Data Protection Policy (Exams)

2023 - 2024

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Purpose of the policy

This document supplements the Stour Vale Academy Trust (SVAT) Data Protection Policy, and details how, in relation to exams management and administration, Ridgewood High School ensures compliance with the regulations set out by the Data Protection Act 2018 (DPA 2018) and UK General Data Protection Regulation (GDPR). It should also be read in conjunction with the Ridgewood High School Privacy Notice (how we use pupil Information), and the Stour Vale Academy Trust Information and Cyber Security Policy.

The above policies and notices are available at:

https://www.ridgewood.dudley.sch.uk/policies

This document also confirms compliance with the Joint Council for Qualifications (JCQ) requirement that centres must have in place a written data protection policy (*General Regulations 5.3).*

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 the JCQ *General Regulations* publication, 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. (JCQ General Regulations for Approved Centres section 6.1)

Students are given the right to find out what information is held about them, how this is protected, how it may 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
- Retained for no longer than is absolutely necessary
- Handled according to people's data protection rights
- Kept safe and secure

To ensure that Ridgewood High School 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.

Exams-related information

There is a requirement for the exams office(r) to hold exams-related information on all candidates taking external examinations. The type of personal/sensitive information held is detailed below:

For all examination candidates:

- Candidate name
- Candidate date of birth
- Gender
- Candidate Unique Candidate Identifier (UCI) number
- Candidate Unique Learner Number (ULN)

In addition to the above, the following information is held for candidates with Access Arrangements

- Data protection notice (candidate signature)
- Diagnostic testing outcome(s)
- Specialist report(s) (may also include candidate address)
- Evidence of normal way of working

Candidates' exams-related data may be shared with the following organisations:
- Awarding bodies
- Joint Council for Qualifications
- Department for Education
- Local Authority
- Multi Academy Trust

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
- Management Information System (MIS) provided by Capita SIMS
- Sending/receiving information via electronic data interchange (EDI) to/from awarding body processing systems using A2C (https://www.jcq.org.uk/about-a2c); 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.

Informing candidates of the information held

Ridgewood High School aims to ensure that candidates are fully aware of the information and data held.

Candidates are informed of personal/sensitive information held in relation to examinations via the Ridgewood High School Privacy Notice (how we use pupil information), which is available on the school website. Candidates are signposted to the Privacy Notice via the Ridgewood High School candidate handbook which is issued to students alongside their Statements of Entry, once exam entries have been made. Candidates may also be given access to this policy (Data Protection Policy - Exams) upon making a written request to the Examinations Officer.

Details of the various types of information held in relation to examinations (eg examination attendance registers, entry records etc), the relevant retention period of such information and the method of disposal of information held is available to candidates via the **Ridgewood High School Exams Archiving Policy**.

A copy of the annually updated JCQ *Information to Candidates - Privacy Notice* is issued to all candidates (internal) at the beginning of the examination series, and to private/external candidates upon entry to the exam. A copy of the notice is also available to view/download on the school website.

Candidates eligible for access arrangements which require awarding body approval are also required to provide their consent by signing the GDPR compliant JCQ candidate personal data consent form before access arrangements approval applications can be processed online.

Hardware and software

Information regarding the measures in place to protect information from unauthorised/unlawful access, may be obtained from the school's Senior Information Risk Owner (SIRO), Mrs R Cope (Headteacher). For further information regarding the role of the SIRO please see the Stour Vale Academy Trust Information and Cyber Security Policy at

https://www.ridgewood.dudley.sch.uk/policies

Dealing with data breaches

Although data is handled in line with current 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
- Cyber attack/ransomware infection

- 'Blagging' offences where information is obtained by deceiving the organisation who holds it

If a data protection breach is identified the following key steps will be taken:

1. Containment and recovery

The Head of Centre will be informed, and an investigation of the breach will be launched in order to establish

- Who needs to be made aware of the breach, and to 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 (also see Exams Contingency Plan - Failure of IT systems)
- 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:

- A review of what data is held and where and how it is stored
- Identification of where risks and weak points in security measures lie (for example, use of portable storage devices or access to public networks)
- A review of methods of data sharing and transmission
- An increase of staff awareness of data security and filling gaps through training or tailored advice
- A review of contingency plans

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 DPA 2018/GDPR – will be handled in line with DPA 2018 / GDPR guidelines, and an information audit will be conducted in accordance with the SVAT Data Protection Policy.

For details of the type of candidate exams-related information held, and how it is managed, stored and protected please see Appendix 1.

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 Ridgewood High School Exams Archiving Policy, a copy of which may be obtained via the Exams Officer.

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 should be made in writing/via email to the Exams Officer. Identification evidence must be provided and verified with the Exams Officer before any information is released.

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 Deputy Headteacher/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 SIRO/Data Protection Officer will confirm the status of these agreements and approve/reject any requests.

Sharing information with parents

Ridgewood High School will take into account 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

- School reports on pupil performance

Publishing exam results

Ridgewood High 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 child's information being published, taking those concerns seriously
- Ensure that all candidates and their parents/carers are aware as early as possible whether examinations results will be made public and how this will be done
- Explain how the information will be published. For example, if results will be listed alphabetically, or in grade order

As Ridgewood High 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 the Head of Centre, 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.

