1.5 Legal, Moral, Cultural and Ethical Issues: 10-minute Pack

Total Marks

OCR H446 · Calculators not allowed · about 10 minutes

Name: _____ Date: ____ / ____ / _____

Answer ALL questions. Show all your working.

1 Redwood Sports Academy uses a cloud-based system to store data about student athletes, including their medical conditions and performance statistics.

(a) State the UK Act that governs how the academy must handle this personal data, and name the framework it incorporates into UK law. **(2)**

(b) The academy keeps full medical records for athletes who left five years ago, 'in case they are useful in future'. Identify which data protection principle this breaches and explain why. **(3)**

(c) The academy shares an athlete's mental health data with a sponsor, without asking the athlete, to help the sponsor decide whether to fund them. Explain why this is a particularly serious breach of data protection law. **(3)**

(Total for Question 1 is 8 marks)

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Mark scheme · 1.5 Legal, Moral, Cultural and Ethical Issues: 10-minute Pack

Question 1

(a) Data Protection Act 2018 **B1**

(a) UK GDPR / General Data Protection Regulation (oe) **B1**

(a) Answer: Data Protection Act 2018, incorporating the UK GDPR.

(b) Identifies the storage limitation principle (oe) **B1**

(b) Explains that data must not be kept for longer than necessary for the purpose it was collected **B1**

(b) Applies this to the scenario: the athletes have left, so there is no ongoing purpose, so the records should be deleted or anonymised **B1**

(b) Answer: This breaches the storage limitation principle; data has no ongoing purpose once an athlete leaves and should not be retained indefinitely.

(c) Identifies that health data is 'special category data' under the UK GDPR (oe) **B1**

(c) Explains that special category data requires an extra lawful condition, normally explicit consent, before it can be processed/shared **B1**

(c) Explains a consequence/harm, e.g. potential discrimination against the athlete, loss of sponsorship, distress, breach of trust **B1**

(c) Answer: Sharing special category data without explicit consent (or another Article 9 condition) is unlawful and can cause serious harm to the athlete.

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