

Trinity Christian School Nursery, Primary & Secondary



TRINITY
CHRISTIAN SCHOOL

Data Protection Policy (EXAMS)

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Data Protection Policy (Exams)

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Key staff involved in the policy

Role	Name(s)
Head of centre	Chris O’Gorman c.ogorman@trinityteachers.co.uk
Exams officer	Sara Ward s.ward@trinityteachers.co.uk
Senior leader(s)	Claire Bamford c.bamford@trinityteachers.co.uk
IT manager	Andy Fisher a.fisher@trinityteachers.co.uk
Data manager	Chris O’Gorman c.ogorman@trinityteachers.co.uk

Purpose of the policy

This policy details how Trinity Christian 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 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. 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 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(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 below.

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) -e.g. AQA Centre Services; Pearson Edexcel Online

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

Trinity Christian School ensures that candidates are fully aware of the information and data held.

All candidates are:

- informed via the Candidate Handbook
- given access to this policy via written request

Candidates are made aware of the above where they are following GCSE qualifications and entries are submitted to awarding bodies for processing.

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/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

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
Desktop computer; Laptop/tablet; etc.	Hardware is checked by IT manager half termly This includes hard drive scans and antivirus protection.	N/A

Software/online system	Protection measure(s)
AQA Centre Services; Pearson Edexcel Online and JCQ Centre Admin Portal. Google Drive	Protected usernames and passwords; rules for password setting (use of a mix of upper/lower cases letters and numbers; centre administrator has to approve the creation of new user accounts and determine access rights; regular checks to Firewall/Antivirus software.

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
- cyber-attacks involving ransomware infections

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

1. Containment and recovery

Chris O’Gorman 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
- secure drive accessible only to selected staff
- information held in secure area

- updates undertaken 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 the centre's Exams Archiving Policy which is electronically stored in the school's policy folder.

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 information

Requests for exam information can be made to the Exams Officer in writing or by email. Former candidates who are now unknown to current staff will be asked for to confirm their identity with a photo ID.

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, 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 requests should be considered on a case by case basis.

A decision will be made by the 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 exam 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 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 unless a request is accompanied with permission from the candidate and appropriate evidence (where relevant), to verify the ID of both parties, 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 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 (*see Separated Parents Policy*):

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

Candidates will collect their results in person from the centre or, in the event they cannot attend, they will be posted to their home address using Royal Mail Recorded Delivery Service. Obviously, the latter will mean the results will not be with the candidate on the release date and will be subject to Royal Mail's delivery schedule.

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**)

This information is also available on the Exams Archiving Policy

Record type	Record(s) description (where required)	Retention information/period	Action at end of retention period (method of disposal)
Access arrangements information	Any hard copy information kept by the EO relating to an access arrangement candidate.	To be returned to ALS lead/SENDCo as records owner at end of the candidate's final exam series. Records must be kept until the candidate's 25 th birthday.	Confidential waste/shredding
Alternative site arrangements	Any hard copy information generated on an alternative site arrangement. Notifications submitted online via CAP.	For as long as may be required.	Confidential disposal
Attendance register copies	Hard copy register and seating plan held by EO	(Reference ICE 12, 22: ...keep signed records of the seating plan, the invigilation arrangements and the centre's copies of the attendance registers for each examination. The awarding bodies may need to refer to these records. The centre must keep them until the deadline for reviews of marking has passed or until any appeal, malpractice or other results enquiry has been completed, whichever is later... keep a copy of the attendance register until the deadline for reviews of marking has passed or until any appeal, malpractice or other results enquiry has been completed, whichever is later)	Confidential waste/shredding
Awarding body exams administration information	Any hard copy publications provided by awarding bodies.	To be retained until the current academic year update is provided.	Confidential disposal
Candidates' scripts	Any unwanted copies of scripts returned to the centre through the Access to Scripts (ATS) service.	To be retained securely until the awarding body's earliest date for confidential disposal of unwanted scripts.	Confidential disposal

