



# Data Protection Policy (Exams) 2024/25

<b>Data Protection Policy (exams)</b>	<b>November 2024</b>
Person(s) Responsible:	Head, Deputy Head (Academic)
Date Approved:	November 2024
Approved by:	Deputy Head (Academic)
Date of next Review:	November 2025

This policy is annually reviewed to ensure compliance with current regulations

## Key staff involved in the General Data Protection Regulation policy

<b>Role</b>	<b>Name(s)</b>
Head of Centre	<b>Debbie Picton - Head</b>
Exams officer	<b>Gemma Loates</b>
Exams officer line manager (Senior Leader)	<b>Peter Forrest-Biggs - Deputy Head (Academic)</b>
Director of Finance and Operations	<b>Adrian Durand-Deslongrais</b>
IT manager	<b>Aaron Gauntlett</b>
Data manager	<b>John Lawson</b>

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## **Purpose of the policy**

Details of how the School complies with the General Data Protection Regulation and how this is managed on an ongoing basis is contained in the School's *Data Protection Policies* and *Privacy Notices* which are published on the school's website.

This policy details how Sir William Perkins's School, specifically, in relation to exams management and administration, ensures compliance with the regulations as set out by the Data Protection Act 2018 (DPA 2018) 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 JCO'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.

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

- Awarding bodies
- Joint Council for Qualifications
- Department for Education
- ISC
- ISI
- HMC
- GSA
- the Press
- NHS or other medical provider (notably if an examination is to be transferred to a medical venue)

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

- hard copy
- email
- secure extranet site(s) - e.g. AQA Centre Services; OCR Interchange; Pearson Edexcel Online; WJEC Secure services; CIE; ISI; ISC; media sites relating to league tables
- 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**

Sir William Perkins's School ensures that candidates are fully aware of the information and data held.

All candidates are:

- informed via email and Firefly, with links to the awarding bodies privacy policies
- given access to this policy via Firefly or by written request to the Exams Officer or the Head of Centre

Candidates are made aware of the above at key points throughout their course where candidates are following GCE and GCSE qualifications, and when the 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 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	Protection measure(s)
HP Exam Laptops	Only applications on device are exam related. No internet access, no spellcheck, no formatting. Exam work autosaved at regular intervals
HP Desktops	Application control on exam accounts. No internet access, no spellcheck, no formatting. Exam work autosaved at regular intervals
2x Dell R660xs Hosts and 1x Dell SAN	Data encrypted at rest
SophosUTM Firewall	Port and protocol blocking, application control
ContentKeeper	Web filtering

Software/online system	Protection measure(s)
Windows Server	Folder permission restrictions
Capita SIMS	Access control permissions Encrypted Doc storage
Windows SQL	DB Access restricted to SA & Trusted auth
SharePoint	Secure area assigned to exams. Restricted permissions. MFA Required
Mimecast	Email filtering, attachment and URL protection

## **Section 4 - Dealing with data breaches**

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

The School has a clear compliance failure and incident management process for detecting, containing and evaluating any personal data breach which can be found in the School's *Policy and Procedure for Compliance Failure or Security Incident Resulting in a Data Breach*.

Any data breach investigation will follow the Information Commissioner's Office (ICO) suggested Breach Management Plan guidelines for:

- Containment and recovery;
- Assessment of ongoing risk;
- Notification of breach;
- Evaluation and response.

Data breaches will be reported to the ICO within the statutory 72 hours under the General Data Protection Regulation. Data subjects affected or potentially affected will be informed as soon as possible after the school becomes aware of any breach.



## **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.

The table in section 8 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 (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 from the exams officer by written request.

## **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 performance, including:

- their internally assessed 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 in the first instance who will forward the request to the Data Protection Officer.

The Director of Finance and Operations is responsible for data protection compliance and can be contacted directly by parents/carers regarding what personal information is held by the school for either themselves or their child. A request to see personal information held on an individual represents a 'subject access request'. Any such request must be made in writing to the Director of Finance and Operations.

