
COVID-19 Emergency Response Privacy Notice



1. Introduction

This Privacy Notice is in addition to your main applicable Privacy Notice. It applies to current employees, workers, agency workers, consultants, interns, visitors, partners and directors

It is in response to the COVID-19 epidemic and lays out new processes that have been introduced to address the Government measure to combat the spread of the disease, provide support to our customers, protect our workforce and ensure the long-term interests of the Company.

Marshall is the “data controller” for the purposes of data protection law. This means that we are responsible for deciding how we hold and use personal information. We are required by law to notify you of the information contained in this Emergency Privacy Notice.

This privacy notice will remain in force for the duration of the COVID-19 pandemic.

It is important that you retain and read this document.

We may update this document at any time and the latest version will always be available on the [Company Internet](#), but we will send you a new Emergency Response Privacy Notice if any significant changes are made.

2. Responsibilities

- 2.1 The Group Data Privacy Manager is responsible for ensuring that this notice is made available to data subjects.
- 2.2 All Employees/Staff of Marshall who interact with data subjects are responsible for ensuring that this notice is drawn to the data subject’s attention.

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3. Privacy Notice

3.1 We are

Marshall. Please refer to your main privacy notice for full details of companies covered by this title.

3.2 Types of Personal Data:

Is any data that could identify a living individual. Please refer to your main Privacy Notice for full details of definitions

3.3 We will process the following personal data about you:

If you are working for Marshall

Ordinary Data

- Your name, Clock No., Cost Centre, whether you are absent from the business e.g. Paternity or Maternity leave, working both on site and from home on a regular basis, working both on site and from home on an ad-hoc basis, working solely on site, wholly working from home

Special category personal data

- Self isolating because you are displaying symptoms of COVID-19, but have no ability to work from home.
- Self isolating because somebody in your household is displaying symptoms of COVID-19, but no ability to work from home
- Whether or not you fall into a Government classified vulnerability Group or are at risk for some other reason. Those being
 - Group A - individuals defined by the Government as extremely vulnerable to COVID-19
 - Group B - individuals defined by the Government guidelines as vulnerable
 - Group C - Individuals living in the same household as someone in Group A
 - Group D - Individuals with no underlying health issues but significant wellbeing concerns (self or family)
 - Group N - Individuals with no specific additional vulnerability to Covid-19 i.e. Vulnerability – Normal
- Your COVID-19 Health Status. These categories being;
 - COVID-19 Confirmed
 - COVID-19 Suspected
 - Self-Isolating Household – Because a member of your household is displaying symptoms
 - Self Isolating Self – Because you are displaying symptoms
 - Well – default status in the absence of any other information.
 - A positive or inconclusive COVID-19 Test result

If you attend a Marshall site

Ordinary personal data

- Your name, Clock No (or other identifier) and your line manager or Marshall employee responsible for your attendance on site.

Special category personal data

- A positive or inconclusive COVID-19 Test result

3.4 We have engaged an External Service Provider to carry out COVID-19 Testing on our behalf

They will process the following personal data about you:

Applicable to ALL individuals who attend a Marshall site

Ordinary Data

- Your name, Clock No., Date of Birth, Gender, Mobile, Email Address, NHS Number, Your home address, Post Code

Special category personal data

- Ethnicity, COVID-19 Vaccination Status, the COVID-19 Vaccine that was administered, Swab date, your vaccination status (none, once, twice).

They could also process the following personal data about you:

Ordinary Data

- Date you transitted through a country outside of the UK Common Travel area (UK, Republic of Ireland, Isle of Man, Channel Islands), Arrival in the UK, the registration of the Flight, Train or Vessel that you travelled by.

3.5 The personal data **WE** collect will be used for the following purposes:

If you are employed or contracted to work directly for Marshall

Marshall will maintain a dashboard to enable the monitoring of their labour resource during the COVID-19 Government restrictions on working practices.

- Our key objective is to ensure business continuity while prioritising the health and safety of our team and the continued support for our customers and other people.
- In doing so, we will adhere to government guidelines and legislation on health and safety for our colleagues, our customers, and suppliers, while focusing on essential business activities only until such time we can return to normal operations
- Purpose of the dashboard:
 - Monitor the health of our employees and reduce risk for our people on site and at home
 - Tool for resource and cost planning for short and medium term essential business requirement and contract delivery
 - Live updates and visibility across the business of the health, location, and availability of employees
 - Long term planning: essential resource requirement and actions based on outlook longer term

Our legal grounds for doing this is legal obligation in regard to Duty of care to our staff in relation to the health & safety references above.

Our legal grounds for processing the data in regard to business continuity, cost and resource planning is 'legitimate interest'

If we receive notification of a COVID-19 positive test result from our Service Provider we use this information to rapidly locate you on site and request that you immediately self-isolate.

This processing is necessary for reasons of substantial public interest in the area of public health

If we receive notification of a COVID-19 inconclusive test result from our Service Provider we use this information to notify you of the requirement to carry out another test.

This processing is necessary for reasons of substantial public interest in the area of public health

If you attend a Marshall site to carry out a service on behalf of Marshall

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If we receive notification of a COVID-19 positive test result from our Service Provider we use this information to immediately locate you on site and request that you immediately self-isolate.

This processing is necessary for reasons of substantial public interest in the area of public health

If we receive notification of a COVID-19 inconclusive test result from our Service Provider we use this information to notify you of the requirement to carry out another test.

