



Queen Katharine
Academy

Data Protection Policy (Exams)

2023/24

This policy is reviewed annually to ensure compliance with current regulations

Approved/reviewed by	
Kirsty Cleworth	
Date of next review	Oct 2024

This checklist is provided for members of *The Exams Office* only and must not be shared beyond use in your centre

GDPR policy (exams) template (2019/20)

Hyperlinks provided in this document were correct as at October 2019

Key staff involved in the policy

Role	Name(s)
Head of centre	Philip Masterson
Exams officer	Louise Setchfield, Amy Wild
Exams officer Line Manager SLT	Julie Aukland Kirsty Cleworth
IT manager	Randy Lavalley
Data manager	

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Purpose of the policy

This policy details how Queen Katharine Academy, in relation to exams management and administration, ensures compliance with the regulations as set out by the Data Protection Act 2018 (DPA 2018) UK and 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 UK 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(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
- Department for Education
- Local Authority
- Multi Academy Trust - TDET
- The Press
- SISRA
- ALPS

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

- hard copy
- email
- secure extranet site(s) – e.g. eAQA; OCR Interchange; Pearson Edexcel Online; WJEC Secure services; NCFE Portal, LIBF; etc.]

- Management Information System (MIS) provided by ESS 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

Queen Katharine Academy ensures that candidates are fully aware of the information and data held.

All candidates are:

- informed via Student Examinations Handbook
- 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 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 UK and 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 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
[List the hardware used to manage/administer candidate information. Insert each as a new row in the table. Examples might include: Desktop computer; Laptop/tablet; etc.]	[Insert purchase date] [Insert protection measures (liaise with the IT manager to determine these). Examples might include: when hardware is checked; by who; what is checked (hard drive scans etc.); antivirus protection up to date; etc.]	[Include if applicable or indicate N/A]
Desktop		
Laptop		
Tablet?		

Commented [AW1]: Details need adding

Software/online system	Protection measure(s)
SIMS	Username and Passwords regularly updated. Firewalls

[Insert each as a new row in the table. Examples might include: MIS; Intranet; Internet browser(s); Awarding body secure extranet site(s); A2C; etc.]	
Awarding Body Secure Extranet Sites	All are username and password protected sign in with Authenticator Apps
A2C	Username and password protected sign in
SISRA	Secure login – Username and Password
Alps	Secure Login – Username and Password

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

Julie Aukland - GDPR Lead/Judicium - Data Protection Officer 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 annually for general data and at the start of each examination season students are asked to check the data we hold to ensure it is correct.

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

Protection measures include:

- password protected area on the centre's intranet
- secure drive accessible only to selected staff
- information held in secure area
- updates undertaken every [XX] 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 which is available/accessible from Julie Aukland or 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 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 Julie Aukland – GDPR Lead by sending an email to data@qka.education. They must provide legal name, date of birth and address whilst a student at QKA.

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 Kirsty Cleworth (SLT) 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
(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

When considering publishing exam results, Queen Katharine 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?

Queen Katharine 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 Queen Katharine 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 Kirsty Cleworth - SLT/Damon Lewis – Head of P16 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	Excel Spreadsheet	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	Secure username and password In secure office (SENCo)	Indefinitely
Alternative site arrangements	Exams Office	Candidate Address	Cabinet in Exams Office	Secure Office	End of Following Academic Year
Attendance registers copies	Exam Room registers	Student name Exam	Cabinet in Exams Office	Secure Office	Current Season
Candidates' scripts	Exam Scripts returned for AB	Candidate Name Candidate Exam Number	Cabinet in Exams Office	Secure Office	Given to Student
Candidates' work	Coursework	Candidates Name Exam Number	Depts	Secure Offices	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
Certificates	Certificates for Awarding Bodies	Candidate Name Exam Number UCI ULN	Exams Secure Storage in individually named envelopes	Limited Key holders	1 Year after leaving
Certificate destruction information	Excel Spreadsheet	Candidates names Candidates DOB Exam, UCI, ULN Numbers	Electronically	Secure Login required	Indefinitely
Certificate issue information	Receipt Book	Name & Signature	Exams Office	Secure Office	Indefinitely
Conflicts of Interest records	Log/Spreadsheet	Teacher Name Student's Name	Exams Office cabinet	Secure Office	Current Academic Year +1
Entry information	Class List Entry	Student Name Exam Number	Exams Office Cabinet	Secure Office	Current Academic year
Exam room incident logs		Student name Invigilator Name	Exams Office Cabinet	Secure Office	Current Year + 3 months
Invigilator and facilitator training records	Attendance register	Invigilator Name Time in and Time Out	Exams Office Cabinet	Secure Office	Current Academic Year + 3 months
Overnight supervision information	JCQ Overnight Supervision Form	Student Name Exam Number Exam entry information	Exams Office Cabinet	Secure Office	Current Academic year+ 3 months
Post-results services: confirmation of candidate consent 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
Post-results services: requests/outcome information	RORs Form	Name, DOB, Exam Number	Exams Office Cabinet	Secure Room	Current academic year + 3 months
Post-results services: scripts provided by ATS service	Candidate Exam Scripts	Name, UCI, Exam Number	Exams Office Cabinet	Secure Room	Given to Candidate
Post-results services: tracking logs	Excel Spreadsheet	Name DOB, Exam number, Unit Information	On school network	Password/Secure log in	Current year + 3 months
Private candidate information	Proof of ID	Name, DOB, Address	Exams Office Cabinet	Secure Room	Current Year + 3 Months
Resolving timetable clashes information	Spreadsheet	Name, Exam Number, Unit information	On School network	Password/Secure Log in	Current Year + 3 months
Results information	Electronic and Paper	Name, Exam number, grade	School network (SIMS) and enveloped	Secure Log in/Secure Exams Office	Paper Copies – Current Academic Year + 3 Months. Electronic – until candidate reaches 25.
Seating plans	Electronic and paper	Candidate Name and Exam Number	School network and Exams Office Filing Cabinet	Secure Log in/Secure Room	Current academic year + 3 months
Special consideration information	Electronic	Candidate name, Dob, Exam number, Reason for request (medical, Bereavement etc) Exam unit	School network/Awarding Bodies	Secure Log in to AB	
Suspected malpractice reports/outcomes	Paper record	Candidate Name, Staff Name Details of the suspected malpractice	Exams Office Cabinet	Secure Room	Current Year + 3 months
Transferred candidate arrangements	Transferred candidate arrangements				

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
Very late arrival reports/outcomes	Very late arrival reports/outcomes	Candidate Name Exam Details Exam number Reason for being late	Exams Office Filing Cabinet	Secure Room	Current academic year + 3 months