WJEC Privacy Notice

The Personal Data of Learners for Summer Examination Series 2020

**Introduction**

As a result of the Covid-19 (Coronavirus) pandemic, on 18th March 2020 the Education Minister for Wales made a statement bringing forward the Easter break for schools in Wales and announcing that schools would close on 20th March 2020.

A further statement was made by the Education Minister for Wales on 20th March 2020 stating that as a result of scientific and health advice and the closure of schools, the summer 2020 GCSE examinations in Wales would be cancelled. In order to ensure that learners impacted by this decision are not affected in their future studies or employment, it was determined that exceptional arrangements for exam grading and assessment would be put in place in relation to the summer 2020 GCSE examinations to ensure that learners receive qualification grades.

As the primary exam board for Wales, WJEC will as part of these arrangements, be processing additional personal data of learners. This privacy notice sets out WJEC’s purposes and legal bases for processing additional personal data of learners for the purpose of awarding GCSE grades in respect of the summer examination series 2020.

**What additional personal data will we be processing?**

We will be processing additional personal data in respect of all learners who were entered for GCSE examinations with the WJEC this summer.

* Special Education Needs status
* Ethnic origin/background
* Entitlement to free school meals
* English as an additional language
* Results from the 2018 Welsh National Tests in reading (English)
* Results from the 2018 Welsh National Tests in reading (Welsh)
* Results from the 2018 Welsh National Tests in Numeracy (Procedural)
* Results from the 2018 Welsh National Tests in Numeracy (Reasoning)
* National curriculum level at the end of Key Stage 3 in 2018 in the following subjects:
  + English
  + Welsh (first language)
  + Mathematics
  + Science
  + Welsh (second language)
  + Geography
  + History
  + Art & Design
  + Design & Technology
  + ICT
  + Modern Foreign language
  + Music
  + Physical education

The additional personal data will be provided to us by Welsh Government.

**How will we process the additional data?**

WJEC will process the additional personal data in order to:

* Assess the accuracy of the grades provided by centres and/or schools and colleges;
* For moderating and standardising grades;
* To publish exam results;
* To deal with any appeals from learners;
* To investigate issues or complaints raised with WJEC;
* For statistical purposes.

**What is our legal basis for processing the additional personal data?**

Under data protection law we are required to have a legal basis for processing your personal data. In respect of your personal data our legal bases are:

* That processing your data is necessary for **the performance of a contract** with you or to take steps at your request prior to entering into a contract (e.g. where you register to take an exam with WJEC);
* That we have a **legitimate interest** in processing your personal data. We are required to undertake and assessment to ensure that our interests are not overridden by your interests, when relying upon this legal basis. Our legitimate interest will be undertaking the relevant process to ensure learners are provided with qualification grades;
* In certain circumstances we will have a **legal obligation** to process your personal data, for example to report the results of examination or to share you personal data with third parties such as OFQUAL, Qualifications Wales, JCQ and Welsh Government.
* We may also be processing your personal data because it is necessary for the **performance of a task in the public interest** (e.g. the awarding of grades)

We will be processing some personal data which is categorised as special category data (e.g. data concerning racial origin). In order for us to be able to process this type of personal data we have to satisfy some additional conditions. The conditions WJEC will rely upon to process special category data will be:

* For **statistical purposes**; or
* For reasons of **substantial public interest** as required by law or in relation to equal opportunities monitoring.

**Who will we share the additional personal data with?**

We will share some of your additional personal data with Qualifications Wales. This will be limited to data which is not fully identifiable (for example personal data shared will not contain information such as candidate names, UCI, date of birth).

**How long will we keep the personal data?**

WJEC will keep the data until 31 August 2021. This is in order to allow for any appeals to be resolved. The personal data will be securely deleted at that time, or before that time if it is no longer necessary to keep it.

**What rights to you have over your personal data?**

Under data protection law you have the right to:

* **Access** the personal data that WJEC is processing about you. Please be aware however that exemptions may apply to the information you can access, particularly in respect of exam results and assessment data.
* Request the **rectification** of inaccuracies in the personal data WJEC is processing about you;
* **Object** to the processing of your personal data (in some circumstances);
* **Restrict** processing (in some circumstances).
* **Erasure** of your personal data (in some circumstances)

**Contact details**

For further information contact us at

**Data Protection Officer**

**WJEC CBAC Ltd**

**245 Western Avenue**

**Cardiff CF5 2YX**

[**info@wjec.co.uk**](mailto:info@wjec.co.uk)

If we are unable to deal with a complaint to your satisfaction or if you are unhappy with the way we are using your personal information, you also have the right at any time to make a complaint to the ICO. You can contact the ICO at <https://ico.org.uk/concerns> or by telephoning 0303 123 1113.