



Cardinal Langley RC High School

## Exams Policies & Procedures 2024-25

# GENERAL DATA PROTECTION REGULATION POLICY

### Key staff involved in the policy

Role	Name(s)
Head of Centre	Mr A Bridson
MIS/DATA Manager   Exams Manager	Mrs L Barton
Exams Manager Line Manager	Mr A Bridson
IT Manager	Mr D Mandziuk
Senior Leadership Link	Senior Deputy Headteacher and Senior Assistant Headteacher/s

### Purpose of the policy

This policy details how Cardinal Langley RC 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 below.

Candidates' exams-related data may be shared with the following organisations, this list is not exhaustive:

- 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 Services
- 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 including controlled assessments and coursework, special consideration requests and exam results/post-results/certificate information.

## Section 2 – Informing candidates of the information held

Cardinal Langley RC High School ensures that candidates are fully aware of the information and data held.

All candidates are:

- informed via the school website
- given access to this policy via the school website

Candidates are made aware of the above at the start of their course of study leading to an externally accredited qualification.

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
MIS Server	May 2015 Local IT Engineering Support LA application support Windows authentication (restricted by user role) Automated AV protection update
Desktop Computer	
NAS Server	July 2015 Local IT Engineering Support Automated AV protection update Windows security and authentication



Software/online system	Protection measure(s)
MS. Office	Files stored in network storage protected by MS. Windows securities and passwords, with restrictions by staff groupings.
MIS System	Password Protected.
MIS Exams Organiser	Password Protected.
A2C Transfer Software	Installation on EO machine.
Awarding Body Secure Websites	Individual staff passwords/accounts.
Secure email	Encrypted and password protected cloud email system.

## 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.

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.

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 12 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 in the Exams Policy.

## Section 7 – Access to information

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 Mrs L Barton, Exams Manager, in writing/by email. The identity of any student now known to current staff will be verified using confirmation of personal details held by school.

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 rule, 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 Data Protection Officer 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 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 of Education (DfE) regarding parental responsibility and school reports on pupil performance:

- understanding and dealing with issues relating to parental responsibility  
<https://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 <https://www.gov.uk/guidance/school-reports-on-pupil-performance-guide-for-headteachers>

### **Publishing exam results**

As Cardinal Langley RC High School will have legitimate reason for publishing exam results, consent is not required from student 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 Data Protection Officer 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

Information Type	What personal/sensitive data is/maybe contained in the information	Where information is stored	How information is protected	Retention period
<b>Access arrangements information</b>	Student name, date of birth, gender Data protection form Diagnostic testing outcomes Evidence of normal way of working and teacher feedback	Access arrangements online SIMS School Synergy Exams secure area	Files are kept in a locked metal filing cabinet Exams secure area	Five years from years 9-13, then archived
<b>Alternative site arrangements</b>	Student name, date of birth, details of exam/s entered for	CAP Exams office	Exams office locked when not in use	Retained until the deadline for EARs or resolution of any enquiries, appeals, malpractice, whichever is longer. Confidential destruction thereafter
<b>Attendance registers copies</b>	Student name and candidate number	Exams office	Exams office locked when not in use	Retained until the deadline for EARs or resolution of any enquiries, appeals, malpractice, whichever is longer. Confidential destruction thereafter
<b>Candidate's scripts</b>	Student name and exam number	Locked storage within exams office until Parcelforce arrive for collection	Locked storage within exams office until Parcelforce arrive for collection	Scripts are stored securely in locked storage in the exams office overnight where necessary



Information Type	What personal/sensitive data is/maybe contained in the information	Where information is stored	How information is protected	Retention period
<b>Candidates' work</b>	Student name, exam number and exam work	Locked storage within department once returned from awarding body	Locked storage within department once returned from awarding body	Retained until the deadline for EARs or resolution of any enquiries, appeals, malpractice, whichever is longer. Confidential destruction thereafter if student no longer requires
<b>Certificates</b>	Student name, date of birth, UCI/ULN, grades achieved	Exams office	Exams office locked when not in use	Unclaimed certificates will be securely stored for a minimum of three years and then confidentially destroyed, details recorded on the certificate destruction log
<b>Certificate issue information</b>	Student name	Exams office	Exams office locked when not in use	Retained for 4 years from date of issue
<b>Conflicts of interest records</b>	Staff name and name of person taking exams and their exam details	Exams office	Exams office locked when not in use	Retained until the deadline for EARs or resolution of any enquiries, appeals, malpractice, whichever is longer
<b>Entry information</b>	Student name, date of birth, exam number, exams entered for	Exams office	Exams office locked when not in use	Retained until the deadline for EARs or resolution of any enquiries, appeals, malpractice, whichever is longer



Information Type	What personal/sensitive data is/maybe contained in the information	Where information is stored	How information is protected	Retention period
<b>Exam room incident logs</b>	Student name, exam number, details of incident	Exams office	Exams office locked when not in use	Retained until the deadline for EARs or resolution of any enquiries, appeals, malpractice, whichever is longer
<b>Invigilator and facilitator training records</b>	Name of person undergoing training	Exams office	Exams office locked when not in use	Records confidentially destroyed at the end of each academic year
<b>Overnight supervision information</b>	Student name, date of birth, exam number, reason for timetable variation	Exams office	Exams office locked when not in use	Retained until the deadline for EARs or resolution of any enquiries, appeals, malpractice, whichever is longer
<b>Post-results services: confirmation of candidate consent information</b>	Student name, exam number, query details	Exams office	Exams office locked when not in use	Retained for one academic year
<b>Post-results services: requests/outcome information</b>	Student name, exam number, query details Awarding body outcome letter	Exams office	Exams office locked when not in use	Retained for one academic year
<b>Post-results services: scripts provided by ATS service</b>	Student name, exam number, query details	Exams office	Exams office locked when not in use	Retained for one academic year



Information Type	What personal/sensitive data is/maybe contained in the information	Where information is stored	How information is protected	Retention period
<b>Resolving timetable clashes information</b>	Student name, details of exams entered for	Exams office	Exams office locked when not in use	Retained until the deadline for EARs or resolution of any enquiries, appeals, malpractice, whichever is longer
<b>Results information</b>	Student name, date of birth, UCI/ULN, grades achieved	Exams office SIMS	Exams office locked when not in use	Records for current year plus previous 6 years to be retained as a minimum
<b>Seating plans</b>	Student name, exam number, exam entered for, access arrangements	Exams office	Exams office locked when not in use	Retained until the deadline for EARs or resolution of any enquiries, appeals, malpractice, whichever is longer
<b>Special consideration information</b>	Student name, exam number, date of birth, exams entered for, nature of special consideration request	Exams office CAP	Exams office locked when not in use	Retained until the deadline for EARs or resolution of any enquiries, appeals, malpractice, whichever is longer
<b>Suspected malpractice reports/outcomes</b>	Student name, exam number, nature of malpractice, awarding body outcome letter	Exams office	Exams office locked when not in use	Retained until the deadline for EARs or resolution of any enquiries, appeals, malpractice, whichever is longer



Information Type	What personal/sensitive data is/maybe contained in the information	Where information is stored	How information is protected	Retention period
<b>Transferred candidate arrangements</b>	Student name, date of birth, exam number	Exams office CAP	Exams office locked when not in use	Retained until the deadline for EARs or resolution of any enquiries, appeals, malpractice, whichever is longer
<b>Very late arrival reports/outcomes</b>	Student name, date of birth, exam number	Exams office CAP	Exams office locked when not in use	Retained until the deadline for EARs or resolution of any enquiries, appeals, malpractice, whichever is longer