The Director of Finance and Operations can be contacted via email at [DFO@swps.org.uk](mailto:DFO@swps.org.uk) or in writing at the School's address.

The GDPR does not specify an age when a student can request their exam results or request that they aren't published. When a student makes a request, those responsible for responding should take into account whether:

- the student wants their parent (or someone with parental responsibility for them) to be involved; and
- the student 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 student of 12 or older is expected to be mature enough to understand the request they are making. A student 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 unless otherwise stated in the school's privacy notices and data protection policies which are published on the school's website.

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)

## Publishing exam results

When considering publishing exam results, Sir William Perkins's School 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?

(Publishing examination results is a common and accepted practice. Many students enjoy seeing their name in print, particularly in the local press and the GDPR does not stop this happening. However, under the GDPR schools have to act fairly when publishing results, and where people have concerns about their or their student's information being published, schools must take those concerns seriously.

Schools should make sure that all pupils and their parents or guardians are aware as early as possible whether examinations results will be made public and how this will be done. Schools should also explain how the information will be published. For example, if results will be listed alphabetically, or in grade order.

In general, because a school has a legitimate reason for publishing examination results, pupils or their parents or guardians do not need to give their consent to publication. However, if you have a specific concern about publication of your results, you have the right to object. Schools should consider objections from pupils and parents before making a decision to publish. A school would need to have a good reason to reject someone's objection to publication of their exam results.)

OR

Sir William Perkins's School 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 student'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 Sir William Perkins's School 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 the Director of Finance and Operations at [DFO@swps.org.uk](mailto:DFO@swps.org.uk), 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
<b>Access arrangements information</b>	Information obtained to support access arrangement considerations	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 Pearson's Access Arrangements Online SIMS Lockable filing cabinet Staff shared folders	Secure user name and password In secure office (Head of Personalised Learning)	
<b>Attendance registers copies</b>	Registers sent to Examinations Officer from awarding bodies.	Candidate name Candidate DOB Gender	Before and after the exams these are in the exams secure room	In secure area solely assigned to exams	To be retained until after the deadline for reviews of marking has passed or until any appeal, malpractice or other results enquiry has been completed whichever is later
<b>Candidates' scripts</b>	Any unwanted copies of scripts returned to the centre through the Access to Scripts (ATS) service.	Candidate name Candidate exam number	Secure lockable area either in Exams Store or room accessible to teaching staff	In secure area assigned to exams or teaching staff	To be retained securely until the awarding body's earliest date for

<b>Information type</b>	<b>Information description (where required)</b>	<b>What personal/sensitive data is/may be contained in the information</b>	<b>Where information is stored</b>	<b>How information is protected</b>	<b>Retention period</b>
		Candidate work	Staff shared folders	Protected drive assigned to staff only	confidential disposal of unwanted scripts. Where teachers have used copies of candidates' scripts for teaching and learning purposes but no longer wish to retain them, they must ensure that the scripts are disposed of in a confidential manner
<b>Candidates' work</b>	Non-examination assessment work returned to the centre by the awarding body at the end of the moderation period Vocational qualification records of the verification process	Candidate name, number, gender,  evidence of marking	Secure lockable area either in Exams Store or room accessible to teaching staff	In secure area assigned to exams or teaching staff	To be retained until after the deadline for EARs or until any appeal, malpractice or other results enquiry has been completed, whichever is later. Vocational qualifications records of the verification process will be kept for 3 years after certification.
<b>Certificates</b>	Candidate certificates sent to the Examinations Officer from awarding bodies.	Candidate name & DOB  Subjects taken  Grades achieved	Lockable filing cabinet	In secure area assigned to exams	Unclaimed certificates to be retained securely for a minimum of 12 months from date of issue.
<b>Certificate destruction information</b>	A record of unclaimed certificates that have been destroyed.	Candidate name, contact details,	Lockable filing cabinet  Staff shared folders	In secure area assigned to exams  Protected drive assigned to staff only	To be retained for 4 years from the date of certificate destruction.

