HARROGATE GRAMMAR SCHOOL
EXCELLENCE FOR ALL

General Data Protection Regulation Policy (Exams)
2019/20

Member of Staff Responsible   **Alison Meacher**

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Review date: **Feb 2021**

Signed-off by: **Kirstie Moat**

Signature: *Kirstie Moat*

Date: **05/02/2020**

Purpose of the policy

This policy details how Harrogate Grammar School, in relation to exams management and administration, ensures compliance with the regulations as set out by the Data Protection Act 2018 (DPA 2018) and General Data Protection Regulation (GDPR).

Students are given the right to find out what information the centre holds about them, how this is protected, how this can be accessed and how data breaches are dealt with.

All exams office staff responsible for collecting and sharing candidates' data are required to follow strict rules called 'data protection principles' ensuring the information is:

- used fairly and lawfully
- used for limited, specifically stated purposes
- used in a way that is adequate, relevant and not excessive
- accurate
- kept for no longer than is absolutely necessary
- handled according to people's data protection rights
- kept safe and secure
- not transferred outside the European Economic Area without adequate protection

To ensure that the centre meets the requirements of the DPA 2018 and GDPR, all candidates' exam information – even that which is not classified as personal or sensitive – is covered under this policy.

Section 1 – Exams-related information

There is a requirement for the exams office(r) to hold exams-related information on candidates taking external examinations. For further details on the type of information held please refer to *Section 5 – Candidate information, audit and protection measures*.

Candidates' exams-related data may be shared with the following organisations:
- Awarding bodies
- Joint Council for Qualifications
- Department for Education
- Red Kite Learning Trust
- The Press
- North Yorkshire County Council

This data may be shared via one or more of the following methods:
- hard copy
- email
- secure extranet site(s) – e.g. eAQA; OCR Interchange; Pearson Edexcel Online; WJEC Secure services; AAO, CAP, PAAO
- Management Information System (MIS) provided by Capita SIMS, SISRA, FFT, 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

Harrogate Grammar School ensures that candidates are fully aware of the information and data held.

All candidates are:
- informed via the RKLT privacy notice

- given access to this policy via the school website

Candidates are made aware of the above when they enrol at the school.

When candidates are entered for external exams 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 – 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

Mr David Noble - 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 4 – 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.

The table in Section 7 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

Section 5 – 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 available on the HGS Website.

Section 6 – Access to information

Current and former candidates can request access to the information/data held on them by making a **subject access request** to David Noble - Data Protection Officer in writing or via email. For former candidates a passport or driving licence will be required to be seen as proof of ID. All requests will be dealt with within 40 calendar days.

Third party access

Permission should be obtained before requesting personal information on another individual from a third-party organisation.

Candidates' personal data will not be shared with a third party unless a request is accompanied with permission from the candidate and appropriate evidence (where relevant), to verify the ID of both parties, provide].

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

Information regarding external examination results will only be shared with parents who have written authorisation from the candidate (letter or e-mail).

The centre will however take into account any other legislation and guidance regarding sharing information with parents (including non-resident parents), e.g guidance from the Department for Education (DfE) regarding parental responsibility and school reports on pupil performance:

- Understanding and dealing with issues relating to parental responsibility
  www.gov.uk/government/publications/dealing-with-issues-relating-to-parental-responsibility/understanding-and-dealing-with-issues-relating-to-parental-responsibility
- School reports on pupil performance
  www.gov.uk/guidance/school-reports-on-pupil-performance-guide-for-headteachers

Publishing exam results

When considering publishing exam results, the centre will make reference to the ICO (Information Commissioner's Office) Education and Families https://ico.org.uk/for-organisations/education/ information on Publishing exam results.

Section 7 – 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
Access arrangements information	Required for administration of internal and external examinations Required for inspection by JCQ	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/Pearson Access Arrangements Online SIMS Lockable metal filing cabinet in Learning Support Exams Office Store Digitally on exams office shared area V: Drive Spaces	Secure user name and password In secure area solely assigned to exams With lock and key
Alternative site arrangements	Application made to JCQ and supporting documentation	Candidate name Invigilator Name Address of alternative site	Exams Office Store Access Arrangements Online/Pearson Access Arrangements Online Digitally on exams office shared area V: Drive	Secure user name and password In secure area solely assigned to exams With electronic lock and key
Attendance registers copies	Required for administration of internal and external examinations Required for inspection by JCQ Required by Awarding Body in case of queries	Candidate name Candidate exam number Invigilator Name Invigilator signature Access arrangements	Exams Office Store	In secure area solely assigned to exams

