

Data Protection and Proctoring Best Practice

Respecting test taker privacy and complying with data protection legislation.

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General Principles

1. Be open and transparent with test-takers. Share in advance why you are doing proctoring, what information you capture, how long you keep it with and what you do with it.
2. Adopt a policy on how to respond to requests from test takers, for example if they want a copy of their personal data or if they want to delete it.
3. Adopt good security practices. Questionmark itself adopts security practices in line with our independent third-party audited ISO 27001 certification, and make sure that your organization also protects its access to confidential data (e.g. use strong passwords).
4. Don't use data collected during proctoring for purposes other than test review and integrity.

1000s of organizations around the world use remote proctoring successfully and millions of test takers take advantage of the convenience of being able to take a test securely at home and in offices. If you are conducting remote proctoring, it makes sense to follow these data protection guidelines to fairly balance the test program needs against the rights of test takers.

1000s

of organizations around the world use remote proctoring successfully.

5. If you record video as part of your proctoring, set a retention period for the video which you can justify based on a fair balance between data protection and security.
6. If you are testing in Europe, you need a legal basis for conducting the video review and/or recording within the proctoring (and indeed for any personal data processing). European data protection law provides a number of possible legal basis for the processing of personal data, including legitimate interests, necessity for performing a task in the public interest and consent. If you decide to rely on legitimate interests – that it is in your legitimate interests to proctor test takers to reduce test fraud – you should document a formal assessment balancing the advantages to security vs the risks to test takers, and communicate your use of legitimate interest to test takers.
7. If your use of proctoring is large scale or if you are testing in Europe, you should also consider taking the legitimate interest assessment further and conduct a data protection impact assessment (DPIA). In some cases it can be sensible to do a mini DPIA to see if there is any real risk and only do a full one if there seems to be.



Questionmark Good Practice Resources

Questionmark has produced the following resources which are specifically aimed at organizations using Questionmark proctoring and where the GDPR applies.

These are strongly recommended reading if you are conducting proctoring in Europe.

- [Guidance On Data Protection for Questionmark Online Proctoring Customers](#)
- [Guidance On Data Protection for Questionmark Proctoring Record & Review Customers](#)

We also have the following more general resources available:

- [White Paper On GDPR Responsibilities For Assessment: Responsibilities Of A Data Controller When Assessing Knowledge, Skills And Abilities](#)
- [List Of What Personal Data Questionmark Collects When Delivering Assessments](#)
- [Questionmark Trust Page Which Details Our Commitment To Security](#)

Best practice guidance from Questionmark

Questionmark publishes several other reports giving best practice guidance, available from questionmark.com/resources/reports/

Upcoming Webinars

[Register today](#) for one of our upcoming sessions.

From best-practice training to deep-diving into assessment themes, our webinars are a chance to deepen your understanding, and learn some helpful tips along the way. To join one of our upcoming sessions, visit questionmark.com/resources/webinars/



Community Good Practice Resources

Questionmark is active within the testing community in the area of good practice in data protection and assessments.

Founder, John Kleeman, and Group Legal Counsel, Jamie Armstrong are both members of the Association of Test Publishers (ATP) International Privacy Subcommittee and recommend the following resources.

- [Privacy Considerations In Online/Remote Proctoring, ATP's Privacy In Practice Bulletin](#)
- [ATP Global Bookstore](#)

Get in touch

Questionmark cannot give legal advice but if you have any questions on data protection and Questionmark assessments, please reach out to privacy@questionmark.com



About Questionmark

Questionmark is a leading assessment platform that helps businesses, governments and academic organizations test and prove knowledge. We enable organizations to author, deliver and measure assessments, in the cloud, with all the flexible tools they need from proctoring to translations.

For over 30 years our business has paved the way for more effective testing and certification worldwide. To date, we've been trusted by more than 2,500 customers worldwide and deliver more than 18 million assessments a year.

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