



# Hedingham School & Sixth Form

## Data Protection Policy (Exams)

Meets JCQ Requirement 12

Please also refer to centre Data Protection Policy stored on R Drive

Approved/Reviewed by Mr J Pearson, Assistant Headteacher

|  |                  |
|--|------------------|
| Approved by the Curriculum and Personnel Committee on: | 22 February 2023 |
| It was ratified by the Full Governing Body on:         | 29 March 2023    |
| Next review due by:                                    | Spring 2024      |



# Data Protection Policy (Exams)

Policy/Procedure creator: Nina Powell

Policy/Procedure created/reviewed: 06/04/2022

|                          |                                 |
|--------------------------|---------------------------------|
| Centre Name              | Hedingham School and Sixth Form |
| Centre Number            | 16519                           |
| Date plan first created  | 5 April 2022                    |
| Current plan approved by | School Governors - 18/05/2022   |
| Current plan reviewed by | Nina Powell                     |
| Date of next review      | To be confirmed on review       |

This plan is reviewed and updated annually to ensure that data protection (exams) at Hedingham School and Sixth Form is managed in accordance with current requirements and regulations.

| Role           | Name(s)                |
|----------------|------------------------|
| Head of Centre | <b>Andrew Harvison</b> |
| Senior Leaders | <b>John Pearson</b>    |
| Exams Officer  | <b>Nina Powell</b>     |
| IT Manager     | <b>Stuart Jarvis</b>   |
| Data Manager   | <b>Sophie Hyde</b>     |

## Purpose of the policy

This policy details how Hedingham School and Sixth Form, 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).

At the date of reviewing these regulations, although the UK has left the European Union the General Data Protection Regulation still has a direct effect within the UK (JCQ's [General Regulations for Approved Centres](#) (GR, section 6.1) **Personal data**)

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 officer 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 (JCQ)
- Department for Education; Independent Schools Council; Local 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 Website; CIE Direct secure site]
- Management Information System (MIS) provided by ISAMS sending/receiving information via electronic data interchange (EDI) using A2C (<https://www.jcq.org.uk/about-a2c>) to/from awarding body processing systems

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**

Hedingham School and Sixth Form ensures that candidates are fully aware of the information and data held.

All candidates are given access to this policy via a link on Hedingham School website

Candidates are made aware of the above within the first half-term of each academic year

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.

Candidates eligible for access arrangements are also required to provide their consent by signing the GDPR compliant JCQ candidate personal data consent form (Personal data consent, Privacy Notice (AAO) and Data Protection confirmation) before access arrangements approval applications can be processed online.

## **Section 3 – 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 every three years.

The table below details the type of candidate exams-related information held, and how it is managed, stored and protected

| <b>Candidate Details</b>                                | <b>Stored</b>   | <b>Managed</b>   | <b>Protected</b>  |
|---|---|--|---|
| Name  | Electronically on Arbor<br>Exam registers, seating plans, EAA registers and hardcopies of the above produced as/when necessary to run examinations  | Stored/Deleted on Arbor in line with whole school Data Protection/Archiving Policies<br><br>Hardcopies of Exam Data destroyed annually following the deadline for all Reviews of results/appeals information received from awarding bodies | All data on the Intranet is only accessible to Hedingham School Personnel in the following ways: <ul style="list-style-type: none"> <li>• password protected area on the centre's intranet</li> <li>• secure drive accessible only to selected staff</li> <li>• information held in secure area</li> </ul>  |
| Candidate Number  |   |  |   |
| UCI Number  |   |  |   |
| Candidate Exam Entries Details                          |   |  |   |
| Exam Access Arrangement (EAA) Information               | Electronically on MIS/EO laptop, hard copies in EO file and invigilation files for exams  | Deleted/returned to SENCo once candidate has left Hedingham School in line with Exams Archiving policy   | MIS & EO laptop is password protected, hard copies only in use by exam staff during actual exam periods   |
| Candidate Results                                       | Downloaded electronically and stored on Arbor<br>Hardcopies printed for individual candidates, SLT and subject leads.<br>Anonymous results information supplied to local press, candidate's permission will be sought before any named results information is given out to the press.<br>Candidates will be informed prior to named results given out to those with a legal right to named result information | Stored/Deleted on Arbor in line with whole school Data Protection/Archiving Policies<br><br>Hard copies of annual results are kept in the exams office   | All data on Arbor and Hedingham School Intranet is only accessible to Hedingham School personnel in the following ways: <ul style="list-style-type: none"> <li>• Arbor is a password protected cloud-based system</li> <li>• password protected area on the centre's intranet</li> <li>• secure drive accessible only to selected staff</li> <li>• information held in secure area</li> </ul> |
| Candidate Scripts                                       | Not stored by EO given directly to candidate/teaching staff as required   | given directly to candidate/teaching staff as required   |   |
| Candidate Post Results requests information             | Saved on MIS/exam laptop Hard copies in EO file   | Deleted/confidentially shredded once deadline for return of post results has passed in line with Exams Archiving policy  | MIS & Exam laptop password protected<br>Hard copies in locked cabinet in EO Office  |
| Candidate Special Consideration Application Information | Saved on MIS/exam laptop Hard copies in EO file   | Deleted/confidentially shredded once deadline for return of post results has passed in line with Exams Archiving policy  | MIS and Exam laptop password protected<br>Hard copies in locked cabinet in EO Office  |

