



CASTLE MEAD
ACADEMY

Data Protection Policy, Exams

2023-24

Policy Monitoring, Evaluation and Review

The policy will be promoted and implemented throughout the academy. The Local Governing Body will review the policy, unless there are significant changes in the interim period.

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|-----------------------|---------------------------------|
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Purpose of the policy

This policy details how Castle Mead 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 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 JCQ's [General Regulations for Approved Centres](#) (section 6.1) 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.

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)
- Other organisations as relevant to Castle Mead Academy e.g. Department for Education; Local Authority; the Press, Learner Registration Service, Multi Academy Trust; Consortium, DMU and The Curve This list is by no means an exhaustive list but it gives an indication of the many organisations.

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

- hard copy
- email
- secure extranet site(s) – AQA Centre Services; Pearson Edexcel Online; WJEC Secure Website.
- Bromcom, our 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; 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

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

All candidates are:

- informed via electronic communication and the Exams Policy
- given access to this policy via centre website or 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 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 using *Access arrangements online* are also required to provide their consent by signing the GDPR compliant JCQ candidate personal data consent form before 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 |
|-------------------------|--|-----------------|
| Desktop computer/Laptop | Separate user name and password for the computer ESET anti-virus- updated daily- with auto updates/downloads/active scan. App Locker- blocks unauthorised software from being installed. Need prior IT permission Multi factor authentication on staff accounts Web filtering Firewalls Windows updates- automatically Only authorised staff have specific access to certain files- requests need to be approved- actioned by IT. Passwords require 8 characters, 1 capital and 1 number | Not applicable |

| Software/online system | Protection measure(s) |
|--------------------------|---|
| Bromcom | Username and password protected- single sign on protected |
| Edexcel- Pearsons online | Username and password protected – rules apply |
| OCR | Username and password protected – rules apply |
| AQA CENTRE SERVICES | Username and password protected – rules apply |
| WJEC-Educas | Username and password protected – rules apply |

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 Data Protection Officer will lead on investigating the breach, as assigned by the Head of Centre.

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 at the start of each academic year.

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 every 3 months (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.

Section 7 – Access to information

(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 Protection Officer in writing/email and proof of identity such as a driving licence and either passport or birth certificate will be required.

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 SENDCO 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 a signed consent form from the individual granting permission from the candidate and appropriate evidence (where relevant), to verify the ID of both parties, is 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
- **School reports on pupil performance**
www.gov.uk/guidance/school-reports-on-pupil-performance-guide-for-headteachers

Publishing exam results

When considering publishing exam results, Castle Mead Academy will make reference to the ICO (Information Commissioner's Office) <https://ico.org.uk/your-data-matters/schools/exam-results/> Can schools give my exam results to the media for publication?

OR

Castle Mead Academy will publish exam results to the media or within the centre (e.g. on an honours board) in line with the following principles:

- Refer to guidelines as published by the Joint Council for Qualifications
- Act fairly when publishing results, and where people have concerns about their or their child's information being published, taking those concerns seriously
- Ensure that all candidates and their parents/carers are aware as early as possible whether examinations results will be made public and how this will be done
- Explain how the information will be published. For example, if results will be listed alphabetically, or in grade order

As Castle Mead Academy will have a legitimate reason for publishing examination results, consent is not required from students or their parents/carers for publication. However, if a student or their parents/carers have a specific concern about publication of their results, they have the right to object. This objection must be made in writing to

The Head of Centre Information required such as processing speeds/medical conditions to make an application for access arrangements, who will consider the objection before making a decision to publish and reply with a good reason to reject the objection to publish the exam results.

Changes 2023/2024

No changes applicable.

Centre-specific changes

Upon review in September 2023, no centre-specific updates or changes were applicable to this document.

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 | Information required such as processing speeds/medical conditions to make an application for access arrangements. | <p>Candidate name</p> <p>Candidate DOB</p> <p>Gender</p> <p>Data protection notice (candidate signature)</p> <p>Diagnostic testing outcome(s)</p> <p>Specialist report(s) (may also include candidate address)</p> <p>Evidence of normal way of working</p> | <p>Access Arrangements Online</p> <p>MIS</p> <p>Lockable metal filing cabinet</p> <p>SENCO office (locked)</p> <p>Exams office (locked)</p> <p>Exams Officer computer.</p> | <p>Secure user name and password</p> <p>In secure office (SENCo)</p> | <p>Candidates</p> <p>Date of Birth plus 25 years</p> |
| Alternative site arrangements | <p>Information required such as processing speeds/medical conditions to make an application for access arrangements.</p> <p>JCQ form and entries</p> | <p>Candidate name</p> <p>Candidate DOB</p> <p>Gender</p> <p>Data protection notice (candidate signature)</p> <p>Diagnostic testing outcome(s)</p> <p>Specialist report(s) (may also include candidate address)</p> <p>Evidence of normal way of working</p> | <p>Access Arrangements Online</p> <p>MIS</p> <p>Lockable metal filing cabinet</p> <p>SENCO office (locked)</p> <p>Exams office (locked)</p> <p>Exams Officer computer.</p> | <p>Secure user name and password</p> <p>In secure office (SENCo)</p> | <p>Candidates</p> <p>Date of Birth plus 25 years</p> |

