



Leiden University Privacy Statement on Online Proctoring using Proctorio

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

Why is Leiden University using online proctoring?

For the exam you are going to take use is made online proctoring facilitated by the Proctorio 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 Proctorio, various data are recorded, including image and sound recordings. These data are analysed by Proctorio. If the algorithm observes behaviour that could indicate fraud, a report is made of this. All cases are then assessed by staff of Leiden University. Personal data are also processed when using Proctorio. 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.

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 Proctorio, 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 devices you are using;
- f. screen recordings while taking the exam;
- g. keystrokes and mouse movements while the exam is being taken;
- h. the IP address of the network to which the device is connected;
- i. the websites visited by you as the student while taking the exam;
- j. the answers you give to the questions posed in the exam.

Who has access to my personal data?

The personal data collected during the exam will be evaluated using an automated system. With this system, Proctorio works on the basis of “zero-knowledge technology”: a process in which a message that has already been encrypted is further encrypted one or more times. This means that Proctorio does not have access to your personal data. Access is only possible for staff of Leiden University. Within Leiden University, access is restricted to authorised staff members for whom access is necessary on the grounds of their role or position, such as the members of the Board of Examiners.

Will my data be shared with third parties?

Your personal data will be stored in Microsoft Azure on servers in Amsterdam and Munich. The zero-knowledge technology mentioned previously will be applied to encrypt personal data when transmitting this via internet and during storage.

Your personal data will be shared with Proctorio and sub-processors. In this connection, it is important to know that, even with encryption, this is still a matter of personal data. These data are not shared further with third parties, unless Leiden University is obliged to share these data on the grounds of a legal obligation or judicial proceedings. The agreements made between Leiden University and Proctorio regarding privacy and security aspects involved in the processing of personal data also apply to parties engaged by Proctorio.

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

Data may 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.



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?

Students with questions regarding the processing of personal information in relation to online proctoring can contact the Data Protection Officer: privacy@bb.leidenuniv.nl. Article 21 of the GDPR provides students with a right to object to the processing of their personal information. In that case a balance of interests will take place again, taking your specific situation into account. Aforementioned objections can be lodged with the Executive Board (College van Bestuur), department of Legal Affairs: secretariaat-jz@bb.leidenuniv.nl. Besides this, students have other rights on the grounds of the AVG to which they can appeal – in particular circumstances: the right of access, the right to alter their data if these are factually incorrect or incomplete, the right to remove their data and the right to restrict processing of their data. If students wish to exercise these rights, they should contact the Data Protection Officer: privacy@bb.leidenuniv.nl.

Students with a complaint about the processing of personal information can contact the Data Protection Officer. If students are not satisfied with the outcome they can lodge a complaint with the Autoriteit Persoonsgegevens.