



**NINESTILES**  
AN ACADEMY

# **General Data Protection Regulation policy (exams)**

## 2018/19

These procedures are reviewed annually to ensure compliance with current regulations

Approved/reviewed by	
Date of next review	

## Purpose of the policy

This policy details how Ninestiles School, An Academy, ensures compliance with the regulations as set out by the Data Protection Act 2018 (DPA 2018) and General Data Protection Regulation (GDPR).in relation to exams management and administration,

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 Ninestiles School, An Academy 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
- ▶ Summit Learning Trust
- ▶ Local Authority – Birmingham City Council
- ▶ Department for Education.
- ▶ Other secondary schools – if student is on a managed move
- ▶ Press releases concerning exceptional grades. Students would consent to this being published;

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, CIE Direct
- ▶ Facility CMIS
- ▶ EDI using A2C
- ▶ Management Information System provided by Facility CMIS sending/receiving information via electronic data interchange (EDI) using 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

Ninestiles School, An Academy ensures that candidates are fully aware of the information and data held.

All candidates are:

- ▶ informed via a Student Privacy Notice displayed on the school website;
- ▶ given access to this policy via written request.

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

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.

## 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
Desktop Computer	<p>Administrator access restricted to IT Support staff; PC protected by real time Avast antivirus; monthly security updates automatically deployed; users access profiles created for role specific requirements; user password policy rigorously enforced.</p> <p>Data transfer via Internal / External networks pass through successive levels of filtering and content / email checking to block Malware / Suspicious attachments and files.</p> <p>Fully networked PC. Computers checked regularly for faults (IT Support check for errors, general check for speed and usability)</p> <p>Anti-virus is updated via regularly.</p> <p>All Internet browsing takes place on a controlled connection, based on rules set for education.</p>	Majority of equipment is out of warranty – security and protection is carried out by system / security / process not warranty which is for repair
File server	<p>All stored on a secure area on a network server.</p> <p>Systems have restricted administrator access, full back-up regime and user access to data is controlled.</p> <p>External access to networks by default all IT equipment is protected by a combination of layers of security.</p>	
Data Transfer	All systems transferring data via corporate local network are encrypted to WPA2 Enterprise level.	

Software/online system	Protection measure(s)
CMIS (Facility Software)	<ul style="list-style-type: none"> <li>• Access controlled by username and password</li> <li>• Accounts have specified access rights.</li> </ul>
SISRA Analytics	<ul style="list-style-type: none"> <li>• Access controlled by username and password</li> <li>• Accounts have specified access rights</li> </ul>
Awarding body secure extranet site(s): <ul style="list-style-type: none"> <li>• eAQA;</li> <li>• OCR Interchange;</li> <li>• Pearson Edexcel Online</li> <li>• WJEC secure access</li> <li>• CIE Direct.</li> <li>• JCQ CAP Portal</li> </ul>	<ul style="list-style-type: none"> <li>• Access controlled by username and password;</li> <li>• Accounts have specified access rights;</li> <li>• Centre administrator has to approve the creation of new user accounts and determine access rights.</li> </ul>
A2C	Access controlled by username and password for computer login
Google Chrome	All Internet browsing takes place on a controlled connection, based on rules set for education.
Microsoft Internet Explorer	All Internet browsing takes place on a controlled connection, based on rules set for education.
Online Testing – Pearson 'POP' software	Bespoke designed online testing platform. Controlled access,

## 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

A member of SLT (Senior Leadership Team) 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 regularly and as necessary (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 by written request made to Exams Officer.

## Section 7 – Access to information

Current and former candidates can request access to the information/data held on them by making a **subject access request** to Member of SLT in writing.

Photo identification may be requested if a former candidate is unknown to current staff. All requests will be dealt with within 40 calendar days.

### 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, is 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 Safeguarding Lead 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), 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)
- ▶ 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)

### Publishing exam results

When considering publishing exam results, the centre 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	Information collected by SENCo to process access arrangements	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 Exam's Office Lockable metal filing cabinet	Secure user name and password In secure area solely assigned to exams	<b>Stored by exams:</b> To be archived at the end of the candidate's final exam series. <b>Stored by SENCo:</b> 3 years - from 9 to 11 - then files sent for archives.
Attendance registers copies	Registers record attendance at each written exam, are kept with seating plan and exam room incident log	Candidate name Candidate number Presence at exam	Physical copies – in folder in the lockable Exams office.	Limited number of key holders to office Exams office is locked when unoccupied	Retained until the post-results period or outstanding enquiry/appeal or malpractice investigations has been completed for that exam series
Candidates' scripts	Exam scripts	Candidate name Candidate number Exams answers	Exam's Office Lockable metal filing cabinet	In secure area solely assigned to exams. Exams scripts are being transferred to the exam board via courier service (Parcelforce) or Royal Mail Special Delivery.	Exam papers are retained until the end of the exam day or next working day, where they are then posted to the exam board.
Candidates' work	Non-examination assessment work (inc. controlled assessment, coursework, portfolios) returned to the centre after awarding body moderation.	Candidate name Candidate number Candidate marks and grades	Each department stores in secure cupboard	To be immediately returned to subject staff as records owner. To be stored safely and securely along	Returned to candidates or safe disposal

