MODULE I IMPACTS AND THE LAW · I4

The Data Protection Act 2018: mark scheme

20 marks · OCR J277 spec 1.6.1

How to use. 1 mark per bullet up to the maximum shown. **/** separates alternative words; **//** separates alternative statements for the same mark. Words in (brackets) are not needed for the mark. "..." means the point depends on the one before it. **NE** = not enough on its own. Spec point covered (J277 1.6.1): legislation relevant to Computer Science, the Data Protection Act 2018: its purpose and the specific actions it allows or prohibits. Law as at November 2026: the Act works alongside the UK GDPR, so accept "GDPR" / "UK GDPR" wording throughout. Accept "data subject" for the customer and "data controller" for the company, but these terms are not required. The Data Protection Act is not on Cambridge 0478, so there is no IGCSE version of this worksheet.

QUESTION	ANSWER	MARKS	GUIDANCE
1 J277 1.6.1	Controls / regulates how personal data is collected / stored / used / processed (by organisations) Protects people's personal data // protects people's privacy Gives people rights over their personal data // e.g. to see / correct / delete it Sets rules/principles that organisations holding personal data must follow // makes organisations keep personal data secure / accurate Applies to data about living, identifiable people	**2**	Max 2. "Protects data" alone = NE: must say personal data or privacy. Do not accept "stops hacking" / "makes hacking illegal" (Computer Misuse Act) or anything about copying work (Copyright, Designs and Patents Act). Credit any other valid answer.
2 J277 1.6.1	Asks for religion to hire a bike: Breaks Explains on the form what details are used for: Follows Laptop with no password taken home: Breaks Changes the address when told: Follows Keeps every customer's details for ever: Breaks Sends a copy of the data when asked: Follows	**6**	1 mark per correct row. 2 ticks in a row = 0 for that row. Reasons (not required): row 1 more data than needed; row 2 used fairly and transparently; row 3 not kept secure; row 4 kept accurate and up to date; row 5 kept longer than necessary; row 6 right of access.

QUESTION	ANSWER	MARKS	GUIDANCE
3 J277 1.6.1	Right to be informed (1) ... to be told what data is collected / why / how it will be used (1) Right of access (1) ... can ask for / see a copy of the data held about them // can make a subject access request (1) Right to rectification / to have data corrected (1) ... can have wrong / out-of-date data (e.g. an old address) corrected / updated (1) Right to erasure / to be forgotten (1) ... can ask for their data to be deleted (e.g. when it is no longer needed) (1) Right to restrict processing (1) ... can ask the company to limit / pause how their data is used (1) Right to object (1) ... can object to / stop their data being used for some purposes, e.g. marketing (1) Right to data portability (1) ... can get their data in a form they can take / move to another organisation (1) Rights about automated decisions / profiling (1) ... can ask for a person to review a decision made only by a computer // can object to being profiled (1)	**4**	Mark in pairs: 1 for identifying the right, 1 for describing it. Max 2 per right, max 2 rights. A clear description earns both marks without the formal name (e.g. "they can ask to see all the data the company holds about them" = 2). Do not award two marks for the same right described twice. "Right to privacy" / "right to data" alone = NE. Credit any other valid right in the Act.
4(a) J277 1.6.1	Personal data must be kept secure // must be protected against loss / theft / unauthorised access	**1**	Accept "integrity and confidentiality". Accept "only the data needed should be used" (all 400 customers' details were copied for home working). Do not accept "data must be accurate" or "data must be kept no longer than necessary" on their own.
4(b) J277 1.6.1	Fine the company Investigate the company / the data breach Order the company to change how it handles personal data // issue an enforcement notice Give the company a warning / reprimand	**1**	Max 1. The regulator need not be named. Accept the ICO / Information Commissioner('s Office) / Information Commission named with a valid action. Do not accept "send the owner to prison" or "arrest the employee". "Punish the company" alone = NE. Credit any other valid action.

QUESTION	ANSWER	MARKS	GUIDANCE
4(c) J277 1.6.1	Encrypt the data / the memory stick Password-protect the memory stick / the file Keep the data on a secure server / system and give staff remote access to it instead Do not allow personal data to be copied onto USB sticks / removable storage (policy) // block USB ports Use access levels so only staff who need the customer data can copy / open it Copy only the data needed for the task Train staff in handling personal data	**2**	1 mark each, max 2. Mark the first two answers. "Keep it safe" / "be more careful" alone = NE. "Back up the data" = NE (it does not protect the lost copy). Credit any other valid way.
5 J277 1.6.1	The email addresses were collected for a specified purpose (sending receipts) // can only be used for the purpose they were collected for Giving them to a holiday company for adverts is a different / new purpose (so the plan would break the Act as it stands) The owner must tell customers / be open (transparent) about the new use The owner must get customers' permission / consent before sharing their data with the holiday company // customers must opt in Sharing the data without telling customers would not be fair / lawful Customers have the right to object to marketing // can ask for their data not to be used for adverts, and the company must stop Customers who agree can later withdraw their consent If the owner goes ahead without this, the company could be investigated / fined (by the regulator)	**4**	1 mark per bullet, max 4. Answers must be about this plan. "It is illegal" / "it breaks the law" alone = NE: must say why or what the owner must do. Do not accept "the Act bans all marketing emails" or "the owner can never share the data". Do not accept "the Computer Misuse Act" as the reason. Credit any other valid point.

Total: 20 marks