



Data Protection Policy

(Exams)

2023/24

This policy is reviewed annually to ensure compliance with current regulations

Approved/reviewed by	
Kieran Cocker, Exams Manager	
Date of next review	13/09/2024

Key staff involved in the policy

Role	Name(s)
Head of centre	Steve Willacy
Exams Manager	Kieran Cocker
Senior leader(s)	Sarah Pashley, Mark Ollernshaw
IT manager	Hugh Boughton
Data manager	Margaret Smith

Purpose of the policy

This policy details how Ron Dearing UTC, 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).

At the date of reviewing these regulations, although the UK has left the European Union the General Data Protection Regulation still has a direct effect within the UK (JCQ's [General Regulations for Approved Centres](#) (GR, 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
- 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 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 (JCQ)
- Department for Education; Local Authority; Baker Dearing Educational Trust; the Press; social media

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; City & Guilds Walled Garden; EAL Online services and Smarter Touch
- a Management Information System (MIS) provided by Capita SIMS sending/receiving information via electronic data interchange (EDI) using A2C (<https://www.jcq.org.uk/about-a2c>) to/from awarding body processing systems

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

Ron Dearing UTC ensures that candidates are fully aware of the information and data held.

All candidates are:

- informed via exams handbook
- given access to this policy via written request

Candidates are made aware of the above at the start of the academic year.

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.

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, software and access to online systems is protected in line with DPA & GDPR requirements.

Hardware	Date of purchase and protection measures	Warranty expiry
Windows Surface 7 Pro	May 2022 Windows 11 Enterprise – Security updates deployed via SCCM server – Windows defender updated daily – Scans daily. Internal Hard Drive encrypted with Bitlocker	May 2024

Software/online system	Protection measure(s)
Filtering	Sonicwall NSA5600 – Filtering / Firewall definitions updated hourly.
SIMS	Capita Hosted SIMS – Passwords expiry enforced – Unique new passwords – Connection over secure VPN
Centre Intranet	N/A
Internet browser	Microsoft Edge - Version 105.0.1343.33 regularly updated
Awarding body secure extranet sites	
A2C	

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

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

1. Containment and recovery

The Data Protection Officer – Steve Willacy 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

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 monthly.

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 regularly (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.

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 results, 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 Steve Willacy the Data Protection Officer by email.

Responding to requests

If a request is made for exam information before results have been announced, 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 [insert your centre's process for sharing data with a third-party e.g. 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		Candidate name Candidate DOB Candidate number 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 SIMS Digitally: Staff Shared Drive - SEN Folder	Secure user name and password Staff Drive, Restricted Access	7 years from start of Year 10
Alternative site arrangements		Candidate name Candidate DOB Candidate number Gender	Digitally: Admin Drive - Exams Folder	Admin Drive, Restricted Access	
Attendance registers copies		Candidate name Candidate DOB Candidate number Gender	Lever arch file whilst current Boxed up at end of exam season	In locked exam strong room	Until the review of marking deadline or until any appeal, malpractice or other results enquiry has been completed

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
Candidates' scripts		Candidate name Candidate DOB Candidate number Gender	Scripts are parcelled up with the attendance register and stored overnight	In locked and barred steel filing cabinets in the locked exam strong room	Overnight or over weekend if exam is on a Friday afternoon
Candidates' work		Candidate name Candidate number	Stored in locked cupboards in the relevant departments whilst being completed When returned to centre stored in the exam strong room	In locked cupboard In locked exam strong room	Whilst it is being completed Until all possible PRS deadlines have been exhausted and then returned to department
Certificates		Candidate name Candidate DOB Candidate number (Gender)	In locked cabinet in the exams strong room whilst being collated Centre reception for distribution	In locked exam strong room In locked cupboard in main office	Indefinitely but may be subject to change if storage space becomes an issue
Certificate destruction information		Candidate name Candidate DOB Candidate number (Gender)	Record of destruction would be stored in a specific folder in a locked cupboard	In locked cupboard in locked exams office	4 years from date of destruction
Certificate issue information		Candidate name Candidate number	Record including candidate signatures and date collected stored in school reception	In locked cupboard in main office Eventually will be moved to locked exam strong room with any unclaimed certificates	Indefinitely
Conflicts of Interest records		Candidate name	Electronically on school admin drive	Computer is password protected	

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
		Candidate number			
Entry information		Candidate name Candidate DOB Candidate number Gender	SIMS	Secure name and password	Indefinitely on SIMS
Exam room incident logs	Exam room incident log is completed on individual room seating plans	Candidate name Candidate number	In daily packs in the exam strong room	In locked exam strong room	Until appeal, malpractice or other results enquiry has been completed
Invigilator and facilitator training records		Invigilator name	On spreadsheet and also hardcopy in central invigilator training file	In locked metal cupboard in locked exams office	Whilst invigilators are currently working for us
Overnight supervision information		Candidate name Candidate signature Candidate number Supervisor name Supervisor signature	In file in exams office	In locked metal cupboard in locked exams office	Until appeal, malpractice or other results enquiry has been completed
Post-results services: confirmation of candidate consent information		Candidate name Candidate number	In file in exams office	In locked metal cupboard in locked exams office	Until appeal, malpractice or other results enquiry has been completed
Post-results services: requests/outcome information		Candidate name Candidate number	On spreadsheet on admin drive In file in exams office	Secure username and password	Until appeal, malpractice or other results enquiry has been completed

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
				In locked metal cupboard in locked exams office	
Post-results services: scripts provided by ATS service		Candidate name Candidate DOB Candidate number Gender	On computer Paperwork retained in file in exams office	Secure username and password In locked metal cupboard in locked exams office	Scripts given to departments
Post-results services: tracking logs		Candidate name Candidate number	On spreadsheet on admin drive In file in exams office	Secure username and password In locked metal cupboard in locked exams office	Until appeal, malpractice or other results enquiry has been completed
Private candidate information		Candidate name Candidate DOB Candidate number Gender Address Photo ID information	SIMS Exams Organiser	Secure username and password	Indefinitely on SIMS. Until the review of marking deadline or until any appeal, malpractice or other results enquiry has been completed
Resolving timetable clashes information		Candidate name Candidate number	SIMS Exams Organiser Relevant paperwork in a clash candidate file	Secure username and password Locked cupboard in locked exams office	Until the end of the exams season
Results information		Candidate name Candidate DOB Candidate number Gender	SIMS Exams Organiser Spreadsheet on computer Paperwork retained in file in exams office	Secure username and password In locked metal cupboard in locked exams office	7 years

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		Candidate name Candidate number Candidate access arrangements (written on)	SIMS Exams Organiser Paperwork retained in file in exams office	Secure username and password In file in exams in locked exams strong room	Until the review of marking deadline or until any appeal, malpractice or other results enquiry has been completed
Special consideration information		Candidate name Candidate DOB Candidate number Gender Sensitive information	Access Arrangements Online Lockable metal filing cupboard	Secure user name and password In locked exams office	Until the review of marking deadline or until any appeal, malpractice or other results enquiry has been completed
Suspected malpractice reports/outcomes		Candidate name Candidate DOB Candidate number Gender	Lockable metal filing cupboard	In locked exams office	Until the end of malpractice enquiry has been completed
Transferred candidate arrangements	Transferred candidate arrangements	Candidate name Candidate DOB Candidate number Gender	SIMS Exams Organiser Paperwork retained in file in exams office	Secure username and password In locked metal cupboard in locked exams office	7 years