



Community First Academy Trust

GDPR Exams Policy

This is a Trust-wide policy adopted and reviewed by either the Trust Board or Finance Committee and relates to all schools that are partners within the Trust.

Specific Academy policies, e.g. curriculum policies will be found on the individual school websites.

This policy was written in March 2018 and is to be reviewed annually. Next review March 2019

Key staff involved in the General Data Protection Regulation policy

Role	Name(s)
Head of centre at Rose Bridge Academy	Ms S Pountain
Exams officer	Nicola Barnes
Exams officer line manager (Senior Leader)	Vicki Schumacker
Data Protection Officer	Craig Holden
IT Manager and Deputy Data Protection Officer	Liam Owen
Data Manager	Caroline Welsby

Purpose of the policy

This policy details how Community First Academy Trust t/a Rose Bridge Academy, will handle its exam management/administration and ensure compliance with the regulations as set out by the Data Protection Act (DPA) 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 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
- ▶ Department for Education
- ▶ Local Authority
- ▶ CFAT
- ▶ Consortium
- ▶ The Press

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

- ▶ hard copy
- ▶ email

- ▶ secure extranet site(s) – eAQA; OCR Interchange; Pearson Edexcel Online; WJEC Secure services.
- ▶ 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

The Academy will ensure that candidates are fully aware of the information and data held.

All candidates are:

- ▶ informed via and electronic communication.
- ▶ given access to this policy via our websites and upon written request.

Candidates will also be made aware of the above at the start of their course of study leading to external examinations.

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 Server	Purchased 2015 Systems are securely backed up twice daily Daily Anti-Virus Scheduled on all systems Systems are encrypted Additional on demand measures are taken to deal with malicious software attacks Advanced web filters / firewalls to help protect users from cyber attack Email encryption policies in place Advanced email security measures including anti-spam, anti-phishing measures in place Advanced data loss prevention policies in place USB blocking	NA

Software/online system	Protection measure(s)
SIMS,net	Special permissions setup for exam officers – protected by secure user credentials that are in line with organisation password policies. 2 factor Authentication to gain access to exam module
A2C	NIC
Exam Awarding Bodies	NIC

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

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

1. Containment and recovery

The trust GDPR 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
- ▶ 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 GDPR archiving and retentions policy which is available/accessible at the end of this policy.

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 the Trust Data Protection Officer writing or by email. 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 [insert your centre's process for sharing data with a third-party e.g. 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.

Equality Impact Assessment

We have a duty to consider the impact of changes on groups with Protected Characteristics (race, disability, age, sex, sexual orientation, religion or belief, gender reassignment, pregnancy and maternity, marriage and civil partnership). An EIA needs to consider:

- *Would the change impact differentially on pupils/ staff with protected characteristics? Positively or negatively?*
- How do I know that?
- What could I do to mitigate any differential or negative impact?
- Is this still the right thing to do?

WHAT ARE THE OVERALL AIMS OF THE CHANGE? WHY ARE YOU PROPOSING IT?	No change is proposed to the policy. The aim of this policy is to provide a framework to ensure that the exams period has the procedures and guidelines in place to ensure that students are fully supported.
GIVEN THE AIMS OF YOUR PROPOSAL WHAT ISSUES DOES YOUR DATA/ INFORMATION HIGHLIGHT?	Everybody is included within this policy, and all groups are given equability in regard to their needs and provisions.
HOW COULD THE PROPOSED CHANGE IMPACT POSITIVELY/ NEGATIVELY ON GROUPS WITH PROTECTED CHARACTERISTICS?	This has a positive impact on all groups with protected characteristics as they are ensured equal treatment and provision based on their needs. Risk assessments may be carried out to ensure that this is the case and provisions maybe altered to accommodate specific needs.
WHAT ACTIONS WILL YOU TAKE TO MITIGATE ANY NEGATIVE IMPACT?	No negative impact to having this policy
IS ANY POTENTIAL NEGATIVE IMPACT JUSTIFIED IN LIGHT OF THE WIDER BENEFITS OF THE PROPOSAL?	No negative impact to having this policy
RECORDING FINAL DECISION	This policy will go to governors for approval

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 In secure area solely assigned to exams	5 years
Attendance registers copies		Candidate name Candidate number	Lockable metal filing cabinet	In secure area solely assigned to exams	To be stored safely and securely until after the deadline for EARs or the resolution of any outstanding enquiry/appeal or malpractice investigations for the exam series.
Candidates' work	Non-examination assessment work (inc. controlled assessment, coursework, portfolios) returned to the centre after awarding body moderation.	Candidate name Candidate number Candidate DOB	Lockable metal filing cabinet Secure Storage MIS	In secure area solely assigned to exams Secure user name and password	Returned to candidate or safe disposal

