

## Privacy Notice for Students Calculated Grades for Leaving Certificate 2020 in light of the postponement of the Leaving Certificate examinations

### Purpose

The purposes for which the Department processes your data,

- Processing applications for the option of receiving calculated grades to facilitate timely progression from second-level schooling to employment, further education and higher education, in light of the postponement of the Leaving Certificate examinations caused by the Covid19 pandemic.
- Processing estimated percentage mark and class rank orders for students in the 2020 Leaving Certificate class in order to produce calculated grades.
- For Research and Statistical purposes by the Department.

### Legal basis

Article 6(e) of the General Data Protection Regulation (2016/679) and Section 38 of the Data Protection Act, 2018 underpinned by Section 7(1) of the Education Act 1998.

### Source

- All Leaving Certificate candidates following any of the three programmes; Established, Vocational or Applied.
- Schools and other centres of education with students entered for the 2020 Leaving Certificate (Further Education and Training Centres, private colleges and other non-state funded institutions and sources).
- PPOD -Department of Education and Skills
- State Examinations Commission Database

### Categories of data subject

- Students entered for the 2020 Leaving Certificate examinations

### Categories of personal data

- Examination Number
- Programme i.e. Leaving Certificate Established, Vocational or Applied.
- PPSN
- Department Pupil Identity Number (DPIN)
- Year
- School Roll Number
- School Type
- Surname
- Forename
- Gender
- Date of Birth
- Subject code
- Module Code

- Subject Irish indicator
- Address
- Eircode
- Telephone Number
- Email address
- Subject
- Subject Level
- Class ID
- Estimated Percentage Mark
- Class Rank Order
- Calculated Mark
- Calculated Grade
- Confirmation of conflict of interest and management (where applicable)

### Further Processing

Where the Department intends to further process your data for a purpose other than the purposes listed above, the Department will provide you prior to that further processing with information on that other purpose and with any relevant further information on the processing activity and your data protection rights.

### Recipients of the data

#### *Data Sharing*

Data may be shared with:

- The Educational Research Centre
- Polymetrika International Inc
- The Central Applications Office, the Higher Education Authority, and the Higher Education Institutions for the purposes of entry to higher education
- The State Examinations Commission, for the purposes of facilitating access to the later sitting of the Leaving Certificate examination which will be arranged when it is safe to do so and to maintain the permanent record of the Calculated Grade results as part of the 2020 Leaving Certificate record.
- The Economic and Social Research Institute and Recognised Scholarship Awarding Bodies.

Data may also be shared with the UK university and college admission office, (UCAS) and otherwise at the request of data subjects.

### Storage period

The calculated grades results data processed by the Department of Education and Skills will be retained for 100 years as this group of students may require a copy of their official state certificate of calculated grades at any stage during their lifetime. The data received from schools including the estimated percentage mark and class rank order data in order to produce calculated grades will be retained until the conclusion of the appeals process following which it will be securely destroyed. The Data is retained in the public interest for research, historical and archival purposes.

### Third Country

The CAO provides result information to UCAS UK as Irish applicants to UCAS provide their consent to UCAS to gather their result information from the CAO as part of the application process. Polymetrika International Inc support part of the standardisation process for the calculated grades and are bound to operate within the written instructions of their processor contract with the Department. Polymetrika International Inc have their headquarters in Canada and data transferred there is safeguarded by adequate standards of data protection under an EU adequacy decision ([2002/2/EC](#)).

### Data Subject Rights

Please go to <https://www.education.ie/en/The-Department/Data-Protection/Information.html> for information on your right to access your data.

In line with section 56(1) of the Data Protection Act, (<http://www.irishstatutebook.ie/eli/2018/act/7/section/56/enacted/en/html#sec56>) it is not possible to respond to access requests for the estimated grade until after the release of the calculated grades by the Department, and such requests will be taken to have been made on the later of either the date of the first publication of the results of the 'examination' (i.e. the calculated grades process), or the date of the request.

You may also exercise your right to correct your data, seek to restrict how it may be processed or object to how it may be processed. Your data will not be used for automated decision-making or profiling, please see <http://gdprandyou.ie/wp-content/uploads/2018/03/Rights-of-Individuals-under-the-General-Data-Protection-Regulation.pdf> for the Data Protection Commissioner's Guide to Data Subject Rights.

The Department may not be able to agree to your request for deletion also where your data is subject to the National Archives Act 1986 and no order has been made to dispose of the this category of data under that Act, see guidance from the National Archives

<https://www.nationalarchives.ie/wp-content/uploads/2019/03/20190309Guidance-Note-GDPR-V4.pdf>

You have the right to lodge a complaint with the Data Protection Commissioner, please see [www.dataprotection.ie](http://www.dataprotection.ie)

Further information on how this scheme operates is available at

<https://www.gov.ie/en/publication/2f07eb-leaving-cert-2020-information/#information-for-leaving-cert-students>

### Contact Details

The Department of Education and Skills is the data controller for the processing of your data. If you have any query in respect of this you may contact Paddy Quinn at [Paddy.Quinn@education.gov.ie](mailto:Paddy.Quinn@education.gov.ie)

The Department's Data Protection Officer may be contacted by sending an e-mail to [dpo@education.gov.ie](mailto:dpo@education.gov.ie) or by post to Department of Education and Skills, Data Protection Unit, Athlone, Co. Westmeath, N37 X659.