



# DATA PROTECTION POLICY (Exams)

2023/24

This policy is reviewed annually to ensure compliance with current regulations

Approved/reviewed by	
John Rothwell	
Date of next review	April 2025

## Key staff involved in the policy

Role	Name(s)
Head of centre	Emma Gundry
Exams officer	Chris Coffey
Senior leader(s)	Claire Greatbanks, John Rothwell
IT manager	Tracey Wallbank
Data manager	Tracey Wallbank

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## Purpose of the policy

This policy details how The Altus 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 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)
- Department for Education
- Local Authority

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, Gateway Prism
- Management Information System (MIS) provided by SIMS 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

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

All candidates are:

- informed via centre website (GDPR)
- given access to this policy via centre website

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/reasonable adjustments 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
Desktops and laptops	All desktops and laptops are deployed with SOPHOS antivirus via GPO. This is automatically monitored and updated by our network systems.  Hardware health is also monitored automatically and overseen by our Network Support Partner.	N/A

Software/online system	Protection measure(s)
Internet	Use of Internet through the School Network is controlled and monitored using RM SafetyNet firewall and filtering system.
Intranet	Protected usernames and passwords; rules for password setting (use of upper/lower case letters and numbers); centre administrator must approve the creation of new user accounts and determine access rights; regular checks to Firewall/Antivirus software
SIMS	Protected usernames and passwords; rules for password setting (use of upper/lower case letters and numbers); centre administrator must approve the creation of new user accounts and determine access rights; regular checks to Firewall/Antivirus software
A2C	Solely used by the EO; regular checks to Firewall/Antivirus software.

### 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**

Tracey Wallbank (Operations Manager) will lead on investigating the breach under the guidance of the GCC DPO.

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 as outlined in our 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:

- password protected area on the centre's intranet
- secure drive accessible only to selected staff
- information held in secure area
- Rolling updates to 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 data Protection Policy which is available/accessible from the school website.

## 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 head of centre in writing/email. We may need to see photo ID 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 and a local authority (the 'corporate parent'), 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)  
 (Updated 24 August 2023 to include guidance on the role of the 'corporate parent', releasing GCSE results to a parent and notifying separated parents about a child moving school)
- 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, The Altus School 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?

As The Altus School 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, 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.



## 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 information kept by the EO 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 Intranet	Secure user name and password SIMS In secure office (SENCo)	Use Centre's confidential destruction provider (as per GDPR)
Alternative site arrangements		Candidate name and address Exam entries	Intranet Lockable exams cupboard Applications submitted via CAP	Secure user name and password Limited number of key holders	
Attendance registers copies		Candidate name	Lockable exams cupboard	Limited number of key holders	Until the deadline for reviews of marking, appeals, malpractice or other results enquiry has passed.
Candidates' scripts		Candidate name	Locked exams cupboard	Limited number of key holders	To be retained securely until the awarding

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
					body's earliest date for confidential disposal of unwanted scripts
Candidates' work	Non-examination assessment work returned to the centre by the awarding body at the end of the moderation period		Locked exams cupboard. Intranet		To be returned to candidates or safe disposal
Centre consortium arrangements for centre assessed work	Any information generated or relating to consortium arrangements for centre assess work. Applications submitted online via CAP				To be retained until after the deadline for EARs or until any appeal, malpractice or other results enquiry has been completed, whichever is later
Certificates	Candidate certificates issued by awarding bodies	Name and qualifications gained	Locked exams cupboard	Limited number of key holders	All unclaimed certificates are under secure conditions for a minimum of 12 months from the date of issue
Certificate destruction information	A record of any unclaimed certificates which have been destroyed	Name and qualifications	Locked exams cupboard	Limited number of key holders Use Centre's confidential	A record of certificates that have been destroyed should be retained for four

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
				destruction provider (as per GDPR)	years from their date of destruction.
Certificate issue information	A record of certificates that have been issued	Name and qualifications gained	Locked exams cupboard	Limited number of key holders	
Conflicts of interest records	Records demonstrating the management of conflicts of interest				The records must be retained until the deadline for review of marking has passed or until any appeal, malpractice or other results enquiry has been completed, whichever is later
Entry information	Any information relating to candidates entries	Candidate name Date of birth	Locked exams cupboard MIS Centre Hub	Limited number of key holders SIMS Secure user name and password	To be retained until after the deadline for EARs or until any appeal, malpractice or other results enquiry has been completed, whichever is later
Exam room incident logs	Logs recording any incidents or irregularities in exam rooms for each exam session	Candidate name	Locked exams cupboard	Limited number of key holders	To be retained until after the deadline for EARs or until any appeal,

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
					malpractice or other results enquiry has been completed whichever is later
Invigilator and facilitator training records	Certificates from the training facilitator	Invigilator name	Locked exam cupboard	Limited number of key holders	To be retained on file until they deadline for reviews of marking has passed, or until any appeal, malpractice or other results enquiry has been completed, whichever is later
Overnight supervision information	JCQ overnight supervision form is completed online using CAP	Candidate name and signature	Applications via CAP Hard copies printed	Secure user name and password Limited number of key holders	All completed forms are available for inspection until the deadline for reviews of marking had passed or until any appeal, malpractice or other results enquiry has been completed, whichever is later

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
Post-results services: confirmation of candidate consent information	Hard copy or email record of required candidate consent	Candidate name Email address	Locked exams cupboard	Secure user name and password Limited number of key holders	Retained for at least six months following the outcome of the clerical re-check or review of marking of any subsequent appeal.
Post-results services: requests/outcome information	Logs tracking to resolution all post-results service requests submitted to awarding bodies	Candidate name Exam results	Locked exams cupboard	Limited number of key holders	To be retained until after the deadline for EARs or until any appeal, malpractice or other results enquiry has been completed, whichever is later
Post-results services: scripts provided by ATS service					
Post-results services: tracking logs					
Private candidate information					
Resolving timetable clashes information					
Results information					

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
Seating plans					
Special consideration information					
Suspected malpractice reports/outcomes					
Transferred candidate arrangements					
Very late arrival reports/outcomes					