

## Guest Data Collection Policy – Cook and Collect

### Guidance for Project Leaders



For our 'Cook and Collect' service we will need to collect the contact information of any guest who comes and collects food from one of our projects during the coronavirus pandemic. This is to assist NHS Test and Trace service in case of a coronavirus outbreak. We will also use this information to communicate with guests and to help us deliver our charitable activities.

For establishments where services are taken off site immediately (e.g. takeaway food/drink), it is not actually a requirement to collect contact details for NHS Test and Trace. However, we have decided to take this step for the reasons outlined below:

- Due to the nature of our service, many of our guests are more vulnerable/susceptible to coronavirus than members of the general public.
- There is a likelihood in some cases that guests will gather after collecting meals, so if there is an outbreak we will be in a position to communicate this.
- In the case of a second lockdown, collecting contact information will mean that we can easily pivot back to food parcel deliveries if needed.
- When we do eventually go back to 'sit down' community meals we will need to gather this information anyway, so it's helpful to set that expectation with our guests from the beginning and make sure that we have a smooth process in place.

Guests will be encouraged to fill out an electronic form before collection here <https://volunteer.foodcycle.org.uk/referral-foodcollection>

If a guest arrives and is not on the list of people you are expecting, Project Leaders can:

1. Use their mobiles to help them complete the form above (if you have enough food they can take some, or you may have to ask them to come back next week if you do not have enough)
2. If you or the guest does not have a smart phone, collect the information on a paper form (see below) and then either
  - Take a photo of the form and upload on the Project Report as a file – ensuring to delete the image off your phone afterwards
  - Fill in the boxes on weekly form of any new guests and any guest who were on the list but did not turn up.

### Questions Regarding collecting this information

**Are we allowed under data protection law to collect personal data from our guests as part of a contact tracing scheme?**

Yes. Data protection law does not prevent you from collecting personal data that people provide voluntarily as long as it is lawful, fair and that you tell your customers and visitors what you are doing.

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You must still consider the principles of data protection law. That means you must make sure the information you collect is adequate, relevant and limited to what you need. It must be accurate and only used for the following reasons

1. so that we can contact guests in case of a coronavirus outbreak at one of our projects
2. to get in touch about our charitable work
3. To shared with third parties for the purpose of NHS test and trace.

. You should also keep it secure, so you minimise the risk of accidentally losing or destroying it.

### What do we need to tell people when we collect their data?

You must be clear, open and honest with people about why you are collecting their data, who you will be sharing it with and how long you will keep it. In this case, the collection of customer data is for a contact tracing scheme NHS Test and Trace in England, so you need to make this clear to people. You will also need to make it clear that we will use the data to communicate with guests and help us to deliver our charitable activities (e.g. communicate any changes to our service).

We will be storing the data on guests for the duration of the coronavirus pandemic.

### How do I make sure my collection and sharing of data is lawful?

There are gateways known as [lawful bases](#) that allow you to collect and share data under data protection law.

These are:

- [Legitimate interests](#). This is likely to be the most applicable lawful basis if you are a private organisation. This basis recognises that collecting the data is likely to be in the interests of the individual, the organisation, and the public health efforts to tackle COVID-19, as long as individuals' rights are protected and data protection principles are followed.
- [Public task](#). This is likely to be the most applicable lawful basis if you are a public authority. It allows you to identify a task, function or power with a clear basis in law – such as your legal responsibilities around public health – which requires you to process this data.

### How much personal data should we collect for a contact tracing scheme?

You should only collect the personal information that is needed to help with contact tracing, to update guests if there has been a report of a COVID outbreak at a project they attend and to let them know about any changes to our charitable activities

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The information should be limited to, guest contact details, allergy information and date of attendance.

#### How do we make sure that the personal data we collect is accurate?

In the context of contact tracing, all you need to do is record the information the guest provides to you in an accurate way. If you believe that the information is wrong or out of date, you can ask the guest for clarification.

We appreciate that some people may provide false information. However, as long as you accurately record the information provided, you are likely to meet your requirements in terms of accuracy under data protection law.

As the collection of this data is voluntary, identity checks would be disproportionate in the vast majority of circumstances. You **should not** undertake identity checks, or other more intrusive means of gathering data, unless you would normally do so (such as for age verification at licenced premises).

When filling out the online cook and collect guest form if a guest doesn't not have certain information or doesn't not want to give the information please just fill in required columns with N/A. In the telephone section please just put 0.

#### What data protection rights do people have in relation to the data we collect about them for a contact tracing scheme?

When you hold their personal data, people have rights under data protection law. These rights include:

- the right of access to the personal data you hold on them – for example their contact details;
- the right to ask for any factually inaccurate data to be corrected;
- the right to object to the processing of their data; and
- the right to ask for their data to be erased.

A full list of rights is [here](#). These rights can be exercised verbally or in writing.

If a guest asks for their information to be removed please contact your Regional Manager who will ensure that this takes place.

#### What do we need to do about security?

You are responsible for ensuring that the personal data you hold is kept securely. That includes making sure it's physically safe, in the case of paper records, or digitally safe, in the case of electronic records.

Our digital form is encrypted and held securely in our data base, and is the preferred method of collecting data.

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If you are collecting information on a paper form you must ensure:

- Do not use an open access sign-in book where customer details are visible to everyone.
- Keep any paper records in a safe place, with measures to prevent malicious access (e.g. in a locked cupboard).
- Ensure that only Project Leaders are collecting this information and have access to it.
- When deleting or disposing of paper forms, do so in a way that is not at risk of unintended access (e.g. shredding paper documents as opposed to disposing them in public refuse bins, ensuring that information is not left fully readable by using a shredded, tearing or cutting paper into small pieces).
- It is a criminal offence under the Data Protection Act to obtain or disclose guests information without guests' consent.

### Who can we share the guest data we collect with?

You should only share the information when it is requested by a legitimate public health authority.

FoodCycle HQ should be the ones that are contacted by a contact tracing scheme, we will [ensure that the caller is genuine](#).

In a very narrow range of circumstances, it may be appropriate to share this information with other parties. For example, the information may be required by the police if they need it for a criminal investigation. In this case, an appropriate [exemption](#) would need to be identified.

### Can we use the personal data we have collected for marketing or other business purposes?

No. Data protection law states that personal data which has been collected for a specific purpose should not be used for other reasons which conflict with the original purpose. This includes direct marketing or advertising, profiling your customer base or analysing demographics. This would be considered as a misuse of the information.

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### APPENDIX

#### Guest – Cook and Collect Form for NHS England Test and Trace



**Please complete this form**

Your information will only be used so that we can contact you in case of a coronavirus outbreak at one of our projects, and to get in touch about our charitable work. It will only be shared with third parties for the purpose of NHS test and trace. If you are collecting meals for your household, please remember only the person who is completing the form should be collecting meals, this is to reduce the number of people present at our projects and to reduce the risk of infection.

You can ask to remove your information at any point by contacting [hello@foodcycle.org.uk](mailto:hello@foodcycle.org.uk) or calling 020 77 292775

Name	Allergies	Telephone	Address and Postcode	Number of People in Household	Would you be interested in weekly Check-in and Chat calls from FoodCycle volunteers?

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