Record type	Record(s) description (where required)	Retention information/period	Action at end of retention period (method of disposal)
		(Reference GR 3.15: ... ensure that when scripts that have been returned under access to scripts arrangements are no longer required, they are disposed of in a confidential manner, but no earlier than the dates specified by the awarding bodies...)	
Candidates' work	Non-examination assessment work returned to the centre by the awarding body at the end of the moderation period.	To be logged on return to the centre and immediately returned to subject staff as records owner. To be stored safely and securely along with work that did not form part of the moderation sample (including materials stored electronically) (Reference GR 3.15: ...store safely and securely all non-examination assessments, controlled assessments, coursework or portfolios, retained in, or returned to, the centre until the deadline for a review of moderation has passed or until a review of moderation, an appeal or a malpractice investigation has been completed, whichever is later. This includes materials stored electronically. See paragraph 4.8 of the JCQ publication <i>Instructions for conducting non - examination assessments</i> https://www.jcq.org.uk/exams-office/non-examination-assessments)	Returned to candidates or safe disposal
Centre consortium arrangements for centre assessed work	Any hard copy information generated or relating to consortium arrangements for centre assessed work. Applications submitted online via CAP.	Until the end of exam series and the deadline has passed for a Review of Results.	Confidential destruction
Certificates	Candidate certificates issued by awarding bodies.	(Reference GR 5.14: ...retain all unclaimed certificates under secure conditions for a minimum of 12 months from the date of issue)	Confidential destruction

Record type	Record(s) description (where required)	Retention information/period	Action at end of retention period (method of disposal)
Certificate destruction information	A record of unclaimed certificates that have been destroyed.	(Reference <u>GR 5.14</u> : ...destroy any unclaimed certificates after retaining them for a minimum of 12 months. They must be destroyed in a confidential manner. Centres that do not have a means of destroying certificates confidentially may return them to the respective awarding body. A record of certificates that have been destroyed should be retained for four years from their date of destruction. However, candidates should be informed that some awarding bodies do not offer a replacement certificate service. In such circumstances the awarding body will issue a Certifying Statement of Results... (Where an awarding body issues a replacement certificate, or a Certifying Statement of Results, this will provide an accurate and complete record of results for all qualifications covered by the original certificate.) ...return any certificates requested by the awarding bodies. Certificates always remain the property of the awarding bodies.	Confidential destruction
Certificate issue information	A record of certificates that have been issued.	(Reference <u>GR 5.14</u> : ...obtain and maintain accurate candidate contact information to ensure the correct and secure despatch of certificates... distribute certificates to all candidates without delay and regardless of any disputes (such as non-payment of fees). Certificates must not be withheld without prior permission from an awarding body which will only be given in very exceptional circumstances. A record should be kept of the certificates that are issued and kept on file.	
Confidential materials: initial	Logs recording awarding body confidential exam materials received by an authorised member	Until the end of exam series	Confidential destruction

Record type	Record(s) description (where required)	Retention information/period	Action at end of retention period (method of disposal)
point of delivery logs	of staff at the initial point of delivery and the secure movement of packages by an authorised member of staff to the secure room for transferal to the centre's secure storage facility.		
Confidential materials: receipt, secure movement and secure storage logs	Logs recording confidential exam materials received securely moved, checked and placed in the secure storage facility by the exams officer (or other authorised member of centre staff) throughout the period the materials are confidential.	Until the end of exam series	Confidential destruction
Conflicts of interest records	Records demonstrating the management of conflicts of interest.	(Reference <u>GR 5.3</u> : ...The records may be inspected by a JCQ Centre Inspector and/or awarding body staff. They might be requested in the event of concerns being reported to an awarding body. The records must be retained until the deadline for reviews of marking has passed or until any appeal, malpractice or other results enquiry has been completed, whichever is later.)	Confidential destruction
Dispatch logs	Proof of dispatch of exam script packages to awarding body examiners covered by the <u>DfE (Standards & Testing Agency) yellow label service</u> (England only).	Until the end of exam series and the deadline has passed for a Review of Results.	Confidential destruction
Entry information	Any hard copy information relating to candidates' entries.	Until the end of exam series and the deadline has passed for a Review of Results.	Confidential destruction
Exam question papers	Question papers for timetabled written exams.	(Reference <u>ICE 31</u> : Question papers must not be released to centre personnel until after the awarding body's published finishing time for the	Issued to subject staff. They are secure materials and must be kept in the