This processing is necessary for reasons of substantial public interest in the area of public health

3.6 **The personal data OUR SERVICE PROVIDER collects will be used for the following purposes**

To Test whether or not you have COVID-19

We consider the processing necessary under our legal duty of care to our employees and those that may come into contact with them when at a Marshall site.

3.7 **Disclosures, Transfer & Storage**

Information relating to the COVID-19 Labour resource dashboard

If you are employed or contracted to work directly for Marshall

The information relating to your vulnerability category, work status and health status will be stored on a secure central location and access to it will be strictly limited to the Executive and a restricted number of direct reports (limited to a need to know basis).

The information will not be transferred or disclosed to any other organisation

Information relating to the COVID-19 SWAB Testing

Applicable to all individuals who are requested to carry out a COVID-19 SWAB Test by Marshall Group of Companies

All COVID-19 Test Service Providers are required by LAW to provide all submitted personal data (in regard to swab testing) to the following Government agencies;

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- Public Health England (PHE)

This is applicable in all regard whether or not the test result is positive, negative or inconclusive.

All COVID-19 Test Service Providers are required by LAW to inform the following Government agencies;

- Department of Health & Social Care

Whether or not you have been double vaccinated when your COVID-19 test is a requirement of business travel.

Please refer to our Third Party Service Provider Privacy Notices link on our Privacy Notice page (or any other supplementary information they have provided you with) for details of Service Providers carrying out work on our behalf.

If we are contacted by the NHS Test & Trace Service

If an employee tests positive for COVID-19 we may be asked to provide the following information of people they have come into contact with to the Test & Trace Service

- Full Name
- Mobile No. (if we have it)
- An email contact address (we will only supply Company email addresses)

3.8 Retention period

In regard to We will hold your personal data ONLY for the duration of the COVID-19 Emergency unless there is another overriding legal reason to retain it.

Please refer to our Third Party Service Provider Privacy Notices link on our Privacy Notice page (or other supplementary information they have provided you with) for details of Service Providers carrying out work on our behalf.

3.9 Your rights as a data subject

At any point while we (or one of our Third Party Service Providers) are in possession of or processing your personal data, you, the data subject, have the following rights:

- Right of access – you have the right to request a copy of the information that we hold about you.
- Right of rectification – you have a right to ask for data that we hold about you that is inaccurate or incomplete to be corrected.

- Right to be forgotten – in certain circumstances you can ask for the data we hold about you to be erased from our records. If there is no overriding legal reason to keep it.
- Right to restriction of processing – where certain conditions apply to have a right to restrict the processing.
- Right of portability – you have the right to have the data we hold about you transferred to another organisation.
- Right to object – you have the right to object to certain types of processing
- Right to object to automated processing, including profiling – You have the right to ask for certain important computer-made decisions (including profiling) to be challenged and to ask for a human to intervene.
(Please note that at this time no automated processing of Personal Identifiable Information (PII) is in operation.)
- in the event that Marshall refuses your request under rights of access, we will provide you with a reason as to why.
- Where the legal basis for the processing of PII data is 'consent', you have the right to withdraw that consent at any time and the record will be deleted where there is no overriding legal basis to keep it.
Please note that it is the company's policy not to use consent for the legal basis for process except in exception cases with the express approval of the Data Privacy Manager
You have the right to complain as outlined in clause 3.10 below.

If you would like to exercise any of these rights, please contact the company Data Privacy Manager, by emailing DataPrivacyManager@MarshallADG.com or by sending written correspondence to The Data Privacy Manager, Marshall, Airport House, Newmarket Rd, Cambridge, CB5 8RX.

You can make a subject access request by completing the organisation's [Subject Access Request Form](#)

3.10 Complaints

In the event that you wish to make a complaint about how your personal data is being processed by Marshall or how your complaint has been handled, you have the right to lodge a complaint directly with Marshall's Data Privacy Manager, by emailing DataPrivacyManager@MarshallADG.com or by sending written correspondence to The Data Privacy Manager, using the contact details below.

If the complaint is not resolved to your satisfaction you have the right to lodge the complaint with the Supervisory Authority.

The details for each of these contacts are:

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	Data Privacy Manager	Supervisory Authority
Contact Name:	Isobel Aylott	Information Commissioners Office (ICO)
Address line:	Marshall, Airport House, Newmarket Rd, Cambridge, CB5 8RX	Wycliffe House Water Lane Wilmslow Cheshire SK9 5AF
Email:	DataPrivacyManager@MarshallADG.com	https://ico.org.uk/global/contact-us/email/
Telephone:	01223 373206	03031231113
Website		https://ico.org.uk/concerns/

The recommended method of communication to the ICO is via their website

Document Owner and Approval

The Data Privacy Manager is the owner of this document and is responsible for ensuring that this record is reviewed in line with the review requirements of the GDPR.

A current version of this document is available to all members of staff on the [Company Internet](#)

Change History Record

Issue	Description of Change	Approval	Date of Issue
1.0	Creation of Privacy Notice	Data Privacy Manager	02/04/2020
2.0	Incorporation of Dashboard to monitor the health of our employees, and enable resource planning during the COVID-19 emergency	Data Privacy Manager	06/04/2020
3.0	Incorporation of COVID-19 SWAB Testing	Data Privacy Manager	20/05/2021
4.0	Notification of the requirement to supply information to the Test & Trace Service of individuals a specified employee has come into contact with	Data Privacy Manager	01/07/2021

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4.1	Notification of requirement to capture vaccination status both for PHE & DHSE	Data Privacy Manager	10/08/2021
4.2	Replacement of Marshall ADG definition with 'Marshall'	Data Privacy Manager	09/09/2021