



Data Protection (Exams) Policy

2024-25

Purpose of the Policy

This policy details how Northleigh House School, in relation to examination management and administration, ensures compliance with the regulations as set out by the Data Protection Act 2018 (DPA 2018) and by the 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.

It is the responsibility of the centre to inform candidates of the processing that the centre undertakes. 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 examination 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' examination information – even that which is not classified as personal or sensitive – is covered under this policy.

Section 1 – Examination-Related Information

There is a requirement for the examinations officer to hold examination-related information on candidates taking external examinations. For further details on the type of information held please refer to Section 5 below.

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

- Awarding bodies
- Joint Council for Qualifications
- Any other organisations as relevant to your centre e.g. Department for Education; Local Authority; Academies; Maintained Schools; Voluntary Schools; Foundation Schools; Free Schools.

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

- hard copy
- email
- secure extranet site(s) – e.g. OCR Interchange; Pearson Edexcel Online; WJEC Portal.
- internal intranet office 365/Arbor

This data may relate to examination entries, access arrangements, the conduct of examinations and non-examination assessments including controlled assessments and coursework, special consideration requests and examination results/post-results/certificate information.

Section 2 – Informing Candidates of the Information Held

Northleigh House School ensures that candidates are fully aware of the information and data held.

All candidates are:

- informed via school newsletter, electronic communication.
- given access to this policy via school website or upon written request.

Candidates are made aware of the above e.g. at the start of their course of study/entries are submitted to awarding bodies for processing.

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 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.

Section 3 – Hardware and Software

IT hardware, software and access to online systems is protected in line with DPA and GDPR requirements. The school’s internal communication system for staff, trustees and volunteers is password protected, a limited number of staff only have administration access.

Computers/laptops used for examinations, coursework, controlled assessments and non-examination assessments have limited or no access to the internet, they are also password protected. Candidates are monitored/supervised in relation to their work as set out in the Controlled Assessment and Non-Examination Assessment Policies and in accordance with all JCQ procedures.

Section 4 – Dealing with Data Breaches

Although data is handled in line with 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.
- Cyber-attacks involving ransomware infections

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

1. Containment and Recovery

The Data Protection Officer and/or the senior management team 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' examination-related information – even that not considered personal or sensitive under the GDPR – will be handled in line with GDPR guidelines.

An information audit is conducted on a regular basis, usually yearly after an examination cycle. The table below details the type of candidate examination-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 areas
- updates may be undertaken automatically and reviewed every 12 months (this may include updating antivirus software, firewalls, internet browsers etc.).

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 this policy (see below), accessible on the school's website or upon request.

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 Examination Information

Requests for examination information can be made to the Examinations Officer in writing via letter or email. If a former candidate is unknown to current staff, ID will need to be verified.

The GDPR does not specify an age when a child can request their examination results or request that they are not 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 request should be considered on a case by case basis.

A decision will be made by 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 examination 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 examination 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.

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 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

(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

Publishing Examination Results

When considering publishing examination results, Northleigh House School will make reference to the ICO (Information Commissioner's Office) Schools, Universities and Colleges Information <https://ico.org.uk/your-data-matters/schools/exam-results/> Can schools give my exam results to the media for publication?

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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	Any hard copy information kept by the EO relating to an access arrangement candidate.	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 Form 8 Education Health and Care Plan	Access Arrangements Online. Secure encrypted USB. Lockable metal filing cabinet in Examinations Office. Awarding Bodies.	Secure user name and password – online. In secure area solely assigned to examinations.	To be retained within candidate's archive file from Date of Birth plus 25 years.
Alternative Site Arrangements	Any personal information inserted to the front page of the examination booklet.	Candidate Name Candidate Number	Portable Secure Packaging.	In secure area solely assigned to examinations.	To be retained until after the deadline for EARs or until any appeal, malpractice or other results enquiry has been completed, whichever is later. [Reference ICE 6]
Attendance Registers Copies	Any hard copy of attendance register in relation to external examinations taken.	Candidate Name Gender	Lockable metal filing cabinet in Examinations Office.	In secure area solely assigned to examinations.	To be retained until after the deadline for EARs or until any appeal, malpractice or other results enquiry has been completed, whichever is later. [Reference ICE 6.3,15]