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 at least every month
- (this may include updating antivirus software, firewalls, internet browsers etc.)

## **Section 4 – Data retention periods**

Details of retention periods, the actions taken at the end of the retention period and method of disposal are contained in Hedingham School and Sixth Form's Exams Archiving policy which is available/accessible from Hedingham School Intranet R:\Policies\Policies Adopted by Governors\Exam Policies and Procedures\Exams Archiving Policy.pdf. Hard copy in file in EO's office. Viewable on website.

## **Section 5 – Access to information**

(with reference to ICO information <https://ico.org.uk/your-data-matters/schools/exam-results/>)

The GDPR gives individuals the right to see information held about them. This means individuals can request information about them and their exam results, 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 EO and/or the Data Protection Officer in writing/email. ID will need to be confirmed by passport/driving licence or other form of photo ID if a former candidate is unknown to current staff.

The GDPR does not specify an age when a child can request their exam results or request that they aren't published. When a child makes a request, 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.

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 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 results have been announced, 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**

Hedingham School and Sixth Form will only share candidates' exam information with parents with due regard to the following legislation and guidance; candidates will be informed prior to any such sharing.

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](http://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](http://www.gov.uk/guidance/school-reports-on-pupil-performance-guide-for-headteachers)

### **Publishing exam results**

When considering publishing exam results, Hedingham School and Sixth Form will make reference to the ICO (Information Commissioner's Office) Schools, universities and colleges information <https://ico.org.uk/your-data-matters/schools/> on Publishing exam results.

(Publishing examination results is a common and accepted practice. Many students enjoy seeing their name in print, particularly in the local press and the GDPR does not stop this happening. However, under the GDPR schools have to act fairly when publishing results, and where people have concerns about their or their child's information being published, schools must take those concerns seriously.

Schools should make sure that all pupils and their parents or guardians are aware as early as possible whether examinations results will be made public and how this will be done. Schools should also explain how the information will be published. For example, if results will be listed alphabetically, or in grade order.

In general, because a school has a legitimate reason for publishing examination results, pupils or their parents or guardians do not need to give their consent to publication. However, if you have a specific concern about publication of your results, you have the right to object. Schools should consider objections from pupils and parents before making a decision to publish. A school would need to have a good reason to reject someone's objection to publication of their exam results.)

Hedingham School and Sixth Form exam results are published anonymously as part of the county and national results

Hedingham School and Sixth Form may also make local press statements regarding our summer exam results but will not name any candidate without their prior permission.

CHANGES 2022/23

No changes applicable

CENTRE-SPECIFIC CHANGES

Upon review, no centre-specific updates or changes were applicable to this document

## 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**)

See also Exam Records management policy

| 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   |
|---|--|--|---|---|--|
| Exam Access arrangements (EAAs) information | Information held to establish student's eligibility for use of specific exam arrangements. | Candidate name, number, DoB, Gender, DPN, specialist report, medical evidence, other work evidence, exam details | Access Arrangements Online<br>MIS/exam laptop<br>Lockable filing cabinet<br>Lockable filing cabinet | Secure user name and password<br><br>In secure office (SENCO)<br><br>In secure office (Exams) | All EAA information/forms should be returned to SENCO/students when they leave Hedingham School<br><br>Any paper copies held by Exam Office will be shredded at the same time.                 |
| Alternative site arrangements               | Required if exams need to be moved from main Hedingham School building                     |  | Lockable metal filing cabinet<br><br>Electronically on MIS/exam laptop                              | In secure office (Exams)<br><br>Secure user name & password                                   | Retained until deadline for a review of results/moderation has passed or until a review of results/moderation, an appeal or a malpractice investigation has been completed, whichever is later |
| Attendance registers copies                 | Either produced by MIS for use in exam rooms or manually by the Lead Invigilator           | Candidate name, number   | Lockable metal filing cabinet<br><br>Electronically on MIS/exam laptop                              | In secure office (Exams)<br><br>Secure user name & password                                   | Retained until deadline for a review of results/moderation has passed or until a review of results/moderation, an appeal or a malpractice investigation has been completed, whichever is later |

