools/ELC providers. Please refer to the relevant privacy notices if you want to know more about the uses of your personal data by other organisations. Every organisation involved in this data processing is independently responsible for complying with the applicable data protection legislation.

Who am I giving my personal data to?

If you (or your parent/legal guardian for children below the age of 16 or individuals without the required capacity) decide to participate in this LFT process, you will need to submit the results of your self-administered Covid-19 lateral flow tests through the DHSC LFT [self-test digital journey portal](#). DHSC is the data controller in relation to this data processing and you can find more information [here](#).

For individuals based in Scotland, in line with mandatory notifiable disease reporting regulations and the public tasks of NHS National Services Scotland (NSS) and Public Health Scotland, LFT data submitted through the digital journey portal will flow through National Pathology Exchange (NPEx) (DHSC' processor) into NSS, who safely and securely store the provided data. Public Health Scotland (PHS) also has access to this data to perform their public functions.

NHS NSS and PHS are data controllers for the below purposes.

What is the purpose of processing my personal data?

Providing the LFT data is voluntary and aims to enable you to administer the Covid-19 tests directly without relying on a test centre. It also enables the involved parties to perform their public duties in managing the Covid-19 public health outbreak. In particular,

NHS NSS is the data controller responsible for

- hosting and administering the secure database on NHS secure servers which receives the LFT data
- linking data to the Test and Protect Case Management System (CMS) for initiating contact tracing on positive results
- linking data to the NSS Data Hub for national reporting of aggregated and anonymised results
- providing feedback on incident reporting and outbreaks
- linking LFT data to medical records

PHS is the data controller responsible for performing their statutory public functions and tasks, i.e., research, statistics and management of outbreaks.

What categories of personal data will be collected and processed?

The following personal data will be collected directly from you (or your parent/legal guardian for children below the age of 16 or individuals without the required capacity):

- **Identity Information:**
 - Last name
 - First name
 - Date of birth
 - Gender
 - Ethnic group
- **Contact Information:**
 - Area of residence
 - First line of address
 - Postcode
 - Contact mobile number
 - Contact email address
- **Health information:**
 - Covid-19 Test Result (select from positive, negative or void)
- **Information about the Covid-19 test you have taken**
 - Test kit ID number
 - Date test taken
- **Other:**
 - Name or postcode of the school or college
 - Reason for taking the test (Testing for an education provider - like a school or college)

The following personal data will be collected from other sources:

- Community Health Index (CHI) number – where this is not provided by you, NHS NSS may have to carry out CHI matching for your data set for the positive tests based on the information kept by NHS NSS. This is necessary to ensure that your records are accurate and kept updated.

In the event of a positive LFT test you should book a PCR test to confirm the results. The involved parties in the PCR process will provide you with information about the processing of your personal data in this case.

What happens if I choose not to provide the personal data requested?

This privacy notice covers the LFT Covid-19 weekly testing of staff and senior phase pupils for rapid identification of asymptomatic positive cases to reduce onward transmission within schools and ELC

providers. This testing programme, alongside other protective measures such as physical distancing and handwashing, helps reduce the risks of coronavirus in education settings.

Staff and student participation in LFT testing is voluntary. It is the responsibility of the participating schools to ensure that they obtain the appropriate and valid consent (e.g. from the participants or their parents/legal guardians). People who decline to participate in twice-weekly contact testing may still attend school/ELC providers, provided they continue to follow national guidance on symptomatic testing and self-isolation.

In order to submit the LFT data to the LFD portal, you will need to provide personal data.

[What is the lawful basis for collecting, storing and using my data?](#)

NHS NSS and PHS rely on the below lawful bases to process the personal data:

UK General Data Protection Regulation (GDPR) Article 6(1)(e) (lawful basis to permit the processing of personal data) processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authorities vested in the data controllers.

UK GDPR Article 9(2)(h) (lawful basis to permit the processing of special category data) processing is necessary for the purposes of preventive or occupational medicine, the provision of health or social care or treatment or the management of health or social care systems and services.

UK GDPR Article 9(2)(i) (lawful basis to permit the processing of special category data) processing is necessary for reasons of public interest in the area of public health, such as protecting against serious cross-border threats to health.

UK GDPR Article 9(2)(j) (lawful basis to permit the processing of special category data) processing is necessary for archiving purposes in the public interest, or scientific and historical research purposes.

The processing of personal data covered in this policy also adheres to Schedule 1 of the UK Data Protection Act 2018. In particular, the applied conditions under Schedule 1 are:

Condition 2 - Health or social care purposes

Condition 3 - Public health

Condition 4 - Research etc

Condition 6 - Statutory etc and government purposes

How will my personal data be used?

NHS NSS and PHS process your personal data for the below purposes:

- To perform their public duties and functions in supporting the public healthcare system as outlined under the National Health Service (Functions of the Common Services Agency) (Scotland) Order 2008 for NHS NSS (e.g. management services to support the Scottish Government and Health Boards) and the Public Health Scotland Order 2019 for PHS (e.g. research).
- To administer the processing of your LFT results.
- To enable contact tracing.
- To share the test outcome with other parties involved in this process, such as local Health Boards so they can provide you with appropriate advice and support.