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
Candidates Scripts	Electronic and hard copies of candidates' scripts	Candidate Name Candidate Number	Secure encrypted USB. Safe Room.	Secure user name and password – online. In secure area solely assigned to examinations.	To be retained until after the deadline for EARs or until any appeal, malpractice or other results enquiry has been completed, whichever is later. [Reference ICE 6.3,15]
Candidates' Work	Non-examination assessment work (inc. controlled assessment, coursework, portfolios) returned to the centre after awarding body moderation.	Candidate Name Candidate DOB Gender Data Protection Notice (candidate signature)	Safe Room.	In secure area solely assigned to examinations.	To be stored safely and securely along with work that did not form part of the moderation sample (including materials stored electronically) until after the deadline for EARs or the resolution of any outstanding enquiry/appeal or malpractice investigations for the exam series. [Reference GR 3.18, 5.8]
Centre Consortium Arrangements for Centre Assessed Work	Non-examination assessment work (inc. controlled assessment, coursework, portfolios).	Candidate Name Candidate DOB Gender Data Protection Notice (candidate signature)	Safe Room.	In secure area solely assigned to examinations.	To be retained until after the deadline for EARs or until any appeal, malpractice or other results enquiry has been completed, whichever is later. [Reference ICE 6]

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
Certificates	A record of any achievement obtained from any awarding body having sat an external examination.	Candidate Name Candidate DOB Gender	Safe Room. Awarding Bodies.	In secure area solely assigned to examinations.	Unclaimed/uncollected certificates to be retained securely for a minimum of 12 months from date of issue. [Reference GR 5.15]
Certificate Destruction Information	A record of unclaimed certificates that have been destroyed.	Candidate Name Candidate DOB Gender	Lockable metal filing cabinet in Examinations Office.	In secure area solely assigned to examinations.	To be retained for 3 years from the date of certificate destruction. [Reference GR 5]
Conflict of Interest Records	A record of any information relating to a conflict of interest.	Centre Staff Name Members of Centre Staff Name	Lockable metal filing cabinet in Examinations Office. Awarding Bodies.	In secure area solely assigned to examinations.	To be retained until after the deadline for EARs or until any appeal, malpractice or other results enquiry has been completed, whichever is later. [Reference ICE 6]
Entry Information	Any hard copy information relating to candidates' entries.	Candidate Name Candidate DOB Gender	Lockable metal filing cabinet in Examinations Office. Awarding Bodies.	In secure area solely assigned to examinations.	To be retained until after the deadline for EARs or until any appeal, malpractice or other results enquiry has been completed, whichever is later. [Reference ICE 6]
Examination Room Record Sheet	Logs recording any incidents or irregularities in exam rooms.	Candidate Number	Lockable metal filing cabinet in Examinations Office. Secure encrypted USB.	Secure user name and password – online. In secure area solely assigned to examinations.	To be retained until after the deadline for EARs or until any appeal, malpractice or other results enquiry

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
					has been completed, whichever is later. [Reference ICE 6]
Invigilator Training Records	Copy of Invigilator Training. Attendance Register. Feedback Forms.	Staff Name	Lockable metal filing cabinet in Examinations Office.	In secure area solely assigned to examinations.	To be retained until after the deadline for EARs or until any appeal, malpractice or other results enquiry has been completed, whichever is later. [Reference ICE 6.3,15] To be retained for JCQ inspection purposes for the relevant exam series.
Overnight Supervision Information	Copy of JCQ form <i>Timetable variation and confidentiality declaration for overnight supervision</i> for any candidate eligible for these arrangements.	Candidate Name Candidate DOB Gender	Lockable metal filing cabinet in Examinations Office. Awarding Bodies.	In secure area solely assigned to examinations.	To be retained for JCQ inspection purposes for the relevant exam series.
Post-Results Services: confirmation of candidate consent information	Hard copy or email record of candidate consent for an EAR or ATS request to be submitted to an awarding body.	Candidate Name Candidate Number Candidate's Signature	Lockable metal filing cabinet in Examinations Office. Awarding Bodies.	In secure area solely assigned to examinations.	EAR consent to be retained for at least six months following the outcome of the enquiry or any subsequent appeal. ATS consent to be retained for at least six months from the date consent given. [Reference PRs 4.2.1, appendix A and B]

