



Aldercar High School

General Data Protection

Regulation procedure

(exams)

2024/25

This policy is reviewed annually to ensure compliance with current regulations

Approved/reviewed by	
Adam Blake	
Date of next review	November 2025

Key staff involved in the policy

Role	Name(s)
Head of centre	Clare Hatto
Exams officer	Emily Biggs
Exams officer line manager (Senior leader)	Adam Blake
IT manager	Lead IT
Data manager	Carly Prescott
Operations Manager	Trudy Williams

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Purpose of the policy

This policy details how Aldercar High 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.

It is the responsibility of the centre to inform candidates of the processing that the centre undertakes. For example, that the centre will provide relevant personal data including name, date of birth, gender to the awarding bodies for the purpose of examining and awarding qualifications.

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 – Candidate information, audit and protection measures*.

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

- Awarding bodies
- Joint Council for Qualifications
- Any other organisations as relevant to your centre e.g. Department for Education; Local Authority; Embark Trust; Consortium; the Press.

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; Cambridge Teach; Pearson Edexcel Online; WJEC Portal, NCFE Surpass and EAL Surpass.
- 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; etc.

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

Section 2 – Informing candidates of the information held

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

All candidates:

- Are informed via letter
- Have access to our privacy notice which is available via our website

Candidates are made aware of the above annually.

Materials which are submitted by candidates for assessment may include any form of written work, audio and visual materials, computer programmes and data (“Student Materials”). Candidates will be directed to the relevant awarding body’s privacy notice if they require further information about how their Student Materials may be used by the awarding body.

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
Exam Laptops	Sophos Anti-Virus and Firewall Data transfer encrypted USB pens	Updated annually

Software/online system	Protection measure(s)
Test Player	Stored on local encrypted drive
Surpass	Stored on awarding bodies servers
SIMS	Unique password and username
Arbor	Unique password and username
SISRA	Unique password and username
A2C	Unique password and username
Internal Spreadsheets	Secure folder and password if requires
Awarding Bodies	https - Secure websites
Natural Reader	Stored on local encrypted drive
Exam Writepad	Stored on local encrypted drive

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 Operations manager 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 procedure, 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 will be conducted should any change of regulation occur and revised 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 annually (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 procedure which is accessible on the shared drive in the information for staff folder under policies, Exams and also on the 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 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 Carly Prescott the Exams and Data manager in writing/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.

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 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 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 only be shared with a third party under the terms of GDPR and where we are satisfied it is necessary to do so.

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 Operations manager will confirm the status of these agreements and approve/reject any requests.

Sharing information with parents

Aldercar High school 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
 (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

Publishing exam results

Aldercar High School do not publish exam results, However should we consider publishing exam results, Aldercar High School will make reference to the ICO (Information Commissioner's Office) Education and Families <https://ico.org.uk/for-organisations/education/> information on Publishing 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		Candidate name Candidate DOB Gender Signed candidate personal data consent form 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 office (SENCo)	
Alternative site arrangements		Candidate name		Exams office	Deadline for review of marking has passed or any appeal/malpractice is completed
Attendance registers copies		Candidate name		Secure room in Exams office	Deadline for review of marking has passed or any appeal/malpractice is completed
Candidates' scripts		Candidate name	Head of Dept	Locked cabinet	
Candidates' work		Candidate name	Head of Dept	Locked cabinet	Deadline for review of marking has passed or any appeal/malpractice is completed
Centre consortium arrangements for centre assessed work					
Certificates		Candidate name		Secure room in Exams office	12 months
Certificate destruction information		Candidate name		Secure room in Exams office	4 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
Certificate issue information		Candidate name		Secure room in Exams office	4 Years
Conflicts of Interest records		Candidate/Staff name Reason for conflict	Exams Office	Locked Office	Deadline for review of marking has passed or any appeal/malpractice is completed
Entry information		Candidate name D.O.B	Exams Office Awarding Bodies websites A2C	Secure website Locked Cabinet	Deadline for review of marking has passed or any appeal/malpractice is completed
Exam room incident logs		Candidate name		Secure room in Exams office	Deadline for review of marking has passed or any appeal/malpractice is completed
Invigilator and facilitator training records		Staff Name	Exams Office	Locked Office	
Overnight supervision information		Candidate name	Exams Office	Locked Office	Deadline for review of marking has passed or any appeal/malpractice is completed
Post-results services: confirmation of candidate consent information		Candidate name Email address	Exams Office	Locked Office / Secure Room	6 Years
Post-results services: requests/outcome information		Candidate name	Exams Office	Locked Office / Secure Room	6 Years
Post-results services: scripts provided by ATS service		Candidate name	Head of Dept	Locked cabinet	6 Years
Post-results services: tracking logs		Candidate name		Secure room in Exams office	6 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
Private candidate information		Candidate name		Secure room in Exams office	Deadline for review of marking has passed or any appeal/malpractice is completed
Resilience arrangements: Evidence of candidate performance		Candidate name	Data Systems	Username and password	6 Years
Resolving timetable clashes information		Candidate name	Exams Office	Locked Office / Secure Room	Deadline for review of marking has passed or any appeal/malpractice is completed
Results information		Candidate name	Exams Office	Locked Office / Secure Room	6 Years
Seating plans		Candidate name		Secure room in Exams office	Deadline for review of marking has passed or any appeal/malpractice is completed
Special consideration information		Candidate name Reason for consideration		Secure room in Exams office	Deadline for review of marking has passed or any appeal/malpractice is completed
Suspected malpractice reports/outcomes		Candidate name Reason for suspected malpractice Statements from those involved		Secure room in Exams office	Deadline for review of marking has passed or any appeal/malpractice is completed
Transferred candidate arrangements	Transferred candidate arrangements	Candidate name	Exams Office	Locked Office / Secure Room	Deadline for review of marking has passed or any appeal/malpractice is completed
Very late arrival reports/outcomes	Very late arrival reports/outcomes	Candidate name	Exams Office	Secure Room	Deadline for review of marking has passed or any appeal/malpractice is completed