<b>Information type</b>	<b>Information description (where required)</b>	<b>What personal/sensitive data is/may be contained in the information</b>	<b>Where information is stored</b>	<b>How information is protected</b>	<b>Retention period</b>
<b>Certificate issue information</b>	A record of certificates that have been issued to candidates	Candidate name, contact details, signature	Lockable filing cabinet	In secure area assigned to exams	To be retained along with the record of unclaimed certificates for 4 years from the date of certificate destruction. Where no certificates are destroyed the record will be kept for 4 years from date of issue.
<b>Conflicts of Interest records</b>	Hard copies of declarations from staff confirming whether either staff themselves are sitting external exams or related people of staff are taking external exams either at Archer Academy or other schools/ centres.	Staff Name Student Name Information to be retained along with steps taken to avoid conflict of interest for JCQ inspection purposes for 1 year after results.	Exams Secure Store Staff shared drive Awarding bodies	Password protected google form In secure area assigned to exams Protected drive assigned to staff only In line with awarding body GDPR guidelines	To be retained for 1 year after results published and then securely destroyed.  In line with awarding body GDPR guidelines
<b>Entry information</b>	Information relating to candidates' entries.	Candidate name Candidate UCI and learner numbers Candidate DOB Gender	SIMS Staff shared folders Lockable filing cabinet Awarding body websites; JCQ CAP & A2C	Secure user name and password Protected drive assigned to staff only In secure cabinet solely assigned to exams In accordance to the school's GDPR policies	To be retained in Exam Storage until after the deadline for EARs or until any appeal, malpractice or other results enquiry has been completed, whichever is later.  In accordance to the school's GDPR policies In line with the awarding

<b>Information type</b>	<b>Information description (where required)</b>	<b>What personal/sensitive data is/may be contained in the information</b>	<b>Where information is stored</b>	<b>How information is protected</b>	<b>Retention period</b>
				User Name and Password protected.  Regular checks to Firewall/ Antivirus software	body and JCQ GDPR guidelines
<b>Exam room incident logs</b>	Logs recording any incidents or irregularities in exam rooms.	Candidate name  Incident information	Exams Secure Store	In secure area assigned to exams	To be retained in Exam Storage until after the deadline for EARs or until any appeal, malpractice or other results enquiry has been completed, whichever is later.
<b>Invigilator and facilitator training records</b>	Log of invigilators taking training, transcript of training provided, copies of certificates where training taken on-line	Invigilator: name, signature, email address	Exams Secure Store Staff shared folders	In secure area assigned to exams  Protected drive assigned to staff only	To be retained in Exam Storage until after the deadline for EARs or until any appeal, malpractice or other results enquiry has been completed, whichever is later.
<b>Overnight supervision information</b>	Copy of JCQ form Timetable variation and confidentiality declaration for overnight supervision for any candidate eligible for these arrangements.	Candidate name  Candidate signature  Parent/Carer signature	Exams Secure Store	In secure area assigned to exams	Completed forms to be kept in centre for inspection until the deadline for reviews of marking has passed or until any appeal, malpractice or other results enquiry has been completed, whichever is later. Forms may be stored electronically or



