



# Data Protection Policy (Exams)

Ribblesdale School

## Contents

Purpose of the policy.....	3
Section 1 – Exams-related information.....	3
Section 2 – Informing candidates of the information held.....	3
Section 3 – Hardware and software .....	4
Section 4 – Dealing with data breaches .....	4
Section 5 – Candidate information, audit and protection measures .....	5
Section 6 – Access to information .....	6
Section 7 – Table recording candidate exams-related information held.....	8

## Purpose of the policy

This policy details how Ribblesdale 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:

- Awarding bodies
- Joint Council for Qualifications (JCQ)
- Department for Education
- Lancashire County Council
- Learner Registration Service
- This list is by no means an exhaustive list, but it gives an indication of the many organisations

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

- hard copy
- email
- secure extranet sites for AQA, WJEC, Pearson, OCR and NCFE
- JCQ CAP Portal via awarding body secure website
- 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

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

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

All candidates are:

- informed via electronic communication
- given access to this policy upon written request

Candidates are made aware of the above at the start of a course (for courses with NEA/ coursework components) or when the registrations/entries are submitted to awarding bodies for processing.

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
Desktop computer Dell OptiPlex 3080	December 2021 Device is continually monitored for issues Sophos endpoint protection with MDR
Tablets	Intercept X for mobiles
Exams laptops	Summer 2024 Checked bi-annually before main mocks and external exam seasons and monitored for issues Sophos endpoint protection with MDR

Software/online system	Protection measure(s)
MIS (SIMS)	Individual staff user accounts
Synergy	Linked to school’s Microsoft tenancy providing MFA and SSO
Exams Assist	Individual username and password with access limited to role
Awarding bodies (AQA, OCR, Pearson & WJEC) secure extranet sites	Individual username, password and MFA
A2C	Unique security token from each exam board A2C only installed on exam computer

### 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.

Candidates are asked to check the details on their statement of entries including their date of birth and their legal name.

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 weekly and within 14 days of a release (this may include updating antivirus software, firewalls, internet browsers etc.) Exam software is updated prior to each exam.

## Section 6 – 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 the Exams Officer. ID will be needed to confirm identity 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)

## Section 7 – Table recording candidate exams-related information held

For details of how to request access to information held, refer to section 6 of this policy (**Access to 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
Access arrangements information		Candidate name Candidate number 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 Filing cabinet  Secure drive Exams Assist	Secure username and password Individual staff user accounts Lockable and located in SEND area Secure internal network Individual username and password with access limited to role
Alternative site arrangements	When applicable – details of where candidate will take exam(s) and reason/evidence for not sitting exam(s) at the centre	Candidate name Candidate number Candidate DOB Gender UCI ULN Contact details Exam entries Medical information Access arrangements	MIS Filing cabinet  Secure drive	Individual staff user accounts Lockable and located in SEND area Secure internal network
Attendance registers copies		Candidate name Candidate number	MIS Filing cabinet  Secure drive Exams Assist	Individual staff user accounts Lockable and located in SEND area Secure internal network Individual username and password with access limited to role
Candidates' scripts		Candidate name Candidate number Competed exam script	Prior to dispatch to awarding bodies, scripts are packed plastic envelopes provided by the awarding bodies and sealed. Sealed packages are stored in a safe. Close to the collection time, sometimes packages are	Safe is the secure storage in the secure exams rooms which meets JCQ regulations. The lockable filing cabinet is located in the reception area which is manned with limited access.

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
			transferred to a lockable cabinet in the reception area.	
Candidates' work	Coursework/NEA	Candidate name Candidate number Candidate authentication statement (includes candidate signature) Internally assessed marks	Secure drive Lockable cabinet	Secure internal network Secure storage in subject department
Certificates		Candidate name Candidate number UCI Date of birth Competed qualification information including grades	Filing cabinet	Lockable filing cabinet located in the exams office
Certificate destruction information	Uncollected certificates or certificates containing errors and where a replacement has been requested	Candidate name Candidate number	Secure drive Filing cabinet	Secure internal network Lockable filing cabinet located in the exams office
Certificate issue information		Candidate name Candidate number Year of issue	Filing cabinet	Lockable filing cabinet located in the exams office
Conflicts of interest records	Declarations of interest forms and conflicts log	Candidate name Candidate number Qualifications entered and exam centre Staff member name and relationship to candidate where appropriate	Secure drive Cabinet	Secure internal network Lockable cabinet located in exams office
Entry information		Candidate name Candidate number Gender Date of birth UCI ULN	MIS Secure drive Exams Assist  Cabinet	Individual staff accounts Secure internal network Individual username and password with access limited to role Lockable cabinet located in exams office
Exam room incident logs		Candidate name Candidate number Staff names Possible medical/pastoral information	Exams Assist  Secure drive Cabinet	Individual username and password with access limited to role Secure internal network Lockable cabinet located in exams office

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
Invigilator and facilitator training records	Details of completed training and additional training needs if applicable	Staff names Contact details Staff signature	Secure drive Cabinet	Secure internal network Lockable cabinet located in exams office
Overnight supervision information	Supervision for candidates with timetable clashes and all other option have been exhausted	Candidate name Candidate number Contact details Exam details	Secure drive Cabinet	Secure internal network Lockable cabinet located in exams office
Post-results services: confirmation of candidate consent information, requests/outcome information, scripts provided by ATS service, tracking logs		Candidate name Candidate number Contact details Qualification information including marks & grades Awarding body information Outcome information	Secure drive Cabinet	Secure internal network Lockable cabinet located in exams office or subject department for scripts for teaching and learning purposes.
Resilience arrangements: Evidence of candidate performance		Candidate name Candidate number Mock exam scripts Marks/grades	MIS Secure drive Cabinet	Individual staff accounts Secure internal network Lockable cabinet in subject department
Resolving timetable clashes information		Candidate name Candidate number Exam entry details	MIS Exams Assist  Secure drive Cabinet	Individual staff accounts Individual username and password with access limited to role Secure internal network Lockable cabinet in exams office
Results information		Candidate name Candidate number UCI ULN Date of birth Gender Qualification information (subject, marks, grades)	MIS Exams Assist  Secure drive Cabinet	Individual staff accounts Individual username and password with access limited to role Secure internal network Lockable cabinet in exams office
Seating plans		Candidate name Candidate number Subject/tier information Access arrangements	MIS Exams Assist  Secure drive Cabinet	Individual staff accounts Individual username and password with access limited to role Secure internal network Lockable cabinet in exams office

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
Special consideration information		Candidate name Candidate number UCI Date of birth Exam entry/qualification information Access arrangements Details of reason for application (bereavement, illness, etc)	Secure drive Cabinet	Secure internal network Lockable cabinet in exams office
Suspected malpractice reports/outcomes		Candidate name Candidate number UCI Exam entry/qualification information Access arrangements Staff names and roles Details of reason for report to awarding body	Secure drive Cabinet	Secure internal network Lockable cabinet in exams office
Transferred candidate arrangements	Details of where candidate was originally entered and which centre transferred to	Candidate name Candidate number UCI ULN Date of birth Gender Exam entry details	MIS Secure drive Cabinet	Individual staff accounts Secure internal network Lockable cabinet in exam office
Very late arrival reports/outcomes	Reason for late arrival	Candidate name Candidate number UCI Exam entry information Details of reason for late arrival	Secure drive Cabinet	Secure internal network Lockable cabinet in exams office
Word processed scripts	Copies of word processed exam scripts	Candidate name Candidate number Word processed exam scripts	Secure drive	Secure internal network access limited