Record type	Record(s) description (where required)	Retention information/period	Action at end of retention period (method of disposal)
		examination or, in the case of a timetable variation, until all candidates within the centre have completed the examination. For CCEA examinations question papers must not be released until 24 hours after the published finishing time for the examination.) (Reference <u>GR</u> 6.13: ...For confidentiality purposes question papers must not be released to centre personnel for use in accordance with the above licence until after the awarding body's published finishing time for the examination or, in the case of a timetable variation, until all candidates within the centre have completed the examination. This does not restrict access to question papers by authorised centre personnel for the purpose of conducting examinations...)	centre for 12 months until they no longer have secure materials status.
Exam room checklists	Checklists confirming exam room conditions and invigilation arrangements for each exam session.	Until the end of exam series and the deadline has passed for a Review of Results.	Paper recycling
Exam room incident logs	Logs recording any incidents or irregularities in exam rooms for each exam session.	Until the end of exam series and the deadline has passed for a Review of Results.	Confidential destruction
Exam stationery	Awarding body exam stationery provided solely for the purpose of external exams.	(Reference <u>ICE</u> 30: ...return unused stationery to the secure storage facility or secure room until needed for a future examination. Surplus stationery must not be used for internal school tests, mock examinations and non-examination assessments... destroy confidentially any out-of-date stationery.)	Confidential destruction
Examiner reports		(Where/if provided) To be immediately provided to head of department as records owner.	
Finance information	Copy invoices for exams-related fees.	To be returned to Finance department as records owner at the end of the academic year.	

Record type	Record(s) description (where required)	Retention information/period	Action at end of retention period (method of disposal)
Handling secure electronic materials logs	Logs recording the arrangements applied when handling secure electronic materials provided to the centre and accessed by the exams officer (or other authorised member of centre staff)	Until the end of exam series and the deadline has passed for a Review of Results.	Confidential destruction
Invigilation arrangements	See <i>Exam room checklists</i>		
Invigilator and facilitator training records	Signed checklist	(Reference <u>ICE 12</u> : A record of the content of the training given to invigilators and those facilitating an access arrangement for a candidate under examination conditions must be available for inspection and retained on file until the deadline for reviews of marking has passed or until any appeal, malpractice or other results enquiry has been completed, whichever is later.)	Confidential destruction
Moderator reports	Electronic or written report	(Where printed from electronic copy) To be immediately provided to head of department as records owner.	Confidential destruction
Moderation returns logs	Logs recording the return of candidates' work to the centre by the awarding body at the end of the moderation period.	Until the end of exam series and the deadline has passed for a Review of Results.	Confidential destruction
Overnight supervision information	The JCQ <i>Overnight Supervision</i> form is completed online using CAP. The JCQ <i>Overnight Supervision Declaration</i> form is downloaded from CAP) for signing by the candidate, the supervisor and the head of centre. Any hard copy information relating to overnight supervision arrangements. Reports submitted online via CAP.	(Reference <u>ICE 8</u> : ...keep all completed forms available for inspection until the deadline for reviews of marking has passed or until any appeal, malpractice or other results enquiry has been completed, whichever is later. Forms may be stored electronically or in hard copy paper format and must not be sent to an awarding body, unless specifically requested...)	Confidential destruction

