The Chartered Institute for IT

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# BCS Professional Certification

# Releasing Personal Data to Third Parties

September 2016

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# 1. Definition of a Third Party

A third party in this context means organisations or individuals other than the data subject (i.e. not the person to whom the data directly relates).

A third party disclosure means providing personal data to someone outside of BCS who is not the data subject.

# 2. Purpose and Scope

This is the BCS policy for releasing personal data to third parties. Please note that the scope is limited to QUALIFICATION SERVICES Certifications candidates and their examination information – there is a broader BCS Data Protection Policy which can be downloaded from the BCS Website.

# 3. Policy

We regard the lawful and correct treatment of personal information held by BCS as very important to the provision of professional services and to maintaining confidence between those with whom we deal and ourselves. We will ensure that all personal information is treated lawfully and correctly. To this end, BCS will adhere to the Data Protection Principles as laid down in the Data Protection Act 1998.

All BCS staff are required to undertake an in-house Data Protection tutorial and Senior Managers are required to attend additional training to ensure that there is an awareness of the relevant legislation and regulatory requirements.

Any breach relating to data protection will be forwarded to the BCS Legal Team to deal with as appropriate.

# 4. Candidate's Registration Forms

On occasion, Accredited Training Organisations (ATO) may request a copy of an individual candidate's registration form. This request should be carried out in writing. Once BCS has verified that the candidate has registered for the course/examination with the ATO, BCS will provide a copy of the Candidate Registration Form to the ATO; this information will not be provided to any other third party without the candidate's written consent. This applies to oral, written and mixed format examinations only.

# 5. Candidate's Examination Results

Candidate's examination results and marks are sent to the candidate's Training/Examination Provider by BCS because the Data Protection Act states that there is a 'reasonable expectation' for this information to be provided but the results will not be sent to any other third party including the candidate's employer, family or friends.

There are a number of exceptions to this is if a candidate has registered for an examination which is owned by another Examination Board:

**AXELOS exams** - ITIL®, PRINCE2 ®, MSP®, M_o_R ®, M_o_V®, P3M3®, P30®, MOP®
**ISTQB/UKTB exams** – Foundation Certificate in Software Testing, Advanced Certificates in Software Testing

# 6. Disclosure to current or prospective employers

The Data Protection Act 1988 Section 7 Right of access to personal data states:

Where a data controller cannot comply with the request without disclosing information relating to another individual who can be identified from that information, he is not obliged to comply with the request unless—

(a) the other individual has consented to the disclosure of the information to the person making the request, or
(b) it is reasonable in all the circumstances to comply with the request without the consent of the other individual.

BCS does not release examination results to a candidate's employer as the employer is deemed to be a third party. If an employer wishes to know their staff member's examination result they are advised to liaise with their staff member in advance of the course/examination to request the result letter and or Certificate from their member of staff.

Alternatively, the employer can approach the Training Provider to provide their staff member's examination result under the 'reasonable expectation' clause.

# 7. Process Review

All staff are responsible for monitoring their compliance with the principles detailed in this policy. Departmental managers and supervisors should also monitor compliance on a regular basis.

This policy will be continually monitored and will be subject to a regular review which will take place annually following the Data Protection audit. An earlier review may be warranted if one of the following occurs:

- As a result of regulatory/statutory changes or developments.
- Due to the results/effects of critical incidents.
- For any other relevant or compelling reason.

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