General Data Protection Regulation (Exams) Policy

Date reviewed	January 2020
Frequency	Annually
Next review date	January 2021
Reviewed by	Academic Standards, Safeguarding, SEN and Educational Trips Committee

Signed:..... Dated: 30/01/2020

Chair of Governors

Signed:..... **Dated:** 30/01/2020

Principal

Key staff involved in the General Data Protection Regulation policy

Role	Name(s)
Head of centre	**Francis Galbraith**
Exams officer	**Nicola Taggart**
Exams officer line manager (Senior Leader)	**Sarah Thomas**
Data Protection Officer	**Chris Beedon**
IT manager	**Ed Friday**
Data manager	**Luisa Spinelli**

Contents

Purpose of the policy

This policy details how Goldington Academy, in relation to exams management and administration, ensures compliance with the regulations as set out by the Data Protection Act 2018 (DPA 2018) and General Data Protection Regulation (GDPR).

Students are given the right to find out what information the centre holds about them, how this is protected, how this can be accessed and how data breaches are dealt with.

All exams office staff responsible for collecting and sharing candidates' data are required to follow strict rules called 'data protection principles' ensuring the information is:

- used fairly and lawfully
- used for limited, specifically stated purposes
- used in a way that is adequate, relevant and not excessive
- accurate
- kept for no longer than is absolutely necessary
- handled according to people's data protection rights
- kept safe and secure
- not transferred outside the European Economic Area without adequate protection

To ensure that the centre meets the requirements of the DPA *2018* and GDPR, all candidates' exam information – even that which is not classified as personal or sensitive – is covered under this policy.

Section 1 – Exams-related information

There is a requirement for the exams office(r) to hold exams-related information on candidates taking external examinations. For further details on the type of information held please refer to *Section 5* – *Candidate information, audit and protection measures*.

Candidates' exams-related data may be shared with the following organisations:

- Awarding bodies
- Joint Council for Qualifications
- Department for Education

This data may be shared via one or more of the following methods:

- hard copy
- email
- secure extranet site(s) – eAQA; OCR Interchange; Pearson Edexcel Online; WJEC Secure services;
- a Management Information System (MIS)
- sending/receiving information via electronic data interchange (EDI)
- using A2C (https://www.jcq.org.uk/about-a2c) to/from awarding body processing systems
- Go4Schools

This data may relate to exam entries, access arrangements, the conduct of exams and non-examination assessments, special consideration requests and exam results/post-results/certificate information.

Section 2 – Informing candidates of the information held

Goldington Academy ensures that candidates are fully aware of the information and data held.

All candidates are:

- informed via a letter upon registration
- a section in the exams handbook for students
- given access to this policy via the centre website

Candidates are made aware of the above at the start of their course of study leading to an externally accredited qualification

At this point, the centre also brings to the attention of candidates the annually updated JCQ document Information for candidates – Privacy Notice which explains how the JCQ awarding bodies process their personal data in accordance with the DPA 2018 and GDPR. This information is always available on the school website.

Candidates eligible for access arrangements are also required to provide their consent by signing the GDPR compliant JCQ candidate personal data consent form (Personal data consent, Privacy Notice (AAO) and Data Protection confirmation) before access arrangements approval applications can be processed online.

Section 3 – Hardware and software

The table below confirms how IT hardware is protected in line with DPA 2018 & GDPR requirements.

Hardware	Date of purchase and protection measures	Warranty expiry
Desktop computer	Desktop PC running MS Windows 10	Mixed

Hardware	Protection measure(s)
Desktop computer	PC only accessible via authorised user account and connected to secured school network infrastructure. Ant-virus installed and running to scan and update schedule. Data stored centrally on networked servers. Data is not stored on the local hard disk of the PC. Network protected from external threats via a Fortinet Firewall complying with all relevant Firewall standards. Data is backed up daily using Veeam backup solution.

Section 4 – Dealing with data breaches

Although data is handled in line with DPA 2018/GDPR regulations, a data breach may occur for any of the following reasons:

- loss or theft of data or equipment on which data is stored
- inappropriate access controls allowing unauthorised use
- equipment failure
- human error
- unforeseen circumstances such as a fire or flood
- hacking attack
- 'blagging' offences where information is obtained by deceiving the organisation who holds it

If a data protection breach is identified, the following steps will be taken:

Containment and recovery

The Data Protection Officer will lead on investigating the breach.