Where your personal data is shared with third parties acting as data controllers, they are responsible for ensuring compliance with data protection law.

How will my personal data be shared?

Your personal data will only be shared with specific parties as part of this processing and on a need-to-know basis. Where special categories of personal data are shared, this is subject to suitable and specific measures to safeguard your rights and freedoms. NHS NSS and PHS may share your personal data with:

- Your local Health Boards to carry out their public health duties
- The GP of the person who tested positive
- NHS Test and Protect service who undertake contact tracing to initiate contact tracing for positive cases
- Other parties of the health and care system for monitoring and planning actions in response to COVID-19

Where positive tests become part of the medical records of the tested person, parties authorised to access your medical records will also have access to this information.

Information about Covid-19 LFT tests may be provided to the Scottish Government in an aggregated and anonymised format for the evaluation of the effectiveness of this testing, including operational performance, clinical and public health effectiveness.

Your school/ELC provider may need to access information about your LFT for certain purposes (e.g. stock management and incident reporting about the quality or safety of testing). Information submitted to the self-test digital journey portal is not shared with school/ELC provider and you may have to provide this information directly to these organisations. Your school and/or ELC provider should provide necessary contact details for reporting the information to all participants.

How long will my personal data be kept?

- The test information processed by NHS Scotland is kept for as long as is required to provide you with direct care and to support NHS Scotland initiatives to fight COVID-19. Information held for direct care purposes is stored in line with the [Scottish Government Health and Social Care Records Management Code of Practice 2020](#). This means such information will be held for up to 7 years before it is deleted.
- When positive test results are added to your personal medical records, this will be retained on these records for your lifetime.

Where is my personal data stored?

Your data will be stored securely within the United Kingdom and safely accessed by authorised parties. We will not share your personal data outside the United Kingdom.

Is my personal data kept private and secure?

We have legal duties to keep information about you confidential. Strict rules apply to keep your information safe and comply with the Data Protection Act 2018, UK GDPR and organisational Data Protection policies. Appropriate technical and organisational measures are used to keep your data safe, including adherence to the NHS Scotland Information Security Policy framework, PHS/NSS Corporate Information Security Policies, PHS/NSS Information Security Acceptable Use Policy, NHSS Information Security and Cyber Security incident reporting and management processes and information governance training.

What Are My Rights?

Under the UK GDPR and Data Protection Act 2018, you have the following rights:

1. The right to be informed.
2. The right of access.
3. The right to rectification.
4. The right to erasure.
5. The right to restriction of processing.
6. The right to data portability.
7. The right to object.
8. Rights in relation to automated decision-making.
9. The right to lodge a complaint with a supervisory body.

Exercising Your Rights

(1) In relation to personal data processed by NHS NSS

If you have questions, complaints or you would like to make a data subject access request (DSAR) regarding how your personal data is collected and processed by NHS NSS, the contact information you need is noted below.

Website: <https://nhsnss.org/contact-us>

Email Address: nss.dataprotection@nhs.scot

Postal Address: Gyle Square, 1 South Gyle Crescent, Edinburgh, EH12 9EB

Telephone: 0131 275 6000

For more information about your rights and how to invoke them in relation to your test results, visit the website at: <https://nhsnss.org/how-nss-works/data-protection>

(2) In relation to personal data processed by PHS

If you have questions, complaints or you would like to make a data subject access request (DSAR) regarding how your personal data is collected and processed by NHS NSS, the contact information you need is noted below.

Website: <http://www.publichealthscotland.scot/contact-us/>

Email Address: pns.dataprotection@pns.scot

Postal Address: Gyle Square, 1 South Gyle Crescent, Edinburgh, EH12 9EB

Telephone: 0131 314 5436

(3) In relation to personal data processed by other parties

For any data processing that is not covered in this privacy notice, other involved organisations are responsible. Please refer to their privacy notices.

Contact details of the data controllers:

<p>NHS National Services Scotland Website: https://nhsnss.org/contact-us Email Address: nss.dataprotection@nhs.scot Postal Address: Gyle Square, 1 South Gyle Crescent, Edinburgh, EH12 9EB Telephone: 0131 275 6000</p>	<p>Contact details of the NHS NSS Data Protection Officer (DPO) Email Address: nss.dataprotection@nhs.scot Postal Address: Gyle Square, 1 South Gyle Crescent, Edinburgh, EH12 9EB Telephone: 0131 275 6000</p>
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Public Health Scotland Website: https://www.publichealthscotland.scot/contact-us/ Email Address: phs.dataprotection@phs.scot Postal Address: Gyle Square, 1 South Gyle Crescent, Edinburgh, EH12 9EB Telephone: 0131 314 5436	Contact details of the NHS NSS Data Protection Officer (DPO) Email Address: phs.dataprotection@phs.scot Postal Address: Gyle Square, 1 South Gyle Crescent, Edinburgh, EH12 9EB Telephone: 0131 314 5436
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To raise a complaint with the Information Commissioner's Office (ICO) as the supervisory body in the UK, contact:

Information Commissioner's Office

Postal Address: Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF

Telephone: 0303 123 1113

Website: www.ICO.org.uk

Last updated: 3 February 2021