Appendix 1   Candidate information – storage and protection

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 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 Secure drive MIS Lockable metal filing cabinet	Secure username and password Secure username and password In secure office (SENCo)
Alternative site arrangements	Details of where candidate is to take examinations and the reason why exam cannot be completed at the centre	Candidate name Candidate number UCI ULN Date of birth Gender Candidate contact details (postal address, email/tel no Subject information Medical information Access arrangements/reasonable adjustments	MIS Secure Drive Lockable filing cabinet	Secure username and password Secure username and password In secure office (Exams)

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
Attendance registers copies		Candidate name Candidate number	MIS Lockable filing cabinet	Secure username and password In secure room (Exams)
Candidates' scripts	Completed scripts	Candidate name Candidate number	Prior to despatch to awarding bodies completed scripts stored within reinforced lockable metal cabinet	In Exams Office secure storage facility, within secure room (Exams)
Candidates' work	Completed coursework/NEA assessments	Candidate name Candidate number Candidate authentication statement (candidate signature)	Secure drive Lockable filing cabinet	Secure username and password In secure storage room (Exams)/ with tutor
Certificates		Candidate name Candidate number UCI Qualification grade information	Lockable filing cabinet Lockable cupboard	In secure storage room (Exams) In secure office (Reception)
Certificate destruction information		Candidate name Year of issue of certificate	Lockable filing cabinet	In secure storage room (Exams)
Certificate issue information		Candidate name Year of issue of certificate	Lockable filing cabinet	In secure storage room (Exams)

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
Conflicts of Interest records	Details of any conflicts declared and actions put in place to mitigate risk	Candidate name Candidate number Qualifications entered and where Staff member name Relationship to candidate where applicable	Secure Drive Lockable filing cabinet	Secure username and password In secure office (Exams)
Entry information		Candidate name Candidate date of birth Gender Candidate number UCI ULN	MIS Secure Drive Lockable filing cabinet	Secure username and password Secure username and password In secure office (Exams)
Exam room incident logs		Candidate name(s) Candidate number(s) Staff names	Lockable filing cabinet	In secure storage room (Exams)
Invigilator and facilitator training records	Details of training completed, any additional training to be undertaken	Staff names Contact details (email address, postal address, tel no)	Secure Drive Lockable filing cabinet	Secure username and password In secure storage room (Exams)
Post-results services: confirmation of candidate consent information		Candidate name(s) Candidate number(s) Contact details (email/postal address, tel no)	Secure Drive Lockable filing cabinet	Secure username and password In secure office (Exams)

		Qualification information Staff names		
Post-results services: requests/outcome information		Candidate name(s) Candidate number(s) Contact details (email/postal address, tel no) Qualification information including marks/grades	MIS Secure drives Lockable filing cabinet	Secure username and password Secure username and password In secure office (Exams)
Post-results services: scripts provided by ATS service	Scripts provided for Teaching and Learning	Candidate name Candidate number Marks/grades awarded	For teaching & learning only: – Secure drive - Lockable cabinet	Secure username and password In subject teacher classroom
	Scripts provided as part of post results services application process		For use for post results services only: - Secure drive - Lockable cabinet	Secure username and password In secure office (Exams)/with subject teacher (for review), to be returned to exams officer once checking process/review completed
Post-results services: tracking logs		Candidate name Candidate number Subject/awarding body details Outcome information	Secure drive Lockable cabinet	Secure username and password In secure office (Exams)

Private candidate information		Candidate name Candidate number UCI ULN Date of birth Gender Contact details (email /postal address, tel no) Subject information Any access arrangement/reasonable adjustments information Copy of Photo ID	MIS Secure Drive Lockable filing cabinet	Secure username and password Secure username and password Secure office (Exams)
Resolving timetable clashes information		Candidate name Candidate number UCI Candidate contact details (address/email address, tel no)	MIS Secure drive Lockable filing cabinet	Secure username and password Secure username and password Secure office (Exams)
Results information		Candidate name Candidate number UCI ULN Date of birth Gender Subject information (marks, overall grades)	MIS Secure drive Lockable filing cabinet	Secure username and password Secure username and password In secure office (Exams)

Seating plans		Candidate Name Candidate Number Access Arrangements/reasonable adjustments in place	MIS Lockable filing cabinet	Secure username and password In secure storage room (Exams)
Special consideration information		Candidate name Candidate number UCI Date of birth Gender Subject information Access Arrangements/reasonable adjustments Details of reason for application (bereavement, illness etc)	Secure Drive Lockable filing cabinet	Secure username and password In secure office (Exams)
Suspected malpractice reports/outcomes		Candidate name Candidate number UCI Subject information Access Arrangements/reasonable adjustments in place Staff names Details of reason for report to awarding body and outcome	Secure drive Lockable filing cabinet	Secure username and password In secure office (Exams)

Transferred candidate arrangements	Details of where candidate is originally entered and which centre transferred to, and for which subjects	Candidate name Candidate number UCI ULN Date of birth Gender Subject information	MIS Secure Drive Lockable filing cabinet	Secure username and password Secure username and password In secure office (Exams)
Very late arrival reports/outcomes	Details of reason for late arrival	Candidate name Candidate number UCI Subject information	Secure Drive Lockable filing cabinet	Secure username and password In secure office (Exams)
Word processed scripts	Copies of candidates' word processed exam scripts	Candidate name Candidate number	Removable drive (memory stick) Secure drive	Locked cabinet in secure storage room (Exams) Secure username and password
Non exam assessment/coursework	Copies of candidate work Candidate declaration forms	Candidate name Candidate number Internally assessed marks	Secure drive Lockable filing cabinet/cupboard	Secure username and password In secure storage room (classroom) In secure office (Exams)

For details of how long the above the above information is retained and its disposal, please refer to the Ridgewood High School Exams Archiving Policy 2023-2024.