

Self-report screening forms and GDPR

The following provides further advice and support for clubs in relation to collecting and processing the Self-Report Screening and self-declaration form in relation to clubs and their GDPR obligations.

The Data Protection Commissioner has stated that public, private, and voluntary organisations are taking necessary steps to **contain the spread and mitigate the effects of COVID-19**, widely referred to as the 'coronavirus'. **Many of these steps will involve the processing of personal data** (such as name, address, workplace, travel details) of individuals, including in many cases sensitive, 'special category' personal data (such as data relating to health).

Data protection law does not stand in the way of the **provision of healthcare** and the **management of public health** issues; nevertheless there are important considerations which should be taken into account when handling personal data in these contexts, particularly health and other sensitive data.

Lawfulness

There are a number of legal bases for the processing of personal data under Article 6 GDPR, and conditions permitting the processing of Special Categories of personal data, such as health data, under Article 9 that may be applicable in this context. Among these, the following may be relevant.

In circumstances where organisations are acting on the guidance or directions of public health authorities, or other relevant authorities, it is likely that Article 9(2)(i) GDPR and Section 53 of the Data Protection Act 2018 will permit the processing of personal data, including health data, once suitable safeguards are implemented. Such safeguards may include limitation on access to the data, strict time limits for erasure, and other measures such as adequate staff training to protect the data protection rights of individuals.

Organisations also have a legal obligation to protect their members from the spread of COVID-19. This obligation together with Article 9(2)(b) GDPR provides a legal basis to process personal data, including health data, where it is deemed necessary and proportionate to do so. Any data that is processed must be treated in a confidential manner i.e. any communications to members about the possible presence of coronavirus in the club must not identify any individual members.

Transparency

Organisations processing personal data must be transparent regarding the measures they implement in this context, including the purpose of collecting the personal data and how long it will be retained for. They must provide individuals with information regarding the processing of their personal data in a format that is concise, easily accessible, easy to understand, and in clear and plain language.

Confidentiality

Any data processing in the context of preventing the spread of COVID-19 must be carried out in a manner that ensures security of the data, where health data is concerned. The identity of affected individuals should not be disclosed to any third parties or to their colleagues without a clear justification.

Data Minimisation

As with any data processing, only the minimum necessary amount of data should be processed to achieve the purpose of implementing measures to prevent or contain the spread of COVID-19.

Accountability

Lead COVID-19 Officers should also ensure they document any decision-making process regarding measures implemented to manage COVID-19, which involve the processing of personal data.

The below practical points will help you manage the processing of self-report screening and self-declaration forms in line with GDPR.

1. It is important to limit the number of people who have access to the self-report screening and self-declaration forms, and therefore it should only be received by the Lead COVID-19 Officer.
2. Self-report screening forms should be held in a safe secure location and destroyed one month after the training session has taken place.
3. Inform members of the process the Club will be undertaking once the self-screening form has been received by the Lead COVID-19 Officer i.e. Inform members if athletes names are going to be passed to coach
4. Only pass the details (name) of who has completed the self-screening report form to the COVID-19 Officer on duty and/or the person recording the attendance.
5. You may pass the details (name) of who has completed the self-report screening form to the coach
6. The coach holds any emergency contact details or the agreed method of holding such information
7. Do not disclose the personal details of anyone who is suspected, has or may have contacted COVID-19
8. Use electronic forms such as JotForm, google forms, smart survey to manage screening forms