| 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 |
|---|--|---|--|---|---|
| | | | | | |
| Attendance registers copies | List of those who were entered for the exam | Candidate name | Secure store | Exam officer only | 6 months from results day |
| Candidates' scripts | examined assessments, scripts, USBS, Story Boards | Candidate name | Secure store | Exam officer only | 6 months from results day- After appeals deadline |
| Candidates' work | Coursework, non-examined assessments, mock exam papers | Candidates name | In the departments in filing cabinets/cupboards | Locked cabinets/cupboards | 2 Years |
| Centre consortium arrangements for centre assessed work | Coursework, dance videos, lab tests, language recordings | Candidates name | Secure store | Exam officer only | 6 months from results day- After appeals deadline |
| Certificates | Confirmation of exam results | Legal Name Date of birth Exam results | Secure store | Exam officer only | 1 year |
| Certificate destruction information | Confirmation of certification destruction | Legal Name Date of birth Exam results | Secure store | Exam officer only | 1 year |
| Certificate issue information | Letter to advise they are available | Letter – Candidate name and address Spreadsheet – surname, initial, date of birth, address and year exams taken. | Mail merge to produce letter and collection log stored on Exams Officer computer. Log of collection in secure store | Secure user name and password Secure Exam office | Mail merge deleted once letter has been sent. Log indefinitely |

| 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 |
|--|--|---|---|--|---------------------------|
| Conflicts of interest records | Email or letter | Candidate name Relatives name | Exams office | Secure Exams Office | 6 months from results day |
| Entry information | Marksheet showing candidate details and entry codes | Candidates full legal name | Bromcom Paper copy in exams office | Bromcom- username and password protected Secure Exam office | 12 months |
| Exam room incident logs | Report of the incident in the exam room | Candidate full legal name | Paper copy in Exam office Copy may be placed in the student file | Secure Exam office | 6 months from results day |
| Invigilator and facilitator training records | Training Agenda Safeguarding training Pay claims | Invigilator full name Bank details | Exams Office | Secure Exams Office HR | 1 year |
| Overnight supervision information | Records of exams to be held over and consent from student and parent | Candidate full legal name | Paper copy in Exam office | Secure Exam office | 8 months |
| Post-results services: confirmation of candidate consent information | PRS consent form listing PRS papers, service and costs | Candidates full legal name Date of birth | Paper copy in Exam office | Secure Exam office | 6 months from results day |
| Post-results services: requests/outcome information | Confirmation of PRS | Candidates full legal name Date of birth | Paper copy in Exam office | Secure Exam office | 6 months from results day |
| Post-results services: scripts provided by ATS service | Exam scripts for teaching purposes | Candidates full legal name | In the department that ordered them | Name is blanked out to make script | 12 months |

| 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 |
|---|--|--|--|--|---|
| | | | | anonymous if requested | |
| Post-results services: tracking logs | Record of what services have been ordered | Candidate full legal name | Excel spreadsheet n Exam Officers computer | Username and password protected | 6 months from results day |
| Resolving timetable clashes information | Details confirming the order exams will be taken | Candidates full legal name | Paper copy in Exams office | Secure Exam office | 10 months from entry deadline |
| Results information | Results statements, awarding body paperwork, subject specific data | Candidates full legal name Date of birth Qualifications gained | Bromcom 4 Matrix Paper copies in the departments and Exam office | Bromcom – username and password protected 4 Matrix – username and password protected Paper based – Exam office Exam office only access Departments locked filing cabinets | Indefinitely – Bromcom, 4 Matrix and Exam office - Candidates Date of Birth plus 25 years Records for the current year, plus 6year to be retained as a minimum. |
| Seating plans | Seating plan | Candidate full legal name | Paper copy in exam office Exam office computer | Secure Exam office Username and password protected | 6 months from results day |
| Special consideration information | Applications and medical evidence | Candidates full legal name Date of birth Address | Paper copy in exam office | Secure Exam office | 6 months from results day |

| 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 |
|--|--|---|-----------------------------|------------------------------|---------------------------|
| Suspected malpractice reports/outcomes | JCQ form and evidence | Candidate full legal name | Paper copy in exam office | Secure Exam office | 6 months from results day |
| Transferred candidate arrangements | JCQ form and past results | Candidate full legal name Date of birth | Paper copy in exam office | Secure Exam office | 6 months from results day |
| Very late arrival reports/outcomes | JCQ form and evidence | Candidate full legal name | Paper copy in exam office | Secure Exam office | 6 months from results day |