Record type	Record(s) description (where required)	Retention information/period	Action at end of retention period (method of disposal)
Post-results services: confirmation of candidate consent information	Hard copy or email record of required candidate consent.	(Reference PRS 4.2, plus appendix A and B: Consent forms or emails from candidates must be retained by the centre and kept for at least six months following the outcome of the clerical re-check or review of marking or any subsequent appeal. The awarding bodies reserve the right to inspect such documentation.)	Confidential destruction
Post-results services: requests/outcome information	Any hard copy information relating to a post-results service request (RoRs, appeals, ATS) submitted to an awarding body for a candidate and outcome information from the awarding body.	Information is provided to the candidate by email.	Confidential destruction
Post-results services: tracking logs	Logs tracking to resolution all post-results service requests submitted to awarding bodies.	Until the end of exam series and the deadline has passed for a Review of Results.	Confidential destruction
Proof of postage - candidates' work	Proof of postage of sample of candidates' work submitted to awarding body moderators. (Proof of postage of candidates' scripts to awarding body examiners/markers)	(Reference ICE 29: Centres not involved in the secure despatch of exam scripts service... must obtain proof of postage/despatch for each packet of scripts, which must be retained on the centre's files until the results are published, in case of loss or damage. (Proof of postage will provide evidence that the candidates' scripts have left the centre. This will indicate that the scripts were written at the appointed time and that, should the scripts not be received by the awarding body/examiner, then special consideration may be possible.) ...)	Confidential destruction
Resilience arrangements: Evidence of candidate performance	Mock exams carried out and kept by subject teachers in school securely.	Until the end of exam series and the deadline has passed for a Review of Results.	Paper recycling

Record type	Record(s) description (where required)	Retention information/period	Action at end of retention period (method of disposal)
Resolving timetable clashes information	Any hard copy information relating to the resolution of a candidate's clash of timetabled exam papers	Until the end of exam series and the deadline has passed for a Review of Results.	Paper recycling
Results information	Broadsheets of public examination results summarising candidate final grades by subject by exam series.	Records for current year plus previous 6 years to be retained as a minimum.	Confidential destruction
Seating plans	Plans showing the seating arrangements of all candidates for every exam taken.	(Reference ICE 12: ...keep signed records of the seating plan, the invigilation arrangements and the centre's copies of the attendance registers for each examination. The awarding bodies may need to refer to these records. The centre must keep them until the deadline for reviews of marking has passed or until any appeal, malpractice or other results enquiry has been completed, whichever is later...)	Confidential destruction
Second pair of eyes check records/forms	Records of the check that must take place by a second person (additional to the person removing question paper packets from secure storage) immediately before a question paper packet is opened.	(Reference ICE 5,, 18: In order to avoid potential breaches of security, care must be taken to ensure that the correct question paper packets are opened. A member of centre staff, additional to the person removing the question paper packets from secure storage, e.g. an invigilator, must check the day, date, time, subject, unit/component and tier of entry, if appropriate, immediately before a question paper packet is opened. This second pair of eyes check must be recorded.) Until the end of exam series and the deadline has passed for a Review of Results.	Confidential destruction
Special consideration information	Any hard copy information relating to a special consideration application which has been submitted to an awarding body for a candidate and appropriate	(Reference SC 6: All applications must be supported by appropriate evidence signed by a member of the senior leadership team. The centre must retain this evidence until after the publication of results.)	Confidential destruction

Record type	Record(s) description (where required)	Retention information/period	Action at end of retention period (method of disposal)
	evidence signed by a senior leader.		
Suspected malpractice reports/outcomes	Any hard copy information relating to a suspected or actual malpractice investigation/report submitted to an awarding body and outcome information from the awarding body.	Information provided to candidate. Kept until the end of exam series and the deadline has passed for Review of Results	Confidential destruction
Transferred candidate arrangements	Any hard copy information relating to a transferred candidate arrangement. Applications submitted online via CAP.	Information provided to candidate. Kept until the end of exam series and the deadline has passed for Review of Results	Confidential destruction
Very late arrival reports/outcomes	Any hard copy information relating to a candidate arriving very late to an exam. Reports submitted online via CAP.	Information provided to candidate. Kept until the end of exam series and the deadline has passed for Review of Results	Confidential destruction