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
					in hard copy paper format and must not be sent to an awarding body, unless specifically requested.
<b>Post-results services: confirmation of candidate consent information</b>	Copies of exam scripts (or an electronic image of the script) returned to the centre by the awarding body/copies downloaded by the centre where the awarding body provides online access to scripts.	Candidate name Candidate number Candidate responses	Staff shared folders Secure storage within classrooms Email folders	Protected drive assigned to staff only In secure areas assigned to teaching staff Secure to staff member	Where copies of scripts are retained by the centre, they must be securely stored (including any electronic versions) until they are no longer required.
<b>Post-results services: requests/outcome information</b>	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 signature Carer/ parent signature	Lockable filing cabinet Email folders	In secure area assigned to exams Secure to staff member	EAR consent to be retained for at least six months following the outcome of the enquiry or any subsequent appeal. ATS consent to be retained for at least six months from the date consent given.
<b>Post-results services: scripts provided by ATS service</b>	Copies of exam scripts (or an electronic image of the script) returned to the centre by the awarding body/copies downloaded by the centre where the awarding body provides online access to scripts.	Candidate name Candidate number Candidate responses	Staff shared folders Secure storage within classrooms Email folders	Protected drive assigned to staff only In secure areas assigned to teaching staff Secure to staff member	Where copies of scripts are retained by the centre, they must be securely stored (including any electronic versions) until they are no longer required.
<b>Resilience arrangements:</b>	Copies of internal assessments, including mock exam papers	Candidate number	Scanned and digitally filed <i>and/or</i>	Digitally filed in secure areas.	To be retained until after the deadline for EARs or until any appeal,

**Data Protection Policy (exams)**

<b>Information type</b>	<b>Information description (where required)</b>	<b>What personal/sensitive data is/may be contained in the information</b>	<b>Where information is stored</b>	<b>How information is protected</b>	<b>Retention period</b>
<b>Evidence of candidate performance</b>			Hard copies kept in department offices.	Hard copies kept in department offices.	malpractice or other results enquiry has been completed, whichever is later.
<b>Resolving timetable clashes information</b>	Any hard copy information relating to the resolution of a candidate's clash of timetabled exam papers or a timetable variation.	Candidate name Candidate number	Exams Secure Store Staff shared folders Email folders	In secure area assigned to exams Protected drive assigned to staff only Secure to staff member	To be retained until after the deadline for EARs or until any appeal, malpractice or other results enquiry has been completed, whichever is later.
<b>Results information</b>	Broadsheets of results summarising candidate final grades by subject by exam series.	Candidate name Candidate numbers Date of Birth Candidate results	Staff shared folders SIMS	Protected drive assigned to staff only Password Protected Staff who have left the centre periodically removed by OOA Password Protected and backed up daily/ weekly	Current year + 6 years
<b>Seating plans</b>	Plans showing the seating arrangements of all candidates for every exam taken.	Candidate name Candidate number Access Arrangements	Exams Secure Store SIMS Examinations Staff shared folders	In secure area assigned to exams Secure username and password Protected drive assigned to staff only	To be retained until after the deadline for EARs or until any appeal, malpractice or other results enquiry has been completed, whichever is later.
<b>Special consideration information</b>	Any hard/ soft copy information relating to a special consideration request and supporting	Candidate name Medical/ psychological evidence	Lockable exam cupboard	In secure area assigned to exams	To be retained until after the publication of result

**Data Protection Policy (exams)**

<b>Information type</b>	<b>Information description (where required)</b>	<b>What personal/sensitive data is/may be contained in the information</b>	<b>Where information is stored</b>	<b>How information is protected</b>	<b>Retention period</b>
	evidence submitted to an awarding body for a candidate.				
<b>Suspected malpractice reports/outcomes</b>	Any hard copy information relating to a suspected malpractice investigation/report submitted to an awarding body and outcome information from the awarding body	Candidate name Staff name Incident information	Lockable exam cupboard Staff shared drive Email folders	In secure area assigned to exams  Username and password  Secure to staff member	To be retained in Exam Storage until after the deadline for EARs or until any appeal, malpractice or other results enquiry has been completed, whichever is later.
<b>Very late arrival reports/outcomes</b>	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. Applications submitted online via CAP		Exams Secure Store Staff shared drive JCQ CAP	In secure area solely assigned to exams  Protected drive assigned to staff only  Username and password to protect online access	To be retained until after the deadline for EARs or until any appeal, malpractice or other results enquiry has been completed, whichever is later.  In line with the JCQ GDPR guidelines