



**BREDON**  
SCHOOL

# **Data Protection Policy**

## **(Exams)**

### **2021/22**

This policy is reviewed annually to ensure compliance with current regulations

Approved/reviewed by	
N. Oldham	
Date of next review	31/10/2022

## Key staff involved in the policy

<b>Role</b>	<b>Name(s)</b>
Head of centre	<b>N. Oldham</b>
Exams officer	<b>C. Cambridge-Harrison</b>
Senior leader(s)	<b>G. Hamilton, T. Butt, N. Monk</b>
IT manager	<b>J. Clark</b>
Data manager	<b>S. Fesel</b>

## Purpose of the policy

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

The delivery of examinations and assessments involve centres and awarding bodies processing a significant amount of personal data (i.e. information from which a living individual might be identified). It is important that both centres and awarding bodies comply with the requirements of the UK General Data Protection Regulation and the Data Protection Act 2018 or law relating to personal data in any jurisdiction in which the awarding body or centre are operating.

In these *General Regulations* reference is made to 'data protection legislation'. This is intended to refer to UK GDPR, the Data Protection Act 2018 and any statutory codes of practice issued by the Information Commissioner in relation to such legislation. (JCQ [General Regulations for Approved Centres](#) (section 6.1) **Personal data**)

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

To ensure that the centre meets the requirements of the DPA 2018 and UK 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 below.

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

- Awarding bodies
- Joint Council for Qualifications (JCQ)
- Department for Education; Local Authority; Multi Academy Trust; Consortium; ISC

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

- hard copy
- email
- secure extranet site(s) –AQA Centre Services; OCR Interchange; Pearson Edexcel Online; WJEC Secure Website; City & Guilds Walled Garden; ISC.
- Schoolbase sending/receiving information via electronic data interchange (EDI) using A2C (<https://www.jcq.org.uk/about-a2c>) to/from awarding body processing systems; etc

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

Bredon School ensures that candidates are fully aware of the information and data held.

All candidates are:

- informed via Bredon School Newsletter, Schoolbase Student and Parent Portal, email.
- given access to this policy via Bredon School website, written request.

Candidates are made aware of the above at the start of a course leading to a vocational qualification, or, where candidates are following GCE and GCSE qualifications, when the entries are submitted to awarding bodies for processing.

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 UK GDPR (or law relating to personal data in any jurisdiction in which the awarding body or centre are operating).

Candidates eligible for access arrangements which require awarding body approval 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, software and access to online systems is protected in line with DPA & GDPR requirements.

Hardware	Date of purchase and protection measures	Warranty expiry
PC	Password Protection. Windows authentication	Managed by school.
Software/online system	Protection measure(s)	
Schoolbase	Cloud based software- Google authentication	
Google Drive	Regular checks to Firewall/Antivirus software. Continuous AV.	
Memory Sticks	Only encrypted memory sticks used in school to store exam written coursework. Z-Zip.	
A2C	Protected username and passwords used	
Exam Boards	Password protected usernames and passwords; rules for password setting (use of a mix of upper/lower cases letters and numbers); rules for regularity of password changing; centre administrator has to approve the creation of new user accounts and determine access rights	

## Section 4 – Dealing with data breaches

Although data is handled in line with DPA/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
- cyber-attacks involving ransomware infections

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

### 1. Containment and recovery

The Head of Centre will lead on investigating the breach reporting to SchoolPro.

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

### 2. 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?

### 3. 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.

#### 4. 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/GDPR – will be handled in line with DPA/GDPR guidelines.

An information audit is conducted annually.

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

Protection measures may include:

- password protected area on the centre's intranet
- secure drive accessible only to selected staff
- information held in secure area
- updates undertaken termly (this may include updating antivirus software, firewalls, internet browsers etc.)

#### 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/accessible from the Exams Officer or in the policies folder on the Google Drive.

#### 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 Manager or the Head of Centre and reported to the Data Protection Officer at SchoolPro. All requests will be dealt with within 1 month.

(with reference to ICO information <https://ico.org.uk/your-data-matters/schools/exam-results/>)

The GDPR gives individuals the right to see information held about them. This means individuals can request information about them and their exam performance, including:

- their mark
- comments written by the examiner
- minutes of any examination appeals panels

This does not however give individuals the right to copies of their answers to exam questions.

#### Requesting exam information

Requests for exam information can be made to the Data Manager in either writing or email and ID will need to be confirmed if a former candidate is unknown to current staff.

The GDPR does not specify an age when a child can request their exam results or request that they aren't published. When a child makes a request, those responsible for responding should take into account whether:

- the child wants their parent (or someone with parental responsibility for them) to be involved; and
- the child properly understands what is involved.

The ability of young people to understand and exercise their rights is likely to develop or become more sophisticated as they get older. As a general guide, a child of 12 or older is expected to be mature enough to understand the request they are making. A child may, of course, be mature enough at an earlier age or may lack sufficient maturity until a later age, and so requests should be considered on a case by case basis.

A decision will be made by the Head of Centre as to whether the student is mature enough to understand the request they are making, with requests considered on a case by case basis.

### **Responding to requests**

If a request is made for exam information before exam results have been published, a request will be responded to:

- within five months of the date of the request, or
- within 40 days from when the results are published (whichever is earlier).

If a request is made once exam results have been published, the individual will receive a response within one month of their request.