It will be established:

- who needs to be made aware of the breach and inform them of what they are expected to do to assist in the containment exercise. This may include isolating or closing a compromised section of the network, finding a lost piece of equipment and/or changing the access codes
- whether there is anything that can be done to recover any losses and limit the damage the breach can cause. As well as the physical recovery of equipment, this could involve the use of back-up hardware to restore lost or damaged data or ensuring that staff recognise when someone tries to use stolen data to access accounts
- which authorities, if relevant, need to be informed

Assessment of ongoing risk

The following points will be considered in assessing the ongoing risk of the data breach:

- what type of data is involved?
- how sensitive is it?
- if data has been lost or stolen, are there any protections in place such as encryption?
- what has happened to the data? If data has been stolen, it could be used for purposes which are harmful to the individuals to whom the data relates; if it has been damaged, this poses a different type and level of risk
- regardless of what has happened to the data, what could the data tell a third party about the individual?
- how many individuals' personal data are affected by the breach?
- who are the individuals whose data has been breached?
- what harm can come to those individuals?
- are there wider consequences to consider such as a loss of public confidence in an important service we provide?

Notification of breach

Notification will take place to enable individuals who may have been affected to take steps to protect themselves or to allow the appropriate regulatory bodies to perform their functions, provide advice and deal with complaints.

Evaluation and response

Once a data breach has been resolved, a full investigation of the incident will take place. This will include:

- reviewing what data is held and where and how it is stored
- identifying where risks and weak points in security measures lie (for example, use of portable storage devices or access to public networks)
- reviewing methods of data sharing and transmission
- increasing staff awareness of data security and filling gaps through training or tailored advice
- reviewing contingency plans

Section 5 – Candidate information, audit and protection measures

For the purposes of this policy, all candidates' exam-related information – even that not considered personal or sensitive under the DPA 2018/GDPR – will be handled in line with DPA 2018/GDPR guidelines.

An information audit is conducted regularly (see Goldington Academy's 'Data Protection Policy').

The table below details the type of candidate exams-related information held, and how it is managed, stored and protected

Protection measures may include:

- secure drive accessible only to selected staff
- information held in secure area

Section 6 – Data retention periods

Details of retention periods, the actions taken at the end of the retention period and method of disposal are contained in the centre's **Exams archiving policy** which is available on the academy website and on the T:/

Section 7 – Access to information

Current and former candidates can request access to the information/data held on them by making a **subject access request** to the Data Protection Officer in writing using the appropriate form (Appendix 1). ID will need to be confirmed if a former candidate is unknown to current staff. All requests will be dealt with within 40 calendar days.

Third party access

Permission should be obtained before requesting personal information on another individual from a third-party organisation.

Candidates' personal data will not be shared with a third party unless a request is accompanied with permission from the candidate and appropriate evidence (where relevant), to verify the ID of both parties, provided.

In the case of looked-after children or those in care, agreements may already be in place for information to be shared with the relevant authorities (for example, the Local Authority). The centre's Data Protection Officer will confirm the status of these agreements and approve/reject any requests.

Section 8 – Table recording candidate exams-related information held

For details of how to request access to information held, refer to section 7 of this policy (**Access to information**)

For further details of how long information is held, refer to section 6 of this policy (**Data retention periods**)

Information type	Information description (where required)	What personal/sensitive data is/may be contained in the information	Where information is stored	How information is protected	Retention period
Access arrangements information	Any hard copy information kept by the SENDCo relating to an access arrangement candidate.	Candidate name Candidate DOB Gender Data protection notice (candidate signature) Diagnostic testing outcome(s) Specialist report(s) (may also include candidate address) Evidence of normal way of working	Access Arrangements Online MIS Lockable metal filing cabinet	Secure user name and password In secure area solely assigned to SEN	**DOB of pupil plus 25 years.**
Attendance registers copies	Attendance register for each exam session	Candidate name Candidate exam number Candidate UCI number	Exams secure storage facility	In secure area solely assigned to exams	After the deadline for RoRs or appeal.*
Candidates' scripts	Exam scripts completed that day during an exam Any unwanted copies of scripts returned to the centre through the Access to Scripts (ATS) service.	Candidate name Candidate exam number Candidate UCI number	Exams secure storage facility Where teachers are using completed scripts for teaching and learning – they must be stored securely when not being used.	In secure area solely assigned to exams Lockable cabinet	After the deadline for RoRs or appeal.*

