

# Information on Joint Controllers

Consultation on changes to the  
Conditions of Recognition



**ofqual**



## Information on Joint Controllers – Consultation on changes to the Conditions of Recognition

### Pursuant to Art. 26(2), 2nd sentence of the General Data Protection Regulation (GDPR)

#### **Why do we act as Joint Controllers?**

Throughout the Consultation on Changes to the Conditions of Recognition, CCEA Regulation (Party 1), Ofqual (Party 2) and Qualifications Wales (Party 3) work closely together. This also applies to the processing of your personal data.

The Parties have jointly determined the sequence in which this data will be processed for each stage of processing. The Parties are therefore acting as Joint Controllers responsible for the protection of your personal data within the stages of processing set out below (Art. 26 GDPR).

The Parties are acting as Joint Controllers for the purposes of undertaking a consultation on changes to the Conditions of Recognition.

The Parties will act as Joint Controllers in the collection of personal data including:

- Names, contact details and status of respondents to the three-regulator consultation;
- The views of respondents to the three-regulator consultation which can be attributed to individuals;
- Names and contact details of bidders for the contract to summarise consultation responses;
- Names and contact details of members of staff appointed by each Controller.

#### **What did the Parties agree upon?**

As part of their joint controllership under data protection law, all Parties have agreed which of them fulfils the various obligations under the GDPR. This relates in particular to the fulfilment of the rights of data subjects and the information obligations under Articles 13 and 14 GDPR.

This Arrangement is necessary as we process personal data at different stages of processing and by different systems operated either by Party 1, Party 2 or Party 3.

Processing stage / IT system	The obligations are to be fulfilled by:
<b>Stage 1. Arrangements with Smart Survey.</b>	Party 3
<b>Stage 2. Reviewing responses to the consultation collected through Smart Survey.</b>	Parties 1, 2 and 3.
<b>Stage 3. Reviewing responses to the consultation collected through post and email</b>	Parties 1, 2 and 3.
<b>Stage 4. Deleting responses from Smart Survey 3 months after the closure of the consultation</b>	Party 3
<b>Stage 5. Reviewing bids for the contract to undertake summary and analysis work</b>	Parties 1, 2 and 3.
<b>Stage 6. Sharing responses to the consultation with a contractor appointed to undertake summary and analysis.</b>	Party 3
<b>Stage 7. Deleting Personal Data obtained through consultation responses after 12 months.</b>	Parties 1, 2 and 3.

### What does this mean for data subjects?

Even where the Parties act as Joint Controllers, they fulfil the data protection requirements in accordance with their respective responsibilities for the specific stages of processing as follows:

- Where the Parties act as Joint Controllers,
  - All 3 Parties are responsible for the processing of personal data at Stages 2, 3, 5 and 7; and
  - Party 3 is responsible for the processing of personal data at Stages 1, 4 and 6.
- All three Parties shall provide any information required under Articles 13 and 14 GDPR to the data subject in a concise, transparent, intelligible and easily accessible form, using clear and plain language and free of charge. For this purpose, each Party shall provide the other Party with all necessary information from its area of activity.
- The Parties shall immediately inform each other of any request made by data subjects. They shall provide each other with all the information necessary to fulfil access requests.
- Data protection rights may be invoked against all three Parties. In principle, data subjects receive the information from the organisation they have contacted to assert their rights.



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