

Privacy Statement for Candidates – Video examinations

1. Introduction

This Privacy Statement is for candidates taking language, music or drama qualifications with Trinity College London (“Trinity”) by video link (“you”) and for their parents and guardians. It applies to personal data collected in connection with the booking process for the assessment by Trinity of their exam performance. This Privacy Statement statement provides information about the different types of personal information that Trinity collects, the ways in which we use it and your data protection rights, including a right to object to some of the processing which we carry out.

2. Our role

Trinity is the **data controller** in respect of any personal information we collect about you.

As a data controller, we are committed to protecting your privacy at all times in accordance with all applicable laws and regulations governing the use or processing of personal data, including (where applicable) the General Data Protection Regulation (EU) 2016/679 (“GDPR”), the Data Protection Act 2018 and any subsequent data protection legislation.

3. When and what personal information do we collect?

Information you give to us directly

We will collect certain personal information about you when you apply to take a qualification with Trinity. We may collect the following information from you:

- Your full name and contact details, including email address, postal address, telephone number
- Your gender, date of birth, your first language and any special needs requests
- Identity documentation
- Image, video and/or voice recordings
- Name and contact details of parent/guardian for candidates under 16 years of age
- Other information about your application provided on your application form

Information we obtain indirectly

Your personal information may be shared with us by third parties. For instance, we may receive it from your training provider, parent or guardian.

4. Special categories of data

Certain categories of personal information are categorised as **sensitive** and require more protection. These categories of data include information about health and ethnicity.

We may collect and/or use special categories of data in connection with our qualifications: for example, in order to make adjustments for any disabilities you may have. We may also collect ethnicity data from you (should you choose to provide it), to identify and keep under review the existence or absence of equality of opportunity or treatment.

5. How we use your personal information

We may use your personal information for one or more of the following purposes:

- providing you with information and news about our exams

- considering and processing your application for one of our qualifications, and communicating with you in connection with your registration and exam results, including by providing you with feedback on your exam, a provisional mark and a copy of your exam certificate (if successful)
- dealing with your enquiries and requests or those made on your behalf by anyone who booked your exam
- retaining a record of incoming and outgoing communications (e.g. email, telephone call). Information in the email we receive and send will not be disclosed to any third party without the permission of the sender unless otherwise in accordance with the applicable data protection laws
- monitoring malpractice
- dealing with complaints and appeals
- using exam recordings, assessment decisions and results for research purposes to monitor assessment and develop assessment tools and products
- to satisfy legal obligations which are binding on us
- for the prevention of fraud or misuse of service
- for the establishment, defence or enforcement of legal claims
- to further our charitable aim in general

6. Lawful processing

We are required to rely on one or more lawful grounds to collect and use the personal information above, as follows:

(a) **Consent** -Where the candidate is under 16 years and a parent/guardian has provided consent for our use of your personal information in a certain way, for example, to assess a video of your exam performance that you have supplied to us.

(b) **Legal obligation** - Where the processing of your personal information is necessary for us to comply with a legal obligation e.g. to comply with our obligation to provide reasonable adjustments to candidates with a disability.

(c) **Legitimate interests** - We rely on this basis where applicable law allows us to collect and use personal information for our legitimate interests of delivering and monitoring our qualifications, and the use of your personal information is fair, balanced, and does not unduly impact your rights. For instance, it is in our legitimate interest to process personal data of any person who contacts us with an enquiry, so that we can respond to that enquiry.

For the data processing based on our legitimate interests described above, you can obtain information on any of our balancing tests by contacting us using the details set out later in this notice.

7. Sharing your Personal Data

We will not sell, rent or lease your personal information to others. We will only share personal information we collect from you with:

- our national and local representatives who deliver information and services in relation to our exams in your locality
- the schools, colleges, education centres, local authorities and any other entity that provide training courses preparing for a qualification awarded by us, to the extent necessary to provide them with information about your results
- those persons or bodies contracted by us to carry out the roles of examiner, marker, advisor, moderator, tutor, consultant, representative or other similar roles on our behalf in the context of our provision of exam qualifications. For music and drama qualifications, the video recording of your exam performance will be downloaded onto the examiner's Trinity tablet device to assess it and then deleted in accordance with our [Data Retention Policy](#). For language exams (including ISE/GESE exams), the video recording of your exam performance will be stored in the video service provider's cloud. Any exam performances that are appealed may be sent to external examiners by secure means.
- the service providers that we use to host data on their servers
- the service providers we engage to process results data and produce qualification certificates on our behalf