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: requests/outcome information	Any hard copy information relating to a post-results service request (EARs, appeals, ATS) submitted to an awarding body for a candidate and outcome information from the awarding body.	Candidate Name Candidate DOB Gender	Lockable metal filing cabinet in Examinations Office. Awarding Bodies.	Secure user name and password – online. In secure area solely assigned to examinations.	To be retained until after the deadline for EARs or until any appeal, malpractice or other results enquiry has been completed, whichever is later. [Reference ICE 6]
Post-results Services: scripts provided by ATS service	Copies of exam scripts (or an electronic image of the script) returned to the centre by the awarding body/copies downloaded by the centre where the awarding body provides online access to scripts.	Candidate Name Candidate DOB Gender	Lockable metal filing cabinet in Examinations Office. Awarding Bodies.	Secure user name and password – online. In secure area solely assigned to examinations.	Where copies of scripts are retained by the centre, they must be securely stored (including any electronic versions) until they are no longer required. [Reference PRS 6]
Post-Results Services: tracking logs	A log tracking to resolution all post-results service requests submitted to awarding bodies.	Candidate Name Candidate DOB Gender	Lockable metal filing cabinet in Examinations Office. Awarding Bodies.	Secure user name and password – online. In secure area solely assigned to examinations.	To be retained until after the deadline for EARs or until any appeal, malpractice or other results enquiry has been completed, whichever is later. [Reference ICE 6]
Private Candidate Information	Any hard copy information relating to private candidates' entries.	Candidate Name Candidate DOB Gender	Lockable metal filing cabinet in Examinations Office. Secure encrypted USB. Awarding Bodies.	Secure user name and password – online. In secure area solely assigned to examinations.	To be retained until after the deadline for EARs or until any appeal, malpractice or other results enquiry has been completed, whichever is later. [Reference ICE 6]

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
Resilience Arrangements Evidence of Candidate Performance	Any information with regard to Candidate's progress, topic tests, mock examination marks. Coursework/Units partial completion.	Candidate Name Candidate DOB Gender Candidate Marks	Lockable metal filing cabinet in Examinations Office. Secure encrypted USB. Awarding Bodies.	Secure user name and password – online. In secure area solely assigned to examinations.	To be retained until after the deadline for EARs or until any appeal, malpractice or other results enquiry has been completed, whichever is later. [Reference ICE 6]
Resolving Clashes Information	Any hard copy information relating to the resolution of a candidate's clash of exam papers or a timetable variation.	Candidate Name Candidate DOB Gender	Lockable metal filing cabinet in Examinations Office. Awarding Bodies.	In secure area solely assigned to examinations.	To be retained until after the deadline for EARs or until any appeal, malpractice or other results enquiry has been completed, whichever is later. [Reference ICE 6]
Results Information	Broadsheets of results summarising candidate final grades by subject by exam series.	Candidate Name Candidate DOB Gender	Lockable metal filing cabinet in Examinations Office. Secure encrypted USB. Awarding Bodies.	Secure user name and password – online. In secure area solely assigned to examinations.	Records for current year plus previous 6 years to be retained as a minimum. [Reference Records Management Toolkit for Schools]
Seating Plans	Plans showing the seating arrangements of all candidates for every exam taken.	Candidate Number	Lockable metal filing cabinet in Examinations Office. Secure encrypted USB.	Secure user name and password – online. In secure area solely assigned to examinations.	To be retained until after the deadline for EARs or until any appeal, malpractice or other results enquiry has been completed, whichever is later. [Reference ICE 6]

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
Special Consideration Information	Any hard copy information relating to a special consideration request and supporting evidence submitted to an awarding body for a candidate.	Candidate Name Candidate DOB Gender	Special Consideration Online. Lockable metal filing cabinet in Examinations Office. Secure encrypted USB. Awarding Bodies.	Secure user name and password – online. In secure area solely assigned to examinations.	Evidence supporting an on-line special consideration application and evidence supporting a candidate's absence from an exam must be kept until after the publication of results. [Reference SC 6]
Suspected Malpractice Reports/Outcomes	Any hard copy information relating to a suspected malpractice investigation/report submitted to an awarding body and outcome information from the awarding body.	Candidate Name Candidate DOB Gender	Lockable metal filing cabinet in Examinations Office. Secure encrypted USB. Awarding Bodies.	Secure user name and password – online. In secure area solely assigned to examinations.	To be retained until after the deadline for EARs or until any appeal, malpractice or other results enquiry has been completed, whichever is later. [Reference ICE 6]
Transferred Candidate Arrangements	Any hard copy information relating to an application for a transferred candidate arrangement submitted to an awarding body for a candidate.	Candidate Name Candidate DOB Gender	Lockable metal filing cabinet in Examinations Office. Awarding Bodies. Secure encrypted USB.	Secure user name and password – online. In secure area solely assigned to examinations.	To be retained until the transfer arrangements are confirmed by the awarding body.
Very Late Arrival Reports/Outcomes	Any hard copy information relating to a very late arrival report submitted to an awarding body for a candidate and outcome information from the awarding body.	Candidate Number	Lockable metal filing cabinet in Examinations Office. Secure encrypted USB. Awarding Bodies.	Secure user name and password – online. In secure area solely assigned to examinations.	To be retained until after the deadline for EARs or until any appeal, malpractice or other results enquiry has been completed, whichever is later. [Reference ICE 6,15]

