

# Data Protection - Exams



## BEVERLEY HIGH SCHOOL

### **Purpose of the policy**

This policy details how Beverley High School (the Centre), in relation to exams management and administration, ensures compliance with the regulations as set out by the Data Protection Act 2018 (DPA 2018) and UK 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 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.

The Centre informs candidates of the processing that the centre undertakes in a Privacy Notice, a copy of which is on the school website. 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 to hold exams-related information on candidates taking external examinations. For further details on the type of information held please refer to Section 5 below.

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

- Awarding bodies e.g. AQA, Pearson/Edexcel, OCR and WJEC
- Joint Council for Qualifications (JCQ)
- Department for Education
- East Riding of Yorkshire Council

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 Portal
- SIMS & Edulink

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

The Centre ensures that candidates are fully aware of the information and data held.

All candidates are:

- informed via Privacy Notice and
- given access to this policy

via the school website.

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 will be informed that an application for access arrangements will be processed using Access arrangements online, complying with the UK GDPR and the Data Protection Act 2018.

Candidates involved in suspected or alleged malpractice will be informed that their personal data will be provided to the awarding body (or bodies) whose examinations/assessments are involved, and that personal data about them may also be shared with other awarding bodies, the qualifications regulator or professional bodies, in accordance with the JCQ document Suspected Malpractice – Policies and Procedures.

Candidates will be informed:

- that awarding bodies may be required to provide a candidate’s personal data to educational agencies, such as DfE, Welsh Government, Department of Education (Northern Ireland), ESFA, regulators, HESA, UCAS, Local Authorities and the Learning Records Service (LRS)
- that their personal data may be provided to a central record of qualifications approved by the awarding bodies for statistical and policy development purposes
- of the processing that the centre undertakes, for example, that the centre will provide relevant personal data, including name, date of birth and gender, to the awarding bodies for the purpose of examining and awarding qualifications

Candidates may obtain access to their personal data, such as examination results by applying to the appropriate awarding body’s data protection officer.

Candidates are also referred to the centre’s privacy notice which explains:

- why the Centre needs to collect personal data
- what it plans to do with it
- how long it will keep it
- whether it will be sharing it with any other organisation

### Section 3 – Hardware and software

The tables below confirm how IT hardware, software and access to online systems is protected in line with DPA & GDPR requirements.

Hardware	Protection measures
Desktop computers (x3)	Sophos; SmoothWall; council firewall for any internet-based connection
Exam Team mobile phone (x1)	Enabled for calls and texts only
Laptops (x12)	Sophos; SmoothWall; council firewall for any internet-based connection

Software/online system	Protection measure(s)
SIMS	Sophos; SmoothWall; council firewall for any internet-based connection
A2C	Sophos; SmoothWall; council firewall for any internet-based connection
AQA secure extranet	Sophos; SmoothWall; council firewall for any internet-based connection
OCR interchange	Sophos; SmoothWall; council firewall for any internet-based connection
Pearson Edexcel online	Sophos; SmoothWall; council firewall for any internet-based connection
WJEC online	Sophos; SmoothWall; council firewall for any internet-based connection

### Section 4 – Dealing with data breaches

Although data is handled in line with DPA/GDPR regulations, the Centre is alert to the risk that a data breach may occur. The Centre will always treat any data protection incident/breach as a serious issue. In the event of a breach, or suspected breach (incident), the DPO must be informed immediately. Action will then be taken in line with the Centre’s over-arching Data Protection Policy. The Centre’s Data Protection officer will lead on investigating the breach. They will;

- establish who needs to be made aware of the breach
- advise on what action needs to be taken to contain the breach, limit potential impact/harm
- establish individual who may have been affected and notify them of the breach so that they can take steps to protect themselves
- decide which regulatory authorities need to be informed so that they can perform their functions
- once a data breach has been resolved a full investigation of the incident will take place and lessons learned will be shared within the Centre to all staff in order to prevent similar breaches occurring in future.

### 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 at Appendix 1 details the type of candidate exams-related information held, and how it is managed, stored and protected

Protection measures may include:

- secure drive accessible only to selected staff
- information held in secure area
- software updates are undertaken automatically via Heimdal as and when necessary. This includes updating antivirus software, firewalls and internet browsers.
- Network manager also undertakes routine checks by logging into the portal and checking all updates are running as they should be, once a week.

## **Section 6 – Data retention periods**

Details of retention periods, the actions taken at the end of the retention period, and the method of disposal of the data are contained in the centre’s Exams Archiving Policy which is available on the Centre’s website.