| 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                                     | Live Exam papers                         | Candidate name, number, signature, exam responses                   | In exam secure storage  | Secure room, limited key holders                                     | Minimum time until scripts can be despatched to awarding body  |
| Candidates' work  | NEA work kept securely by teaching staff | Candidate name, number, signature                                   | In secure storage by subject teachers                               | In accordance with JCQ NEA 4.8 in secure storage by subject teachers | Retained until deadline for a review of results/ moderation has passed or until a review of results/ moderation, an appeal or a malpractice investigation has been completed, whichever is later |
| Centre consortium arrangements for centre assessed work | n/a                                      | n/a   | n/a   | n/a  | n/a  |
| Certificates  | Received following every exam series     | Candidate name, number, UCI No.,DoB, exam results                   | In secure office (Exams)  | Secure room, limited key holders                                     | Collected/posted to candidates. Retain uncollected certificates for minimum 12 months, then may be confidentially destroyed  |
| Certificate destruction information                     |  | Candidate name, number, UCI No.,DoB, exam results                   | Lockable metal filing cabinet<br>Electronically on MIS/ exam laptop | In secure office (Exams)<br>Secure user name & password              | 5 years after the pupil is at school.  |
| Certificate issue information                           |  | Candidate name, number, UCI No.,DoB, exam results                   | Lockable metal filing cabinet<br>Electronically on MIS/ exam laptop | In secure office (Exams)<br>Secure user name & password              | 5 years after the pupil is at school.  |



| 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   |
|--|--|---|---|---|--|
| Conflicts of Interest records                | Required annually by JCQ                         | Staff name, relative names, DOBs, exam information                          | Lockable metal filing cabinet<br>Electronically on MIS/ exam laptop | In secure office (Exams)<br>Secure user name & password | Retained until deadline for a review of results/ moderation has passed or until a review of results/ moderation, an appeal or a malpractice investigation has been completed, whichever is later |
| Entry information                            | Required every exam series                       | Candidate name, number, exam details  | Lockable metal filing cabinet<br>Electronically on MIS/ exam laptop | In secure office (Exams)<br>Secure user name & password | Retained until deadline for a review of results/ moderation has passed or until a review of results/ moderation, an appeal or a malpractice investigation has been completed, whichever is later |
| Exam room incident logs                      | Record of any unusual occurrences in exam room/s | Candidate name/s, number/s, invigilator name/s.<br>Details of exam incident | Lockable metal filing cabinet                                       | In secure office (Exams)                                | Retained until deadline for a review of results/ moderation has passed or until a review of results/ moderation, an appeal or a malpractice investigation has been completed, whichever is later |
| Invigilator and facilitator training records | Records required by JCQ                          | Invigilator facilitator names, addresses, contact details, training details | Lockable metal filing cabinet<br>Electronically on MIS/ exam laptop | In secure office (Exams)<br>Secure user name & password | Keep until no longer employed or for at least 3 years whichever is longer  |

| Information type  | Information description<br>(where required)  | What personal/sensitive data<br>is/may be contained in the<br>information                     | Where information is<br>stored  | How information is<br>protected                                   | Retention period   |
|---|--|---|---|---|--|
| Overnight supervision<br>information  | Required if candidate has<br>clash of 3 or more exams on<br>same day – need to move an<br>exam to later date | Candidate name, number, place of<br>residence, supervisors name,<br>relationship to candidate | Lockable metal filing<br>cabinet<br><br>Electronically on MIS/<br>exam laptop | In secure office<br>(Exams)<br><br>Secure user name &<br>password | Retained until deadline for a<br>review of results/<br>moderation has passed or<br>until a review of results/<br>moderation, an appeal or a<br>malpractice investigation has<br>been completed, whichever<br>is later  |
| Post-results services:<br>confirmation of<br>candidate consent<br>information | Requested by candidate as/<br>when necessary   | Candidate name, number,<br>signature, exam details  | Lockable metal filing<br>cabinet  | In secure office<br>(Exams)                                       | Retained until deadline for a<br>review of results/<br>moderation has passed or<br>until a review of<br>results/moderation, an<br>appeal or a malpractice<br>investigation has been<br>completed, whichever is<br>later  |
| Post-results services:<br>requests/outcome<br>information                     |  | Candidate name, number,<br>signature, exam details  | Lockable metal filing<br>cabinet<br><br>Electronically on MIS/<br>exam laptop | In secure office<br>(Exams)<br><br>Secure user name &<br>password | Internal exam records<br>permanently amended<br>accordingly<br><br>Retained for 6 months<br>following the deadline for a<br>review of results/<br>moderation has passed or<br>until a review of results/<br>moderation, an appeal or a<br>malpractice investigation has<br>been completed, whichever<br>is later |

