



Kibworth Mead Academy

GDPR Exams Policy

2024-25

Issue 1	17/08/20	
Issue 2	17/08/21	
Reviewed	14/12/21	
Reviewed	10/01/23	
Reviewed	06/11/24	V Cropley

General Data Protection Regulation Policy

Purpose:

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

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.

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

To ensure that the centre meets the requirements of the DPA and GDPR, all candidates' exam information – even that which is not classified as personal or sensitive – is covered under this policy.

1 – Exam-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
- Other organisations as relevant to Kibworth Mead Academy e.g. Department for Education; Local Authority; the Press and the 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 site(s) – AQA Centre Services, OCR Interchange & Teach Cambridge, Edexcel Online, WJEC Secure services, JQC CAP Portal via exam body website.
- Bromcom, EDI using A2C (<https://www.jcq.org.uk/about-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.

2 - Informing candidates of the information held

Kibworth Mead Academy ensures that candidates are fully aware of the information and data held.

All candidates are:

- informed via the Exams Policy
- given access to this policy via hard copy on request, the centre website

Candidates are made aware of the above at the start of the academic year

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 UK GDPR (or law relating to personal data in any jurisdiction in which the awarding body or centre are operating).

Candidates eligible for access arrangements 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.

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)
Desktop computer/Laptop	Separate username and password for the computer

Software/online system	Protection measure(s)
Bromcom	Username and password protected
AQA Centre Services	Username and password protected plus 2 factor login
OCR Interchange/Teach Cambridge	Username and password protected plus 2 factor login – rules apply plus changed every 3 months

Edexcel online	Username and password protected 2 factor login – rules apply
Eduqas	Username and password protected 2 factor login – rules apply plus changed every 3 months
LRS	Username and password protected – rules apply
JCQ Portal	Username and password protected plus 2 factor login
All usernames and passwords are known only to the exams officer	

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:

a) Containment and recovery

The designated lead 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

b) 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?

c) 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.

d) 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

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 at the start of each academic year.

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 every 3 months (this may include updating antivirus software, firewalls, internet browsers etc.)

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 Exam Policy which is available/accessible from the exams officer, the school website.

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 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.

Current and former candidates can request access to the information/data held on them by making a **subject access request** to Data Protection Officer in writing; proof of identity such as a driving licence and either passport or birth certificate will be required. If a request is made for exam information before results have been announced, as request will be responded to:

- within 5 months of the date of the request, or
- within 40 days from when the results are published (whichever is earlier)

Third party access

Third-party organisations must obtain permission from the individual before requesting personal information. For example, those seeking confirmation of exam results must provide a signed consent form from the individual.

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

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 www.gov.uk/guidance/school-reports-on-pupil-performance-guide-for-headteachers

Publishing exam results

Kibworth Mead Academy 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 Kibworth Mead Academy 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 Helen Stockwell, Vice Principal, 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.

8 – Table recording candidate exams-related information sent to third parties

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	Sent to (including purpose)	How transfer is protected
Candidate full name Date of birth Postcode Gender	Learner registration service to gain ULN's	Via the LRS secure password protected website
Candidate full name Date of birth Gender UCI ULN	Awarding bodies to make exam entries, send coursework marks, send results of non-examined assessments.	Via A2C which is password protected and only accessed through the Exams Officer computer
Candidate full name Date of birth Details of processing scores Brief details of medical conditions	JCQ Access Arrangements via CAP to apply for exam concessions.	Via CAP which is password protected – only the SENCO makes the applications.
Candidate full name Date of birth Brief details of medical conditions	Awarding bodies to make applications for special consideration	Via the awarding body secure websites which are password protected. Only the exams officer makes the applications.
Candidate full name Date of birth	Awarding bodies in relation to an application for transfer of units from one awarding body to another	Via the JCQ form which is posted to the awarding body.
Candidate full name Date of birth	JCQ Transferred candidate to apply for a candidate's entries to be transferred to another school	Via JCQ which is password protected – only the exams officer makes the applications
Candidate full name Date of birth Exam results	Local authority – so they have a record of the results for students in their care	Via secure email
Candidate full name Date of birth Attendance dates Exam results	Qualification verifying companies – requests to verify a person's results and or dates of attendance.	Via email – requests must be accompanied by a signed declaration from the person concerned.

