

BCS Foundation Certificate in Data Protection

Comparison Version 3.2 to 3.3

Change History

Version Number	Changes Made
9.2	Legislative changes for the period May 2020 to October 2020.
	HJ completed Syllabus Comparison, June 2021

Comparison

PREVIOUS Version 3.2	NEW Version 3.3	Notes
6.1.1.2 Privacy shield	This has been removed	No longer a valid mechanism
	6.1.2.1.1 Schrems II	Note on the syllabus
9.2.3 Overlap with the NIS Directive in relation to breach reporting	This has been removed	
Version 3.1	This has been removed – now reads 'Version XX', with comment 'insert correct version number'	
August 2020	This has been amended to June 2021	
Footer: Copyright © BCS 2020 BCS Foundation Certification in Data Protection v3.1 August 2020	This has been highlighted, v3.1 changed to vXX, and August 2020 changed to July 2021	
	Change History, p. 3 - Inserted: 'Version XX Syllabus amended to reflect Brexit changes enshrined in legislation and current cases', with comment 'Insert correct version number'	
Introduction, p. 4 (N.B. page numbers are correct as per Track Changes mark-up) - Knowledge of UK data protection law, including the EU General Data Protection Regulation (GDPR) and the UK Data Protection Act 2018,	Added: '..., incorporating the UK General Data Protection Regulation (GDPR) and Data Protection Act 2018, as well as the...', removed 'including the...' and 'and the UK Data Protection Act 2018'	
	Added: 'This version of the syllabus has been updated to take into account the UK's withdrawal from the EU, and following the EU-UK Trade and Cooperation Agreement that was signed in December 2020. The UK does not have an adequacy decision in its favour from the EU. Any change to that position will be included in a subsequent update, planned for xx', with comment added to 'xx' – 'insert date when next update will take place'	
	Deleted paragraph: 'NB: As the UK is currently in a period of transition until the end of 2020...'	

PREVIOUS Version 3.2	NEW Version 3.3	Notes
Question Weighting, p. 7 – An Introduction to the History of Data Protection in the U.K. 5% 2	Amended to – ‘An Introduction to the history of data protection in the U.K. 7.5% 3	
Principles of Data Protection and Applicable Terminology	Principles of data protection and applicable terminology	
12.5% 5	10% 4	
Governance and Accountability of Data Protection within organisations	Governance and accountability of data protection within organisations	
Transfers of personal data to third countries or international organisations 5% 2	Transfers of Personal Data to third countries or international organisations 7.5% 3	Other Syllabus Areas have been changed from capitalised to lower-case; this has been changed the other way
Independent Supervisory Authority (ICO) 10% 4	Independent Supervisory Authorities and the ICO 7.5% 3	
Breaches, Enforcement and Liability 10% 4	Breaches, enforcement and liability 7.5% 3	
2.5% 1	%% 2	
Syllabus, p. 8 – ‘As the U.K. is currently in a period of transition until the end of 2020...’	This paragraph has been removed.	
Learning Objectives, p. 8 – (5%)	(7.5%)	
Demonstrate an awareness around personal data rights...	1.1. added here, instead of on the line below	
	1.1.1, 1.1.2, 1.1.3, etc., added to each sub-section	

PREVIOUS Version 3.2	NEW Version 3.3	Notes
'The Privacy and Electronic Communications (EC Directive) Regulations 2003 (Sections 5 26)'	Amended to 'The purpose of the Data Protection, Privacy and Electronic Communications (Amendments etc) (EU Exit) Regulations 2019'	
'Part 5 & 6'	Amended to 'Parts 5 & 6'	
Learning Objectives (contd), p. 9 – 'the GDPR'	'the EU GDPR'	
	Added '1.3 Recognise the territorial scope and jurisdiction of the UK GDPR (Articles 2 and 3)	
	Removed 1.2.2	
Principles of Data Protection and Applicable Terminology	Principles of data protection and applicable terminology	
	<p>Formatted and capital letters removed:</p> <p>2.1. Define the following key items of terminology:</p> <p>2.1.1. Personal data and Special category personal data</p> <p>2.1.1.1. Pseudonymisation</p> <p>2.1.1.2. Criminal Offence Data (Article 10 GDPR/Sections 10 & 11 DPA)</p> <p>2.1.1.3. Biometric Data</p> <p>2.1.2. Processing</p> <p>2.1.3. Controller</p> <p>2.1.4. Data Subject</p> <p>2.1.5. Profiling</p> <p>2.2. Describe the following data protection principles:</p> <p>2.2.1. Lawfulness, fairness and transparency - Article 5 (1)(a)</p> <p>2.2.2. Purpose limitation - Article 5 (1)(b)</p> <p>2.2.3. Data minimisation – Article 5(1)(c)</p> <p>2.2.4. Accuracy – Article 5(1)(d)</p> <p>2.2.5. Storage limitation – Article 5 (1)(e)</p> <p>2.2.6. Integrity and confidentiality – Article 5 (1)(f)</p> <p>2.2.7. Responsibility for accountability with the above principles (referred to as Accountability Principle) - Article 5 (2)</p>	