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
				with work that was not part of the moderation sample (including materials stored electronically) until after the post-results period or outstanding enquiry/appeal or malpractice investigations has been completed for that exam series	
Certificates	Record of achievement	Candidate name Candidate DOB UCI Candidate examination results	Metal filing cabinet in the exams office	Limited number of key holders to office.  If a student wants to collect their certificate(s) from the centre, they must present photo identification if they cannot be identified on the MIS (CMIS)  Certificates can only be collected in person	Indefinitely
Certificate destruction information	N/A	N/A	N/A	N/A	N/A
Certificate issue information	A record of certificates that have been issued to candidates.	Candidate name Candidate signature Level of qualification	In the exams office – students sign-out in person which is kept in a paper file.	Limited number of key holders to office  Exams office is locked when unoccupied	Indefinitely
Entry information	Any hard copy information relating to candidates' entries.	Candidate name; Candidate number;	In the exams office	Limited number of key holders to office	Retained until the post-results period or outstanding enquiry/appeal or malpractice investigations



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 DOB; ULN and UCI Qualification information	On CMIS Examination Module	Exams office is locked when unoccupied	has been completed for that exam series
Exam room incident logs	Logs recording any incidents or irregularities in exam rooms.	Candidate name Candidate number	In the exams office with corresponding seating plan in	Limited number of key holders to office Exams office is locked when unoccupied	Retained until the post-results period or outstanding enquiry/appeal or malpractice investigations has been completed for that exam series
Invigilator and facilitator training records	Availability to work	Name Contact number Email address	In the exams office On exam office computer	Exams office is locked when unoccupied	Hard copies disposed after completion of the exam series or kept for 12 months"
Overnight supervision information	Copy of JCQ form Timetable variation and confidentiality declaration for overnight supervision for any candidate eligible for these arrangements.	Candidate name Candidate number Reason for timetable variation	In the exams office On exam office computer	Limited number of key holders to office Exams office is locked when unoccupied	To be retained for JCQ inspection purposes for the relevant exam series
Post-results services: confirmation of candidate consent information	Hard copy or email record of candidate consent for an EAR or ATS request to be submitted to an awarding body	Candidate name Candidate number Candidate signature	In exams office On exam office computer	Limited number of key holders to office Exams office is locked when unoccupied	EAR consent to be retained for at least six months following the outcome of the enquiry or any subsequent appeal / malpractice investigations for the exam series. ATS consent to be retained for at least six months from the date consent given.
Post-results services: requests/outcome information	Any hard copy information relating to a post-results service request (EARs, appeals, ATS) submitted to an awarding body for a candidate and outcome information from the awarding body.	Candidate Name Candidate exam number Candidate results information	In exams office Exam office computers	Limited number of key holders to office Exams office is locked when unoccupied	To be stored safely and securely until after the deadline for EARs or the resolution of any outstanding enquiry/appeal or malpractice investigations for the exam series.

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: scripts provided by ATS service	Copy, digital or original scripts returned to the centre by the awarding body	Candidate name Candidate exam number Candidate results information	To be immediately provided to the head of department or the candidate as records owner	Only accessible by Exams Office staff.	returned to the requester after the post results period is complete
Post-results services: tracking logs	A log tracking to resolution all post results service requests submitted to awarding bodies.	Candidate name Candidate number Candidate results information	Exam office computer	Only accessible by Exams Officer.	Retained for 12 months after the deadline for EARs.
Private candidate information	Any hard or digital copy information relating to private candidates' entries.	Candidate name Candidate number Date of birth Address and contact details	Exams office Exam office computer	Limited number of key holders to office Exams office is locked when unoccupied	Retained until the post-results period or outstanding enquiry/appeal or malpractice investigations has been completed for that exam series
Resolving timetable clashes information	Any hard copy information relating to the resolution of a candidate's clash of exam papers or a timetable variation	Candidate name Candidate exam number	Exams office	Exams office is locked when unoccupied.	Retained until the post-results period or outstanding enquiry/appeal or malpractice investigations has been completed for that exam series
Results information	Broadsheets of results summarising candidate final grades by subject by exam series.	Candidate name Candidate number Unit mark achieved Grade achieved	Exam office computer Filing cabinets	Exams officer only log in Exams office is locked when unoccupied	7 years
Seating plans	Plans showing the seating arrangements of all candidates for every exam taken	Candidate name Candidate number	In the exams office with corresponding exam report	Only accessible by Exams Office staff	Retained until the post-results period or outstanding enquiry/appeal or malpractice investigations has been completed for that exam series
Special consideration information	Any hard or digital copies of information relating to a special consideration request and supporting evidence submitted	Candidate name Candidate number Candidate DOB	Filing cabinet exams office	Limited number of key holders to office Exams office is locked when.	Evidence supporting an on-line application and a candidate's absence from an exam will be stored safely and securely until after the

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
	to an awarding body for a candidate.	Candidate personal or medical information			post-results period or outstanding enquiry/appeal or malpractice investigations has been completed for that exam series
Suspected malpractice reports/outcomes	Any hard or digital copies of information relating to a suspected malpractice investigation/report submitted to an awarding body and outcome information from the awarding body.	Candidate name Candidate number Detail of the malpractice	Filing cabinet exams office On Exams Officer Computer	Exams office is locked when unoccupied.	Retained until after the deadline for EARs or until any appeal, malpractice or other results enquiry has been completed, whichever is later.
Transfer of credit information	N/A	N/A	N/A	N/A	N/A
Transferred candidate arrangements	Any hard copy information relating to an application for a transferred candidate arrangement submitted to an awarding body for a candidate	Candidate name Candidate number Candidate DOB	Filing cabinet in exams office	Exams office is locked when unoccupied	Retained until after the deadline for EARs or until any appeal, malpractice or other results enquiry has been completed, whichever is later.
Very late arrival reports/outcomes	Any hard copy information relating to a very late arrival report submitted to an awarding body for a candidate and outcome information from the awarding body.	Candidate name Candidate number Reason for late arrival	Filing cabinet in exams office	Exams office is locked when unoccupied	Retained until after the deadline for EARs or until any appeal, malpractice or other results enquiry has been completed, whichever is later.