

Data Protection Policy (Exams)

2020/21

This policy is reviewed annually to ensure compliance with current regulations

Approved/reviewed by	
Owais Ahmed	
Date of next review	August 2021

Key staff involved in the policy

Role	Name(s)
Head of centre	Owais Ahmed
Exams officer	Umar Ahmed

Purpose of the policy

This policy details how Edgbaston College, 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).

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 the centre 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(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 – Candidate information, audit and protection measures*.

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

- Awarding bodies
- Joint Council for Qualifications (JCQ)
- Department for Education
- Local Authority

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

- hard copy
- email
- secure extranet site(s) – [insert as appropriate to your centre e.g. eAQA; OCR Interchange; Pearson Edexcel Online; WJEC Secure Website; City & Guilds Walled Garden; etc.]
- iSams

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

Edgbaston College ensures that candidates are fully aware of the information and data held.

All candidates are:

- Made aware upon enrolment each year
- given access to this policy via the school website

Candidates eligible for access arrangements are also required to provide their consent by signing the GDPR compliant JCQ candidate personal data consent form (Personal data consent, Privacy

Notice (AAO) and Data Protection confirmation) before access arrangements 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	Warranty expiry
School laptop	<ul style="list-style-type: none"> Individual usernames and passwords; regularly updated passwords Antivirus software is on automatic updates 	Applecare on Macbooks; Microsoft Complete for Surface laptops

Software/online system	Protection measure(s)
Microsoft 365 for Education	<ul style="list-style-type: none"> Individual username and passwords; regularly updated
Awarding body secure extranet site(s)	<ul style="list-style-type: none"> Only Head of Centre and Exams Officer have access Individual username and passwords; regularly updated

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

Owais Ahmed, Head of Centre 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 (Microsoft 365)
- secure drive accessible only to selected staff
- information held in secure area
- Automatic updates undertaken on all software; overseen by Owais Ahmed, Head of Centre

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 on our website.

Section 7 – Access to information

Requesting exam information

Requests for exam information can be made to Umar Ahmed, The Exams Officer, by email. For former candidates, ID will need to be confirmed if a former candidate is unknown to current staff.

Responding to requests

If a request is made for exam information before results have been announced, 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 (see GDPR Policy) unless a request is accompanied with permission from the candidate and appropriate evidence (where relevant), to verify the ID of both parties.

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.

Publishing exam results

Edgbaston College 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 Edgbaston College will have a legitimate reason for publishing examination results, consent is not required from students or their parents or guardians for publication. However, if a student or their parents or guardians have a specific concern about publication of their results, they have the right to object. This objection must be made in writing to Owais Ahmed, 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
Access arrangements information		Candidate name Candidate DOB Gender Candidate Number 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 iSams Lockable metal filing cabinet	Secure user name and password Held in Locked Exams Office	DOB of pupil + 22 years
Alternative site arrangements		Candidate name Candidate DOB Gender Candidate Number 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 iSams Lockable metal filing cabinet	Secure user name and password Held in Locked Exams Office	
Attendance registers copies		Candidate Name Candidate Number	Filing cabinet in Exams Office	Held in Locked Exams Office	According to JCQ ICE booklet – Until appeal, malpractice 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
					other results enquiry has been completed
Candidates' scripts		Candidate Name Candidate Number	Filing cabinet in Exams Office	Locked Exams Office	According to JCQ ICE booklet – Until appeal, malpractice or other results enquiry has been completed
Candidates' work		Candidate Name Candidate Number	Filing cabinet in Exams Office	Locked Exams Office	According to JCQ ICE booklet – Until appeal, malpractice or other results enquiry has been completed
Certificates		Candidate Name Candidate Number Candidate DoB	Filing cabinet in Exams Office	Locked Exams Office	DoB of pupil + 22 years, then returned to Exams Board
Certificate issue information		Candidate Name Candidate Photo	Filing cabinet in Exams Office	Locked Exams Office	Pupil to sign for certificate

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
Conflicts of Interest records		Candidate Name Candidate Number Candidate DoB	Filing cabinet in Exams Office	Locked Exams Office	
Entry information		Candidate Name Candidate Number Candidate DoB Gender	iSams	Secure individual username and passwords	Until appeal, malpractice or other results enquiry has been completed
Exam room incident logs					Until appeal, malpractice or other results enquiry has been completed
Overnight supervision information					Until appeal, malpractice or other results enquiry has been completed
Post-results services: confirmation of candidate consent information		Candidate Name Candidate Number	Paperwork held in appeals file	Locked Exams Office	Until appeal, malpractice or other results enquiry has been completed
Post-results services: requests/outcome information		Candidate Name Candidate Number	Computer Paperwork held in appeals file	Locked Exams Office Secure individual username and passwords	Until appeal, malpractice or other results enquiry has been completed

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		Candidate Name Candidate Number	Computer Paperwork held in appeals file	Locked Exams Office Secure individual username and passwords	N/A
Post-results services: tracking logs		Candidate Name Candidate Number	Computer Paperwork held in appeals file	Locked Exams Office Secure individual username and passwords	Until appeal, malpractice or other results enquiry has been completed
Resolving timetable clashes information		Candidate Name Candidate Number	iSams Paperwork held in appeals file	Locked Exams Office Secure individual username and passwords	Until appeal, malpractice or other results enquiry has been completed
Results information		Candidate Name Candidate Number	iSams Paperwork held in appeals file	Locked Exams Office Secure individual username and passwords	Current academic year + 6 years
Seating plans		Candidate Name Candidate Number Access Arrangements	iSams Paperwork held in appeals file	Locked Exams Office Secure individual username and passwords	Until appeal, malpractice or other results enquiry has been completed
Special consideration information		Candidate Name Candidate Number	Computer Paperwork held in appeals file	Locked Exams Office	Until appeal, malpractice or other results enquiry has

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
				Secure individual username and passwords	been completed
Suspected malpractice reports/outcomes		Candidate Name Candidate Number	Computer Paperwork held in appeals file	Locked Exams Office Secure individual username and passwords	Until end of malpractice investigation or end of outcome
Transferred candidate arrangements		Candidate Name Candidate Number	Computer Paperwork held in appeals file	Locked Exams Office Secure individual username and passwords	Until appeal, malpractice or other results enquiry has been completed
Very late arrival reports/outcomes		Candidate Name Candidate Number	Computer Paperwork held in appeals file	Locked Exams Office Secure individual username and passwords	Until appeal, malpractice or other results enquiry has been completed