| 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 | Requested by candidates as/when necessary or by teaching staff (with candidates written permission) to use to inform teaching & learning | Candidate name, number, signature, exam responses  | Given directly to candidates or teaching staff                      | Teaching staff keep in locked storage                    | To be retained securely until the awarding body's earliest date for confidential disposal of unwanted scripts, or no longer needed by staff – then to be shredded   |
| Post-results services: tracking logs                   | Compiled by EO as/when necessary   | Candidate name number, exam details  | Lockable metal filing cabinet<br>Electronically on MIS/ exam laptop | In secure office (Exams)<br>Secure user name & password  | Retained for 6 months following the deadline for a review of results/ moderation has passed or until a review of results/ moderation, an appeal or a malpractice investigation has been completed, whichever is later |
| Private candidate information                          | Registration forms received before exam series   | Candidate name, number, UCI No, address, contact details, exam details, any EAA evidence & requirements, DPN | Lockable metal filing cabinet<br>Electronically on MIS/ exam laptop | In secure office (Exams)<br>Secure user name & password  | Retain until candidate no longer wants to remain registered with Hedingham School and Sixth Form or for at least 6 months following publication of results  |
| Resolving timetable clashes information                | EO to do when necessary before each exam series  | Candidate name, number, exam details   | MIS, exam laptop<br>On timetables for use during exam period        | Secure user name & password<br>In exam office/rooms only | Retained until deadline for a review of results/ moderation has passed or until a review of results/ moderation, an appeal or a malpractice investigation has been completed, whichever is later                      |

| 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 information                    | Downloaded by EO following each exam series  | Candidate name number, UCI, DoB, exam results   | Lockable metal filing cabinet<br>Electronically on exam laptop/MIS | In secure office (Exams)<br>Secure user name & password      | 5 years after the pupil is at school.  |
| Seating plans                          | Produced by EO for each exam series  | Candidate name, number, exam details, EAA details   | MIS, exam laptop<br><br>On timetables for use during exam period   | Secure user name & password<br><br>In exam office/rooms only | Retained until deadline for a review of results/moderation has passed or until a review of results/moderation, an appeal or a malpractice investigation has been completed, whichever is later |
| Special consideration information      | Produced by candidates/invigilators if when necessary following exams                                    | Candidate name, number, invigilator name, exam details, exam incident details, possible candidate medical/other supporting evidence/information | Lockable metal filing cabinet<br>Electronically on MIS/exam laptop | In secure office (Exams)<br>Secure user name & password      | Retained until after publication of results  |
| Suspected malpractice reports/outcomes | Produced by Principal/EO/invigilators if when necessary following exams<br><br>Outcomes downloaded by EO | Candidate name/s, number/s, invigilator name, exam details, exam incident details, possible other supporting evidence/information               | Lockable metal filing cabinet<br>Electronically on MIS/exam laptop | In secure office (Exams)<br>Secure user name & password      | Retained until deadline for a review of results/moderation has passed or until a review of results/moderation, an appeal or a malpractice investigation has been completed, whichever is later |

| Information type                      | Information description<br>(where required)                      | What personal/sensitive data<br>is/may be contained in the<br>information          | Where information is<br>stored  | How information is<br>protected                                   | Retention period  |
|---------------------------------------|--|--|---|---|---|
| Transferred candidate<br>arrangements | Organised by EOs of both<br>establishments through JCQ<br>portal | Candidates name, exam no, exam<br>details  | Electronically on MIS/<br>exam laptop   | Secure user name &<br>password                                    | Retained until deadline for a<br>review of results/<br>moderation has passed or<br>until a review of results/<br>moderation, an appeal or a<br>malpractice investigation has<br>been completed, whichever<br>is later |
| Very late arrival<br>reports/outcomes | Required if candidate very<br>late for exam                      | Candidates name, exam no, exam<br>details, any accompanying<br>evidence/statements | Lockable metal filing<br>cabinet<br><br>Electronically on MIS/<br>exam laptop | In secure office<br>(Exams)<br><br>Secure user name &<br>password | Retained until deadline for a<br>review of results/<br>moderation has passed or<br>until a review of results/<br>moderation, an appeal or a<br>malpractice investigation has<br>been completed, whichever<br>is later |