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
Candidates' scripts	Completed examination scripts for submission to awarding bodies	Candidate name Candidate exam number Candidate answers	Exams Office Secure Storage Facility Digitally on exams office shared area V: Drive	In secure area solely assigned to exams. 2 Keyholders only
Candidates' work	Completed NEA work to be available if required by awarding body for moderation	Candidate name Candidate exam number Candidate answers	Departmental storage	In locked cupboard
Certificates	Certificates issued by Awarding Bodies detailing exam results achieved	Candidate name Candidate exam number Candidate DOB Gender	In lockable cupboard in exams office	In secure area solely assigned to exams
Certificate destruction information	Spreadsheet detailing uncollected certificates that have been destroyed in line with data retention policy	Candidate name Candidate exam number	In exams office shared area V: Drive	Secure username and password
Certificate issue information	Sheets to be signed and dated by person collecting certificates	Candidate name Signature of person collecting	In lockable cupboard in exams office	In secure area solely assigned to exams With electronic lock and key
Conflicts of Interest records	Hard copy sheets and electronic sheets returned by staff detailing conflicts of interest.	Staff name Candidate name	In file in exams office	In secure area solely assigned to exams With electronic lock and key
Entry information	Marksheets on which departments can make/confirm subject entries	Candidate name Candidate exam number	In exams office SIMS Exams Office	In secure area solely assigned to exams Secure username and password

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
Exam room incident logs	Log of any incidents occurring in exam rooms during external examinations which may be required by awarding bodies in cases of suspected malpractice	Candidate name Candidate exam number Personal data regarding involvement in the incident	Exams Office Secure Store	In locked secure room
Invigilator and facilitator training records	Record of training provided to invigilators and of who has completed it for inspection by JCQ	Invigilator name Invigilator signature Invigilator e-mail address	In exams office shared area V: Drive On TEO website Hard copy in file in exams cupboard	Secure username and password With electronic lock and key
Overnight supervision information	Record of students requiring overnight supervision including candidate and supervisor signed agreement to be available for inspection by JCQ and used to rearrange examinations and ensure the confidentiality of exams.	Candidate name Candidate exam number Candidate signature Parent name Parent signature HOC name HOC signature	Exams Office Store In exams office shared area V: Drive	In secure area solely assigned to exams With electronic lock and key
Post-results services: confirmation of candidate consent information	Consent required for staff to request reviews of scripts/ATS	Candidate name Candidate exam number Candidate signature	Exams Office Store	With electronic lock and key
Post-results services: requests/outcome information	Candidate requests for reviews of marking or ATS and outcome information from awarding body	Candidate name Candidate exam number Candidate DOB Candidate signature Candidate address Candidate phone number Candidate e-mail address	Exams Office Store Awarding body extranet sites In exams office shared area V: Drive	In secure area solely assigned to exams Secure username and password With electronic lock and key

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
Post-results services: scripts provided by ATS service	Electronic or paper copies of candidate scripts	Candidate name Candidate exam number Candidate answers	Departmental storage Exams office shared area V: Drive	Secure username and password
Post-results services: tracking logs	Spreadsheet detailing post results requests made and outcomes	Candidate name Candidate exam number Candidate marks	Exams office shared area V: Drive	Secure username and password
Private candidate information	Requests made by private candidates for external exam entries	Candidate name Candidate exam number Candidate DOB Candidate signature Candidate address Candidate phone number Candidate e-mail address	Exams Office Store Exams office shared area V: Drive	In secure area solely assigned to exams Secure username and password With electronic lock and key
Resolving timetable clashes information	Timetable and resolution information for use when timetabling exams and ensuring confidentiality of exams is maintained	Candidate name Candidate exam number	Exams Office Store Exams office shared area V: Drive SIMS exams organiser	In secure area solely assigned to exams Secure username and password With electronic lock and key
Results information	External examination results which are downloaded from the awarding body or CTF files and uploaded into MIS's before being issued to students. Where students join in Year 12 these may be paper copies.	Candidate name Candidate exam number Candidate DOB Candidate marks/grades	Exams Office Store Exams office shared area V: Drive SIMS SISRA Awarding body extranet sites A2C	In secure area solely assigned to exams Secure username and password With electronic lock and key

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
Seating plans	Record of where each candidate was sitting in each room for each exam which may be required by awarding bodies in cases of suspected malpractice or where there are attendance queries.	Candidate name Candidate exam number Access Arrangements	Exams Office Secure Store SIMS MIS	In secure area solely assigned to exams Secure username and password With lock and key
Special consideration information	Information from candidates/ pastoral managers/ invigilators which detail why a candidate may qualify for special consideration for an exam. Used when making SC applications and available if requested by awarding bodies.	Candidate name Candidate exam number Candidate DOB Candidate address Medical details	Exams Office Store Exams office shared area V: Drive Awarding body extranet sites	In secure area solely assigned to exams Secure username and password With electronic lock and key
Suspected malpractice reports/outcomes	Reports from invigilators, head of centre submitted to awarding body in cases of suspected malpractice.	Candidate name Candidate exam number Personal data regarding involvement in malpractice	Exams Office Store Exams office shared area V: Drive	In secure area solely assigned to exams Secure username and password With electronic lock and key
Transferred candidate arrangements	Record of candidates transferred from or to other centres to take exams	Candidate name Candidate exam number Candidate DOB	Exams Office Store Exams office shared area V: Drive Awarding body extranet sites	In secure area solely assigned to exams Secure username and password With electronic lock and key
Very late arrival reports/outcomes	Record of students arriving very late to exams which may be required by awarding bodies when considering whether to accept a candidate's script	Candidate name Candidate exam number	Exams Office Store Exams office shared area V: Drive Awarding body extranet sites	In secure area solely assigned to exams Secure username and password With electronic lock and key