General Data Protection Regulation (Exams) Policy

Date of last review:	2019	**Review period:**	Annually
Date of next review:	2020	**Written by:**	Exams Officer
Type of policy:	Non-statutory	**Committee:**	Curriculum & Standards
Signature:			

General Data Protection Regulation policy (exams)

2019/20

This policy is annually reviewed to ensure compliance with current regulations

Key staff involved in the General Data Protection Regulation policy

Role	Name(s)
Head of Centre	**Rebecca Garratt**
Exams Officer	**Lotte Tvede**
Exams Officer Line Manager (Senior Leader)	**Rebekah Thompson**
Data Protection Officer	**Joanne Kehoe**
IT Manager	**Steve Cronin**
Data Manager	**Rebecca Garratt**

Purpose of the policy

This policy details how Wyre Forest School, 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
- Asdan, NCFE any other organisations as relevant to your centre e.g. Department for Education; Local Authority; Multi Academy Trust; Consortium; the Press; etc.]

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

- hard copy
- email
- secure extranet site(s) –e.g. eAQA; OCR Interchange; Pearson Edexcel Online; WJEC Secure services; City & Guilds
- 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; 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.

Section 2 – Informing candidates of the information held

Wyre Forest School ensures that candidates are fully aware of the information and data held.

All candidates are:

- informed via school website
- given access to this policy via school website, written request

Candidates are made aware of the above before sitting any exams / assessments

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 GDPR.

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
Apple Mac Mini Apple iMac Apple Macbook 13” Apple iPad	Summer 2016, Anti-Virus, Bound to Active Directory, Password Policy, Smoothwall Firewall / Filtering, only encrypted memory sticks, regular updates, staff sign working away from school policy As above, encrypted hard drive iPad encrypted when passcode added, staff sign agreement to always have passcode active.	N/A

Software/online system	Protection measure(s)
Wyre Forest School user accounts	Employees are given computer accounts when joining school, access is determined by job role, If staff member is issued iPad a managed Apple ID is created for them (this is owned by he school and accounts are removed when staff leave. Staff return any equipment at the time of leaving. Acceptable Use Agreement is signed before access is allowed. Any equipment loaned buy the school has an agreement regarding proper use signed by the staff at the time of loan.
School Server	Secure shared area, access limited by need, protected by password policy (8 characters, upper and lower case + numbers) renewed 3 months

iCloud (Cloud Storage)	Secure cloud storage, managed Apple ID, GDPR compliant
Awarding body secure extranet site(s); A2C	Password protected, identified Exams Officer

Section 4 – Dealing with data breaches

Although data is handled in line with DPA 2018/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**

The Data Protection Officer 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 [detail the regularity].

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
- Antivirus updates undertaken daily. Firewalls and internet browsers are updated regularly 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 Wyre Forest School Exams archiving policy which is available/accessible from shared staff area and the school web site

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Section 7 – Access to information

Current and former candidates can request access to the information/data held on them by making a **subject access request** to Jo Kehoe, Data Protection Officer in writing/email. ID will need to be confirmed if a former candidate is unknown to current staff by Photo ID . All requests will be dealt with within 40 calendar days.

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 is 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 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), 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** www.gov.uk/guidance/school-reports-on-pupil-performance-guide-for-headteachers

Publishing exam results

When considering publishing exam results, the Wyre forest School will make reference to the ICO (Information Commissioner's Office) **Education and Families** https://ico.org.uk/for-organisations/education/ information on *Publishing 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 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 MIS Lockable metal filing cabinet	Secure user name and password Secure user name and password In secure area solely assigned to exams	**3 years from date of issue**
Attendance registers copies		Candidate name Candidate DOB	Lockable metal cabinet	Secure Storage	Till all appeals Procedure Deadlines are up
Candidates' work & Scripts		Candidate name Candidate DOB Marks	Lockable metal cabinet	Secure Storage	Till all appeals Procedure Deadlines are up
Certificates		Candidate name Candidate DOB Results	Lockable metal cabinet	Secure Storage	Minimum 1 year from date of issue
Certificate destruction information	.	Candidate name Candidate DOB	Lockable metal cabinet	Secure Storage	4 Years from their date of destruction

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
		Results			
Certificate issue information		Candidate name Candidate DOB Results	Lockable metal cabinet	Secure Storage	Current + 6 years
Entry information		Candidate name Candidate DOB Candidate numbers Gender	Lockable metal filing cabinet	Cabinet locked at all times	Till Candidate leaves Wyre Forest School
Exam room incident logs		Candidate name Candidate DOB	Lockable metal cabinet	Secure Storage	Till all appeals Procedure Deadlines are up
Overnight supervision information		Candidate name Candidate DOB Candidate numbers Address	Lockable metal cabinet	Secure Storage	Till all appeals Procedure Deadlines are up
Post-results services: confirmation of candidate consent information		Candidate name Candidate DOB Candidate numbers	Lockable metal cabinet	Secure Storage	Till all appeals Procedure Deadlines are up
Post-results services: requests/outcome information		Candidate name Candidate DOB Candidate numbers	Lockable metal cabinet	Secure Storage	Till all appeals Procedure Deadlines are up

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 DOB Candidate numbers	Lockable metal cabinet	Secure Storage	Till all appeals Procedure Deadlines are up
Post-results services: tracking logs		Candidate name Candidate DOB Candidate numbers	Lockable metal cabinet	Secure Storage	Till all appeals Procedure Deadlines are up
Private candidate 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	Lockable metal cabinet SIMS	Cabinet locked at all times Secure user name and password	Till all appeals Procedure Deadlines are up
Resolving clashes information		Candidate name Candidate DOB	Lockable metal filing cabinet	Cabinet locked at all times	Till all appeals Procedure Deadlines are up
Results information		Candidate name Candidate DOB	Lockable metal cabinet	Cabinet locked at all times	Till all appeals Procedure Deadlines are up
Seating plans		Candidate name Candidate DOB	Lockable metal filing cabinet	Cabinet locked at all times	Till all appeals Procedure

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
					Deadlines are up
Special consideration information		Candidate name Candidate DOB Diagnostic testing outcome(s) Specialist report(s) (may also include candidate address) Evidence of normal way of working	Lockable metal cabinet SIMS	Secure Storage Secure user name and password	Till all appeals Procedure Deadlines are up
Suspected malpractice reports/outcomes		Candidate name Candidate DOB	Lockable metal filing cabinet	Cabinet locked at all times	Till all appeals Procedure Deadlines are up
Transfer of credit information		Candidate name Candidate DOB	Lockable metal filing cabinet	Cabinet locked at all times	Till all appeals Procedure Deadlines are up
Transferred candidate arrangements		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	Lockable metal SIMS	Secure Storage Secure user name and password	Till all appeals Procedure Deadlines are up

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
Very late arrival reports/outcomes		Candidate name Candidate DOB	Lockable metal filing cabinet	Cabinet locked at all times	Till all appeals Procedure Deadlines are up
Invigilator and facilitator training records		Name	Lockable metal filing cabinet	Cabinet locked at all times	For as long as relevant to service