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		Candidate name Candidate number Exam result	Lockable metal filing cabinet Secure Storage	In secure area solely assigned to exams	Minimum 3 years
Certificate destruction information	. A record of unclaimed certificates that have been destroyed.	Candidate name Candidate DOB Candidate exam number	Lockable metal filing cabinet Secure Storage	In secure area solely assigned to exams	Indefinitely
Certificate issue information	A record of certificates that have been issued to candidates.	Candidate name Candidate DOB	Lockable metal filing cabinet Secure Storage	In secure area solely assigned to exams	Indefinitely
Entry information	Any hard copy information relating to candidates' entries.	Candidate name Candidate exam number	MIS A2C	Secure user name and password	To be stored safely and securely until after the deadline for EARs or the resolution of any outstanding enquiry/appeal or malpractice investigations for the exam series.
Exam room incident logs	Logs recording any incidents or irregularities in exam rooms.	Candidate name Candidate exam number	Lockable metal filing cabinet	In secure area solely assigned to exams	To be stored safely and securely until after the deadline for EARs or the resolution of any outstanding enquiry/appeal or malpractice investigations for the exam series.

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
Overnight supervision information		Candidate name Candidate exam number Candidate DOB	Lockable metal filing cabinet	In secure area solely assigned to exams	To be stored safely and securely until after the deadline for EARs or the resolution of any outstanding enquiry/appeal or malpractice investigations for the exam series.
Post-results services: confirmation of candidate consent information		Candidate name Candidate exam number	Lockable metal filing cabinet	In secure area solely assigned to exams	To be stored safely and securely until after the deadline for EARs or the resolution of any outstanding enquiry/appeal or malpractice investigations for the exam series.
Post-results services: requests/outcome 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 exam number	Lockable metal filing cabinet	In secure area solely assigned to exams	To be stored safely and securely until after the deadline for EARs or the resolution of any outstanding enquiry/appeal or malpractice investigations for the exam series.
Post-results services: scripts provided by ATS service	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 exam number	Lockable metal filing cabinet MIS Password protected computer file	In secure area solely assigned to exams Secure user name and password	Minimum 2 years

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: tracking logs	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 exam number	To be immediately provided to the head of department or the candidate as records owner	In secure area solely assigned to exams	Retained for 12 months after the deadline for EARs.
Private candidate information		N/A	N/A		N/A
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 exam number	Lockable metal filing cabinet MIS Exams office computer	In secure area solely assigned to exams	To be stored safely and securely until after the deadline for EARs or the resolution of any outstanding enquiry/appeal or malpractice investigations for the exam series.
Results information	Broadsheets of results summarising candidate final grades by subject by exam series.	Candidate name Candidate exam number Exam result	Lockable metal filing cabinet Secure storage MIS	In secure area solely assigned to exams Secure user name and password	Minimum 5 years
Seating plans	Plans showing the seating arrangements of all candidates for every exam taken.	Candidate name Candidate exam number	Lockable metal filing cabinet	In secure area solely assigned to exams	To be stored safely and securely until after the deadline for EARs or the resolution of any outstanding enquiry/appeal or malpractice investigations for the exam series.

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 exam number SEN information Health information Address Gender Detailed assessment information	Lockable metal filing cabinet Secure storage	In secure area solely assigned to exams	To be stored safely and securely until after the deadline for EARs or the resolution of any outstanding enquiry/appeal or malpractice investigations for the exam series.
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 exam number Candidate DOB	Lockable metal filing cabinet	In secure area solely assigned to exams	Retained until after the deadline for EARs or until any appeal, malpractice or other results enquiry has been completed, whichever is later.
Transfer of credit information	Any hard copy information relating to a GCE AS transfer of credit arrangement (for a legacy unitised GCE AS specification) application submitted to an awarding body for a candidate.	Candidate name Candidate exam number	Lockable metal filing cabinet	In secure area solely assigned to exams	Retained until after the deadline for EARs or until any appeal, malpractice or other results enquiry has been completed, whichever is later.
Transferred candidate information	Any hard copy information relating to an application for a transferred candidate arrangement submitted to an	Candidate name Candidate exam number	Lockable metal filing cabinet	In secure area solely assigned to exams	Retained until after the deadline for EARs or until any appeal, malpractice or other results enquiry has

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
	awarding body for a candidate.	Candidate DOB			been completed, whichever is later.
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 name Candidate exam number	Lockable metal filing cabinet	In secure area solely assigned to exams	Retained until after the deadline for EARs or until any appeal, malpractice or other results enquiry has been completed, whichever is later.