### **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.

### **Sharing information with parents**

The centre will take into account any other legislation and guidance regarding sharing information with parents (including non-resident parents), as example guidance from the Department for Education (DfE) regarding parental responsibility and school reports on pupil performance:

- Understanding and dealing with issues relating to parental responsibility  
[www.gov.uk/government/publications/dealing-with-issues-relating-to-parental-responsibility/understanding-and-dealing-with-issues-relating-to-parental-responsibility](http://www.gov.uk/government/publications/dealing-with-issues-relating-to-parental-responsibility/understanding-and-dealing-with-issues-relating-to-parental-responsibility)
- School reports on pupil performance  
[www.gov.uk/guidance/school-reports-on-pupil-performance-guide-for-headteachers](http://www.gov.uk/guidance/school-reports-on-pupil-performance-guide-for-headteachers)

### **Publishing exam results**

When considering publishing exam results, Bredon School will make reference to the ICO (Information Commissioner's Office) <https://ico.org.uk/your-data-matters/schools/exam-results/>

Names of students will not be released in the local press or on our website.

## 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	What personal/sensitive data is/may be contained in the information	Where information is stored	How information is protected	Retention period
Access arrangements information	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 Schoolbase  Held in secure office only accessible by Exam Officer	Secure user name and password Secure user name and password  In secure area solely assigned to exams	Keep copies of access arrangements information for 5 years after the candidate has completed their exams
Alternative site arrangements				
Attendance registers copies	Student Name and Candidate No.	In Exam Office	Only accessible to Exam Officer	End of year
Candidates' scripts	Student Name, Student Candidate No. Work	In Exam Secure Area and sent via Parcelforce yellow label	Sent via Exam Board procedures	Handled by Exam Board
Candidates' work	Student Name, Student Candidate No. Work	In Google Drive or encrypted memory stick before being	Protected via Secure username/password/encryption code	Handled by Exam Board

Information type	What personal/sensitive data is/may be contained in the information	Where information is stored	How information is protected	Retention period
		sent off to Exam Board moderator		
Centre consortium arrangements for centre assessed work				
Certificates	Student Name, Student Candidate No. Results	Held in secure office only accessible by Exam Officer	In secure area solely assigned to exams	Issued out to candidates by recorded delivery
Certificate destruction information	Student Name, Student Candidate No. Results	Held in secure office only accessible by Exam Officer	Destroyed via confidential waste company.	<b>Record kept of certificates destroyed</b>
Certificate issue information	Student Name, Student Candidate No. Results	Held in secure office only accessible by Exam Officer	<b>Issued by EO and double checked against results received and being sent off</b>	<b>Held up to 5yrs</b>
Conflicts of interest records				
Entry information	Student Name, Student Candidate No	Google Drive, Schoolbase	Protected via Secure username/password	Held up to Appeal deadline
Exam room incident logs	Student Name	Held in secure office only accessible by Exam Officer	In secure area solely assigned to exams	Held up to Appeal deadline
Invigilator and facilitator training records	Invigilator Name	Held in secure office only accessible by Exam Officer	In secure area solely assigned to exams	Held for 1 year until new training records take its place

Information type	What personal/sensitive data is/may be contained in the information	Where information is stored	How information is protected	Retention period
Overnight supervision information	Student Name, Student Candidate No, signature	Held in secure office only accessible by Exam Officer	In secure area solely assigned to exams	Held up to Appeal deadline
Post-results services: confirmation of candidate consent information	Student Name, Student Candidate No, signature	Held in secure office only accessible by Exam Officer	In secure area solely assigned to exams	Held for 5 Years
Post-results services: requests/outcome information	Student Name, Student Candidate No,	Held in secure office only accessible by Exam Officer	In secure area solely assigned to exams	Held for 5 Years
Post-results services: scripts provided by ATS service	Student Name, Student Candidate No, Work	Held in secure office only accessible by Exam Officer	In secure area solely assigned to exams	Given to students
Post-results services: tracking logs	Student Name, Student Candidate No, Work	Held in secure office only accessible by Exam Officer	In secure area solely assigned to exams	Held until Post Results issued
Private candidate information	Student Name, Student Candidate No, signature	Held in secure office only accessible by Exam Officer	In secure area solely assigned to exams	Held up to Appeal deadline
Resolving timetable clashes information	Student Name, Student Candidate No, Exams schedule	Schoolbase	Protected via Secure username/password	Held up to Appeal deadline
Results information	Student Name, Student Candidate No, Exam results	Schoolbase	Protected via Secure username/password	Held until student is 25
Seating plans	Student Name, Student Candidate No, Exams schedule	Schoolbase In Exam Room	Protected via Secure username/password	Held up to Appeal deadline

Information type	What personal/sensitive data is/may be contained in the information	Where information is stored	How information is protected	Retention period
			In secure area solely assigned to exams	
Special consideration information	Student Name, Student Candidate No, Exams schedule, consideration documentation	PC In a Folder within Exam Office	Protected via Secure username/password In secure area solely assigned to exams	Held up to Appeal deadline
Suspected malpractice reports/outcomes	Student Name, Student Candidate No, Exams schedule, confidential malpractice report	Google Drive	Protected via Secure username/password	Held up to Appeal deadline
Transferred candidate arrangements	Student Name, Student Candidate No, Exams details	Exam Board	Protected via Secure username/password	Held up to Appeal deadline
Very late arrival reports/outcomes	Student Name, Student Candidate No, Exams details	Exam Board  In Folder In Exam Office	Protected via Secure username/password In secure area solely assigned to exams	Held up to Appeal deadline