9 – Table recording candidate exam-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 required such as processing speeds/medical conditions to make an application for access arrangements.	Candidate name Candidate DOB Gender Data protection notice Diagnostic testing outcome(s) Specialist report(s) (may also include candidate address) Evidence of normal way of working Access arrangements application	Access arrangements online MIS SESCO office (locked) Exams office (locked) Exams Officer computer.	Secure user name and password In secure area solely assigned to exams	Candidates Date of Birth plus 25 years
Attendance registers copies	List of those who were entered for the exam	Candidate name	Secure store	Exam officer only	6 months from results day
Candidates' work	Coursework, non-examined assessments, mock exam papers	Candidates name	In the departments in filing cabinets/cupboards	Locked cabinets/cupboards	2 Years
Certificates	Confirmation of exam results	Legal Name Date of birth Exam results	Secure store	Exam officer only	Candidates Date of Birth plus 25 years
Certificate distribution information	Letter to advise they are available	Letter – Candidate name and address Spreadsheet – surname, initial, date of birth, address and year exams taken.	Mail merge to produce letter and collection log stored on Exams Officer computer. Log of collection in secure store	Secure user name and password Secure Exam office	Mail merge deleted once letter has been sent. Log indefinitely

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	Email or letter	Candidate name Relatives name	Exams office	Secure Exams Office	6 months from results day
Entry information	Marksheet showing candidate details and entry codes	Candidates full legal name	Sims Paper copy in exams office	Sims- username and password protected Secure Exam office	12 months
Exam room incident logs	Report of the incident in the exam room	Candidate full legal name	Paper copy in Exam office Copy may be placed in the student file	Secure Exam office	6 months from results day
Overnight supervision information	Records of exams to be held over and consent from student and parent	Candidate full legal name	Paper copy in Exam office	Secure Exam office	6 months from results day
Post-results services: confirmation of candidate consent information	PRS consent form listing PRS papers, service and costs	Candidates full legal name Date of birth	Paper copy in Exam office	Secure Exam office	6 months from results day
Post-results services: requests/outcome information	Confirmation of PRS	Candidates full legal name Date of birth	Paper copy in Exam office	Secure Exam office	6 months from results day
Post-results services: scripts provided by ATS service	Exam scripts for teaching purposes	Candidates full legal name	In the department that ordered them	Name is blanked out to make script anonymous if requested	12 months – destroyed confidentially
Post-results services: tracking logs	Record of what services have been ordered	Candidate full legal name	Excel spreadsheet n Exam Officers computer	Username and password protected	6 months from results day

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
Private candidate information	Personal details for the candidate plus entry requirements	Full legal name Date of birth Address Gender	Excel spreadsheet n Exam Officers computer Sims	Username and password protected	12 months
Resolving timetable clashes information	Details confirming the order exams will be taken	Candidates full legal name	Paper copy in Exams office	Secure Exam office	10 months from entry deadline
Results information	Results statements, awarding body paperwork, subject specific data	Candidates full legal name Date of birth	Sims SISRA Paper copies in the departments and Exam office	Sims – username and password protected SISRA – username and password protected Paper based – Exam office Exam office only access Departments locked filing cabinets	Indefinitely – Sims, SISRA and Exam office - Candidates Date of Birth plus 25 years
Seating plans		Candidate full legal name	Paper copy in exam office Exam office computer	Secure Exam office Username and password protected	6 months from results day
Special consideration information	Applications and medical evidence	Candidates full legal name Date of birth Address	Paper copy in exam office	Secure Exam office	6 months from results day
Suspected malpractice reports/outcomes	JCQ form and evidence	Candidate full legal name	Paper copy in exam office	Secure Exam office	6 months from results day
Transfer of credit information	JCQ form and past results	Candidate full legal name Date of birth	Paper copy in exam office	Secure Exam office	6 months from results day

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
Transferred candidate information	JCQ form and entries	Candidate full legal name Date of birth	Paper copy in exam office	Secure Exam office	6 months from results day
Very late arrival reports/outcomes	JCQ form and evidence	Candidate full legal name	Paper copy in exam office	Secure Exam office	6 months from results day