- our marketing automation tool service providers, for the purpose of managing email lists and issuing communications on our behalf
- our academic research partners, for monitoring assessment and the development of assessment tools and products
- our subsidiaries where they are providing support services to us
- as required by law by any government bodies or agencies

We may disclose your personal information to selected other third party processors (such as agents and our suppliers) but only in connection with our own processing purposes, as outlined above in paragraph 5. Any such third party will be required to use any personal data they receive from us in accordance with our instructions and the applicable data protection laws.

We reserve the right to disclose your personal information to third parties:

- If we buy or sell any business or assets or most of our assets are acquired by a third party, in which case we will disclose your personal information to the prospective buyer or seller for auditing purposes where we employ chartered accountants
- if we are under any legal or regulatory obligation to do so (for example as required by our regulators, e.g. Ofqual, or the Information Commissioner's Office)
- in connection with any legal proceedings or prospective legal proceedings

8. Your rights

Where we rely on your consent to use your personal information, you have the right to withdraw your consent. Under certain circumstances, by law, you have the right to:

(a) **Request access** to your personal information (by a "**data subject access request**"). This enables you to receive a confirmation from us as to whether we process any of your personal information or not, and if this is the case, to receive a copy of such personal information and to check that we are lawfully processing it.

(b) **Request correction** of the personal information that we hold about you. This enables you to have any incomplete or inaccurate information we hold about you corrected.

(c) **Request erasure** of your personal information (often referred to as "the right to be forgotten").

(d) **Object to the processing** of your personal information where we are relying on a legitimate interest (or those of a third party) and there is something about your particular situation which makes you want to object to processing on this ground. You also have the right to object if we are processing your personal information for direct marketing purposes.

(e) **Request the restriction of processing** of your personal information.

(f) **Request the transfer** of your personal information to another party.

To exercise any of these rights, or to obtain other information, such as a copy of a legitimate interests balancing test, you can get in touch with us by contacting our Data Protection Officer using the details set out below. If you have unresolved concerns, you have the right to complain to a UK or EU data protection authority where you are based or where you believe a breach may have occurred. In the UK this is the Information Commissioner's Office (the "ICO").

9. International data transfers

As we sometimes use third parties to process personal information, it is possible that personal information we collect from you will be transferred to and stored in a location outside the UK or the European Economic Area ('**EEA**'). Certain countries outside of the UK or EEA have a lower standard of protection for personal information, including lower security protections. Where your personal information is transferred, stored, and/or otherwise processed outside the UK or EEA in a country which does not offer an equivalent standard of protection to the UK or EEA, we will take all reasonable steps necessary to ensure that the recipient implements appropriate safeguards designed to protect your personal information. If you have any questions about the transfer of your personal information, please contact us.

10. Security of your Data

Trinity College London takes its security obligations seriously in respect of your personal data. We will endeavour to take all reasonable steps to protect your personal information. All the personal information we collect is stored securely on servers and we use secure internet protocols and secure networks to protect data collection and processing. Trinity has entered into data processing agreements with its examiners, sub-contractors and video service providers.

We have put in place procedures to deal with any suspected data security breach and will notify you and any applicable regulator of a suspected breach where we are legally required to do so.

11. How long do we keep your personal information?

We will only retain your personal information for as long as necessary to fulfil the purposes we collected it for, including for the purposes of satisfying any legal, accounting, or reporting requirements. In making our retention decision we consider the amount, nature, and sensitivity of the personal data, the potential risk of harm from unauthorised use or disclosure of your personal data, the purposes for which we process your personal data and whether we can achieve those purposes through other means, and the applicable legal requirements. Information which is necessary to verify or confirm exam results may be kept by us indefinitely. For more details please see our [Data Retention Policy](#).

12. Contact us or the ICO

Please contact us if you have any questions about this privacy policy or the information we hold about you. If you wish to contact us, please contact:

The Data Protection Officer
Trinity College London
dpo@trinitycollege.com

You can also contact the Information Commissioner's Office on 0303 123 1113.

13. Changes to this Privacy Statement

We may update this [Privacy Statement](#). When we do, we will publish the changes on the Sites.

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