PREVIOUS Version 3.2	NEW Version 3.3	Notes
	<p>Formatted (indentations):</p> <p>3. Lawful bases for processing of Personal Data (10%)</p> <p>Candidates will be able to:</p> <p>3.1. Explain the lawful basis to process Personal Data listed under (Article 6) of the GDPR and as displayed below:</p> <p>3.1.1. Consent</p> <p>3.1.2. Contract</p> <p>3.1.3. Legal obligation</p> <p>3.1.4. Vital interests</p> <p>3.1.5. Public interest task</p> <p>3.1.6. Legitimate interests</p> <p>3.2. Describe the conditions for processing special category data and the exemptions (Article 9)</p>	
Learning Objectives (contd.), p. 10 – ‘Governance and Accountability of Data Protection within organisations’	‘Governance and accountability of data protection within organisations’	
	p. 11 - Formatting changed, so 4.1, 4.2, etc. are on the same line as their LO	
	p. 11 – 5.1.1:5.1.4 LOs indented	
Transfers of personal data to third countries or international organisations (5%)	Transfers of personal data to third countries or international organisations (7.5%)	
Learning Objectives (contd.), p. 11 – ‘Recognise the general principles for transferring personal data to third countries, based on the most common forms’	‘6.1 Recognise the general principles for transferring personal data to third countries, based on the most common forms under UK GDPR and EU GDPR’	
	6.1.1:6.1.2.2 reformatted to display directly underneath 6.1	
	Learning Objectives (contd.), p. 12 – 7.1.1:7.1.5 on same lines as their respective LOs	
7.3 Define restrictions that may affect data subject rights, however they are not expected to have a detailed knowledge of these restrictions (Article 23).	7.3 Express awareness of the restrictions that may affect data subject rights (Article 23). However these will not be examined in the Foundation Certificate.	

PREVIOUS Version 3.2	NEW Version 3.3	Notes
Learning Objectives (contd.), p. 12 - Independent Supervisory Authority (ICO) (10%)	8. Independent Supervisory Authorities (ISAs) and the Information Commissioner's Office (ICO)	
'8.1 Explain the Role of the ICO 8.1.1 As a regulator 8.1.1.1 Investigation and correction (Article 58) 8.1.1.2 Enforcement of regulations 8.1.2 As a body that creates guidance and codes of practice 8.1.3 In co operation with other supervisory authorities 8.1.4 Driving forward good privacy practice in their own jurisdictions and also internationally'	'8.1 Explain the role of ISAs, including 8.1.1 Tasks (Article 57) 8.1.2 Powers (Article 58) 8.1.3 Co-operation between ISAs (Article 60) 8.2 Explain the role of the ICO'	
Learning Objectives (contd.), p. 13 – 9. Breaches, Enforcement and Liability (10%)	9. Breaches, Enforcement and Liability (7.5%)	
9.1.1 To the Supervisory Authority	9.1.1 To an ISA or the ICO	
9.3.3 Awareness of the existence of criminal liability regarding breaches under: 9.3.3.1 Data Protection Act 2018 Computer Misuse Act (Section 3ZA)	9.3.3 Awareness of the existence of criminal liability regarding breaches under the Data Protection Act 2018	
Recommended Reading List, p. 14 – UK Data Protection Act 2018 http://www.legislation.gov.uk/ukpga/2018/12/pdfs/20180012_en.pdf	UK Data Protection Act 2018 Keeling Schedule available at: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/969513/20201102_-_DPA_-_MASTER__Keeling_Schedule__with_changes_highlighted__V4.pdf	
	Added: The Data Protection, Privacy and Electronic Communications (Amendments etc) (EU Exit) Regulations 2019 https://www.legislation.gov.uk/uksi/2019/419/contents/made	
	Added: UK GDPR Keeling Schedule available at https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/969514/20201102_-_GDPR_-_MASTER__Keeling_Schedule__with_changes_highlighted__V4.pdf	

PREVIOUS Version 3.2	NEW Version 3.3	Notes
	Removed: U.K. ICO Guide to Data Sharing (Draft) (Pages 16 to 30, 51) https://ico.org.uk/media/about-the-ico/consultations/2615361/data-sharing-code-for-public-consultation.pdf	
Other background material, p. 14 – U.K. ICO Code of Practice on Direct Marketing (Draft code for consultation (Pages 1 to 40) https://ico.org.uk/media/about-the-ico/consultations/2616882/direct-marketing-code-draft-guidance.pdf	Amended to – U.K. ICO Guide to PECR https://ico.org.uk/for-organisations/guide-to-pecr/	
	Added: U.K. ICO detailed guidance on subject access requests https://ico.org.uk/for-organisations/guide-to-data-protection/guide-to-the-general-data-protection-regulation-gdpr/right-of-access/	