## **Section 7 – Access to information**

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 results**

Requests for exam results can be made to the Data Protection Officer by email - [office@beverleyhigh.net](mailto:office@beverleyhigh.net).

ID will need to be confirmed if a former candidate is unknown to current Centre staff.

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, the Centre will take in to 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 be mature enough at an earlier age or may lack sufficient maturity until a later age, and so requests will be considered on a case by case basis.

A decision will be made by the Data Protection Officer after consultation with teaching staff 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**

Any request that is made for exam results will be responded to within one month of the request, or when the results are published, whichever is the latest.

### **Third party requests / disclosure**

Permission should be obtained before requesting personal information on another individual from a third-party organisation.

The Centre ensures that personal data is not disclosed to unauthorised third parties which includes family members, friends, suppliers, government bodies and other public sector organisations. All employees exercise caution if asked to disclose personal data held on a candidate to a third party. All requests must be supported by appropriate documentation and it is the responsibility of employees to ensure that they have authority to share information and

that the recipient is authorised to receive such information. Advice should always be sought from the Data Protection Officer if there is any uncertainty around the disclosure of information.

Data protection legislation permits disclosures for a number of reasons without consent and these include the discharge of regulatory functions as well as the prevention and detection of crime.

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 as a Corporate Parent). 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 consideration legislation and guidance regarding sharing information with parents (including non-resident parents and a local authority (the 'corporate parent'). An example of guidance from the Department for Education regarding parental responsibility and school reports on pupil performance is:

- **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

The Centre does not publish exam results which could identify individual candidates and their results.

The Centre does publish generic cohort data for external examination 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 details of how long information is held, refer to section 6 of this policy (**Data retention periods**) & the Centre's **Exams Archiving Policy**.

Information type	What personal/sensitive data is/may be contained in the information	Where information is stored	How information is protected
<b>Access arrangements information</b>	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 School MIS Lockable metal filing cabinet	Secure user name and password Secure user name and password In secure office (SENCo)

Information type	What personal/sensitive data is/may be contained in the information	Where information is stored	How information is protected
Alternative site arrangements	No personal/sensitive data will be shared. This Centre will retain conduct of the exams	School MIS	Secure user name and password
Attendance registers copies	Candidate name Candidate exam number	Exams Office	Secure Office
Candidates' scripts (internal exams)	Candidate name Candidate exam number Grade achieved	Lockable filing cabinets within departments	In secure offices (subject departments)
Candidates' work	Candidate name Grade achieved	Lockable filing cabinets within departments	In secure offices (subject departments)
Certificates	Candidate name Grade achieved	Secure Room School Office	Lockable room Lockable metal filing cabinet
Certificate destruction information (log)	Candidate name Certificates destroyed Date of destruction	School MIS	Secure user name & password
Certificate issue information	Candidate name Certificates obtained Date of collection	School MIS	Secure user name & password
Conflicts of interest records	Staff name Candidate name Details of relationship Examinations candidate taking	School MIS	Secure user name & password
Entry information	Candidate name Candidate exam number Candidate UCI Subjects studied / level / tier	School MIS	Secure user name & password
Exam room incident logs	Candidate name Details of candidate's physical / emotional health / wellbeing	Exams office	Secure office
Invigilator and facilitator records	Name Email / Address / Phone number	School MIS	Secure user name & password

<b>Information type</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>Post-results services including tracking log:</b>	Candidate name Candidate UCI Email / Address Subjects studied / level / tier Candidate script Candidate exam grades Outcome of review of marking Outcome of appeal	School MIS	Secure user name & password
<b>Resilience arrangements: including evidence of candidate performance</b>	Candidate name Candidate exam number Grade achieved	Electronically - School MIS and /or Hard copy - Lockable filing cabinets within departments	Secure user name & password and /or In secure offices (subject departments)
<b>Resolving timetable clashes information</b>	Candidate name Candidate UCI	School MIS	Secure user name & password
<b>Results information</b>	Candidate name Subject & grade achieved	School MIS	Secure user name & password
<b>Seating plans</b>	Candidate name Exam number	Exams office	Secure office
<b>Special consideration information</b>	Candidate name Candidate UCI Details of candidate's physical / emotional health / wellbeing	School MIS	Secure user name & password
<b>Suspected malpractice reports/outcomes</b>	Candidate name Exam number Details of malpractice allegation	School MIS	Secure user name & password