



## Leiden University Privacy Statement on Online Proctoring using ProctorExam

This privacy statement explains how we handle your data when you take part in an online exam using online proctoring facilitated by ProctorExam.

### Why is Leiden University using online proctoring?

For the exam you are going to take use is made online proctoring facilitated by the ProctorExam service. Online proctoring is essential to verify the candidate's identity and to prevent fraud as described in the Higher Education and Research Act (WHW, *Wet op het Hoger Onderwijs*) and the Leiden University Course and Examination Regulation. When using ProctorExam, monitoring is carried out by an invigilator, or proctor, using an online environment. The proctor can watch live while a student is taking the exam. It is also possible that recordings may be viewed at a later point in time. Personal data are used in this process. Leiden University fully endorses the importance of protecting your personal data. We therefore make sure that no more data are processed than are strictly necessary and we ensure that your data are treated with the utmost care. The ultimate aim is that at the end of your studies you will be able to receive a diploma that is highly respected.

### Who is responsible for the processing of my personal data?

Leiden University is responsible for processing your data under the terms of the General Data Protection Regulation (GDPR). Leiden University is established at Rapenburg 70 in Leiden. If you have any questions, please contact the Data Protection Officer: [privacy@bb.leidenuniv.nl](mailto:privacy@bb.leidenuniv.nl).

### For what purposes will my personal data be processed and on what legal grounds?

Your personal data will be processed for the following purposes:

- a. Authentication: during or following the exam, a check will be made to verify that the person doing the exam is actually the student;
- b. Fraud check: during or following the exam, a check will be made whether the student has followed the applicable rules and that he or she has not made use of any unauthorised sources (such as crib sheets, chats, browser sessions).
- c. Time (if and in so far as applicable): after the exam, a check will be made of whether you have completed the exam within the permitted time.

Processing of personal data is only permitted if there are legal grounds for doing so. In the context of academic education, Leiden University processes personal data on the basis of article 6.1(e) GDPR: the processing of the data is necessary to fulfil a public task on the grounds of the WHW. For other forms of education, reference is made to article 6.1(f) GDPR: legitimate interests.

### Are particular personal data processed?

No particular personal data are processed in the context of online proctoring.



## What personal data are processed?

In the case of online proctoring using ProctorExam the following personal data are processed:

- a. name (first name, initials, family name);
- b. email address;
- c. image of LU-Card/public transport pass (*OV-kaart*);
- d. photo of yourself as the student taken using the webcam that is part of the device you are using;
- e. video and audio recordings of you as the student and the environment around you when you are doing the exam, taken by the webcam attached to the device you are using;
- f. screen recordings while taking the exam;
- g. the IP address of the network to which the device is connected;
- h. the websites visited by you as the student while taking the exam;
- i. the answers you give to the questions posed in the exam.

## Who has access to my personal data?

The invigilator checks the identity of the candidate and monitors that no irregularities take place. This can be done during the exam, but checks can also be made after the exam. Invigilators are: a) staff of Leiden University, or b) professional proctors who are hired for this purpose. All invigilators have signed a confidentiality statement. Besides the proctors, authorised staff of Leiden University also have to have access to your personal data if their role requires this. This could include members of the Board of Examiners, for example.

## Will my data be shared with third parties?

Your personal data will not be shared with third parties, apart from ProctorExam and sub-processors, unless Leiden University is obliged to provide these data on the grounds of a legal obligation or judicial proceedings. The agreements made between Leiden University and ProctorExam regarding privacy and security aspects involved in the processing of personal data also apply to parties engaged by ProctorExam.

## Will my personal data be transferred to countries outside the EER?

Yes, data can be transferred to the United States. Transferral to countries outside the EER is only permitted if strict legal conditions are met. In this case, transfer takes place on the basis of the Privacy Shield Framework and the standard contractual clauses relating to data.



## How long will my personal data be retained?

**Your personal data will be retained until two weeks after the period in which it is possible for all students to lodge an objection with the Examination Appeals Board (CBE, *College van Beroep voor de Examens*). This will often be a period of 8-10 weeks. If you lodge an appeal, your data will be kept for longer to meet the requirements of the procedure.**

## How will my personal data be secured?

Leiden University takes appropriate technical and organisational measures to protect personal data against unauthorised access, loss and other forms of illegitimate processing.

## What are my rights on the grounds of the AVG, and how can I exercise these rights?

In addition to the right to lodge an appeal with the Board of Examiners, you can also make use of your right to object on the grounds of article 21 AVG. You can apply this right if in your opinion there are specific circumstances on the grounds of which your privacy interests weigh more heavily than the interests mentioned above. Besides this, you have other rights on the grounds of het AVG to which you can appeal – in particular circumstances: the right to inspection, the right to alter your data if these are factually incorrect or incomplete, the right to remove your data and the right to restrict processing of your data. If you wish to exercise these rights, you should contact the Data Protection Officer: [privacy@bb.leidenuniv.nl](mailto:privacy@bb.leidenuniv.nl).