Candidates' work	Non-examination assessment work	Candidate name Candidate exam number Candidate UCI number	To be stored safely and securely along with work that did not form part of the moderation sample (including materials stored electronically)	Written: in secure area within department Electronic: in secure area on Network (password protected)	After the deadline for RoRs or appeal.*
Certificates	Candidate certificates issued by awarding bodies.	Candidates name	In lockable filing in exams office	In secure area solely assigned to exams	2 years
Certificate destruction information	A record of unclaimed certificates that have been destroyed.	Candidates name	In lockable filing in exams office	In secure area solely assigned to exams	4 years
Certificate issue information	A record of certificates that have been issued to candidates.	Candidates name	In lockable filing in exams office	In secure area solely assigned to exams	4 years
Conflicts of Interest records	A record of staff with a conflict of interest	Staff name	Exams secure storage facility	In secure area solely assigned to exams	2 years
Entry information	A record of candidates entered into public examinations	Candidates name Candidate DOB Candidate gender	Paper copies: In lockable filing in exams office Electronic: On MIS (password protected)	In secure area solely assigned to exams	After the deadline for RoRs or appeal.*
Exam room incident logs	Logs recording any incidents or irregularities in exam rooms for each exam session.	Candidate name Candidate exam number Candidate UCI number	Exams secure storage facility	In secure area solely assigned to exams	After the deadline for RoRs or appeal.*

Invigilator and facilitator training records	A record of the content of the training given to invigilators	Invigilator name Invigilator DOB	In lockable filing in exams office	In secure area solely assigned to exams	2 years
Overnight supervision information	JCQ form Timetable variation and confidentiality declaration for overnight supervision for any candidate eligible for these arrangements.	Candidate name Candidate exam number Candidate UCI number Candidate contact details	Exams secure storage facility	In secure area solely assigned to exams	After the deadline for RoRs or appeal.*
Post-results services: confirmation of candidate consent information	Hard copy or email record of required candidate consent	Candidate name Candidate exam number Candidate UCI number	Exams secure storage facility	In secure area solely assigned to exams	After the deadline for RoRs or appeal.*
Post-results services: requests/outcome information	Any hard copy information relating to a post-results service request (RoRs, appeals, ATS) submitted to an awarding body for a candidate and outcome information from the awarding body.	Candidate name Candidate exam number Candidate UCI number	Exams secure storage facility	In secure area solely assigned to exams	After the deadline for RoRs or appeal.*
Post-results services: scripts provided by ATS service	Copies of exam scripts (or an electronic image of the script) returned to the centre by the awarding body or copies downloaded by the centre where the awarding body provides online access to scripts.	Candidate name Candidate exam number Candidate UCI number	In lockable filing in exams office	In secure area solely assigned to exams	Until no longer required
Post-results services: tracking logs	Logs tracking to resolution all post-results service requests submitted to awarding bodies	Candidate name Candidate exam number Candidate UCI number	Exams secure storage facility	In secure area solely assigned to exams	After the deadline for RoRs or appeal.*

Resolving timetable clashes information	Any hard copy information relating to the resolution of a candidate's clash of timetabled exam papers or a timetable variation.	Candidate name Candidate exam number Candidate UCI number	Exams secure storage facility	In secure area solely assigned to exams	After the deadline for RoRs or appeal.*
Results information	Broadsheets of results summarising candidate final grades by subject by exam series.	Candidate name Candidate exam number Candidate UCI number	In lockable filing cabinet	Data Managers Office	Records for current year plus previous 6 years to be retained as a minimum.
Seating plans	Plans showing the seating arrangements of all candidates for every exam taken.	Candidate name Candidate exam number Candidate UCI number	Exams secure storage facility	In secure area solely assigned to exams	After the deadline for RoRs or appeal.*
Special consideration information	Any hard copy information relating to a special consideration request and supporting evidence submitted to an awarding body for a candidate	Candidate name Candidate exam number Candidate UCI number Candidate DOB Information relating to personal circumstances	Exams secure storage facility	In secure area solely assigned to exams	After the deadline for RoRs or appeal.*
Suspected malpractice reports/outcomes	Any hard copy information relating to a suspected or actual malpractice investigation/report submitted to an awarding body and outcome information from the AB.	Personal information relating to the person(s) involved in the malpractice (staff, students, invigilators, members of public)	In lockable filing in exams office	In secure area solely assigned to exams	Records for current year plus previous 6 years to be retained as a minimum.
Transferred candidate arrangements	Any hard copy information relating to a transferred candidate arrangement. Applications submitted online via CAP.	Candidate name Candidate exam number Candidate UCI number Candidate DOB	In lockable filing in exams office	In secure area solely assigned to exams	To be retained until the transfer arrangements are confirmed by the AB

Very late arrival reports/outcomes	Any hard copy information relating to a candidate arriving very late to an exam. Reports submitted online via CAP.	Candidate name Candidate exam number Candidate UCI number Candidate DOB	Exams secure storage facility	In secure area solely assigned to exams	After the deadline for RoRs or appeal.*

* To be retained until after the deadline for RoRs or until any appeal, malpractice or other results enquiry has been completed, whichever is later.[Reference ICE 6]