

From: [Charles Mabbett](#)
To: [Sam Clark](#)
Cc: [Communications Team](#)
Subject: RE: Universities E-Assessment
Date: Friday, 23 April 2021 12:53:00 pm
Attachments: [image001.jpg](#)
[image002.png](#)
[image003.jpg](#)
[image004.png](#)
[image005.jpg](#)

Kia ora Sam,

We have had similar enquiries about a programme called Examplify used by the University of Otago.

With Covid and the move to offer more distance and online learning options for students, our office accepts that educational institutions will have a lawful purpose in collecting information in new ways to be able to assess student performance. As they will often turn to third parties in order to be able to do this, it is important that institutions do their due diligence on a product and carry out a privacy impact assessment of such technology before adopting it and to communicate clearly to its students.

We cannot comment on the University of Auckland's use of Inspera because we have no information apart from what you have supplied to us. But in the instance of the University of Otago's use of Examplify, it appears from its website that it had done some assessing the programme: <https://blogs.otago.ac.nz/digital-exams/examssoft-digital-exam-student-faq/#Q11>

As a general rule, we encourage agencies to make privacy impact assessments public so that concerned persons can better understand how any privacy concerns are mitigated.

In the case of Inspera, we note that the company says it complies with the EU's General Data Protection Regulation (GDPR) which is a globally influential privacy protective legal framework: <https://www.inspera.com/gdpr>



We note that Victoria University is also using Inspera: <https://www.inspera.com/blog/victoria-university-of-wellington-pilots-digital-exams>

If students are concerned about their privacy, they should request more information from the university in the first instance.

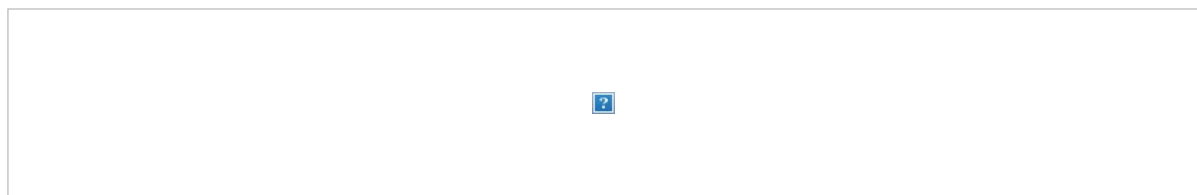
Ngā mihi,

Charles

Charles Mabbett
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From: Media <Media@privacy.org.nz>
Sent: Thursday, 22 April 2021 5:02 pm
To: Sam Clark <wkr5729@autuni.ac.nz>
Cc: Charles Mabbett <Charles.Mabbett@privacy.org.nz>; Alix Chapman <alix.chapman@privacy.org.nz>
Subject: RE: Universities E-Assessment

Hi again Sam,

It's been a busy afternoon and unfortunately I have been unable to look any further into your query.

I will be away on annual leave tomorrow but I leave you in the capable hands of my colleague Charles Mabbett who will be here tomorrow.

Hopefully he's able to assist.

Noho ora mai

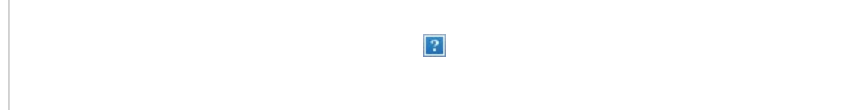
Nāku iti nei, nā Feilidh



Feilidh Dwyer
Communications Adviser

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From: Sam Clark <wkr5729@autuni.ac.nz>

Sent: Thursday, 22 April 2021 2:53 pm

To: Media <Media@privacy.org.nz>

Subject: Re: Universities E-Assessment

Kia ora Feilidh,

Thank you for getting back to me so quickly.

Auckland University is using a program called 'Inspira', which monitors cheating.

I believe it shuts down other applications until the exam is over and can "detect anomalous behaviour", according to their website.

The university has released little info so far, so that may be where the issue lies.

Some students are worried about their privacy by giving access to their computers.

Hopefully that summarises it!

Nga mihi nui,
Sam Clark

From: Media <Media@privacy.org.nz>

Sent: Thursday, 22 April 2021 2:23 PM

To: Sam Clark <wkr5729@autuni.ac.nz>

Subject: RE: Universities E-Assessment

Kia ora Sam,

Thank you for your email.

Could you give me a little more detail about the tools you are talking about? What do these tools do? How do they work? Are they being used across different universities or one in particular?

With a little more detail, it's more likely we'll be able to offer comment.

Noho ora mai

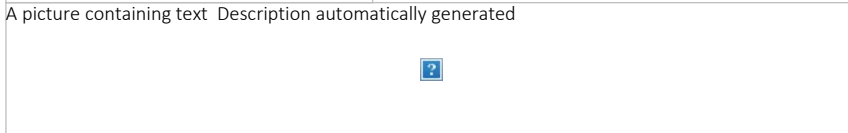
Nāku iti nei, nā Feilidh



Feilidh Dwyer
Communications Adviser

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From: Sam Clark <wkr5729@autuni.ac.nz>

Sent: Thursday, 22 April 2021 12:39 pm

To: Charles Mabbett <Charles.Mabbett@privacy.org.nz>; Media <Media@privacy.org.nz>

Subject: Universities E-Assessment

My name's Sam Clark - I'm a student journalist at 95bFM and AUT.

I was wanting to organise an interview with the Privacy Commissioner about potential privacy issues around the e-assessment tools being used to monitor online examinations at universities across New Zealand in the wake of Covid-19.

Some of my peers have expressed their concerns about how these tools could give universities access to students' data. I was wondering whether the Commissioner thinks there's anything to be concerned about.

Would the Commissioner be available for a short pre-recorded interview on this topic sometime next week?

I look forward to hearing from you.

Kind regards,
Sam Clark
021 184 0650