

Data Protection Policy



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1. Key staff involved in the policy

Role	Name(s)
Head of centre	Mr J Fox
Headteacher	Mrs N Hirsch
Exams officer	Mrs L Durnall
Senior leader(s)	Mrs A Houlston, Mr J Toulson
Business Manager	Mrs A Wade
IT manager	Mr R Fisher
Data manager	Mrs S Higginbottom
SENCo	Mr S Berry
Head of Year	Mr M Colwell

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Purpose of the policy

This policy details how The Earls High 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.

It is the responsibility of the centre to inform candidates of the processing that the centre undertakes. For example, that the centre will provide relevant personal data including name, date of birth, gender to the awarding bodies for the purpose of examining and awarding qualifications.

All 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.

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
- Multi Academy Trust
- Press

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

- hard copy
- email
- secure extranet site(s) –AQA Centre Services; OCR Interchange; Pearson Edexcel Online; WJEC Portal; NCFE Portal.
- Management Information System (MIS) provided by ESS SIMS.
- 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 including controlled assessments and coursework, special consideration requests and exam results/post-results/certificate information.

2. Informing candidates of the information held

The Earls High School ensures that candidates are fully aware of the information and data held.

All candidates are:

- informed via Teams, assemblies, electronic communication via email/Teams
- given access to this policy via the school website, Teams and on written request.

Candidates are made aware of the above at the start of a course or when the registrations/entries are submitted to awarding bodies for processing.

Materials which are submitted by candidates for assessment may include any form of written work, audio and visual materials, computer programmes and data ("Student Materials"). Candidates will be directed to the relevant awarding body's privacy notice if they require further information about how their Student Materials may be used by the awarding body.

Candidates eligible for access arrangements/reasonable adjustments which require awarding body approval using *Access arrangements online* are also required to provide their consent by signing the GDPR compliant JCQ candidate personal data consent form before approval applications can be processed online.

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
Network Server	Server 1 – 2019 Server 2 – 2019 Server 3 – 2020 RM Education Ltd, proactively monitors network hardware for faults, errors or issues, etc. who liaises with IT Manager to take further actions, if needed. RM and onsite IT Staff ensure Microsoft Windows updates and patches as released and installed; Trend Micro and Window Defender antivirus updated daily. Only IT has administrator password to make changes to the system.	08/2025 09/2025 07/2025

Software/online system	Protection measure(s)
MIS	Protected username and passwords, Data Manager creates new accounts and determines access rights
Internet Browser	Staff must follow password policy within documentation when creating password. We initiate a staff wide password change every 6 months.

	All staff within The Earls High School must have Multifactor Authentication (MFA) enabled, when logging into M365 Online Products, i.e. Outlook, Teams, and OneDrive, etc. RM Education Ltd. Proactively checks firewall rules/access.
Awarding Body secure extranet sites	Protected username and passwords: Exams Officer approves the creation of new user accounts and determines access rights
A2C	Installed only on the Exams Officer's computer

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

The head of centre 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

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 regularly.

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 1-3 months (this may include updating antivirus software, firewalls, internet browsers etc.)

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 available/accessible from the school website.

7. 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 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 Mrs A Wade, Business Manager in writing by emailing info@earls.dudley.sch.uk Proof of ID including photo ID will be required to collect information.

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 Year 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 Earls High School will take into account any other legislation and guidance regarding sharing information with parents (including non-resident parents and a local authority (the 'corporate parent'), as example guidance from the Department for Education (DfE) regarding parental responsibility and school reports on pupil performance:

- Understanding and dealing with issues relating to parental responsibility
www.gov.uk/government/publications/dealing-with-issues-relating-to-parental-responsibility/understanding-and-dealing-with-issues-relating-to-parental-responsibility
(Updated 24 August 2023 to include guidance on the role of the 'corporate parent', releasing GCSE results to a parent and notifying separated parents about a child moving school)
- School reports on pupil performance
www.gov.uk/guidance/school-reports-on-pupil-performance-guide-for-headteachers

Publishing exam results

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

OR

The Earls High School will publish exam results to the media or within the centre (e.g. on an honours board) in line with the following principles:

- Refer to guidelines as published by the Joint Council for Qualifications
- Act fairly when publishing results, and where people have concerns about their or their child's information being published, taking those concerns seriously
- Ensure that all candidates and their parents/carers are aware as early as possible whether examinations results will be made public and how this will be done
- Explain how the information will be published. For example, if results will be listed alphabetically, or in grade order

As The Earls High School will have a legitimate reason for publishing examination results, consent is not required from students or their parents/carers for publication. However, if a student or their parents/carers have a specific concern about publication of their results, they have the right to object. This objection must be made in writing to Headteacher, who will consider the objection before making a decision to publish and reply with a good reason to reject the objection to publish the exam results.

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	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 Signed candidate personal data consent form Diagnostic testing outcome(s) Specialist report(s) (may also include candidate address) Evidence of normal way of working	Access Arrangements Online MIS Teams Lockable metal filing cabinet	Secure username and password Secure username and password Secure username and password In secure office (SENCo)	10 years
Attendance registers copies	Candidate name Candidate number Candidate tier information	The Exams Office filing cabinet	Locked filing cabinet	After EAR Deadline
Candidates' scripts	Candidate name Candidate number Candidate tier information	Kept by teachers	Locked filing cabinet	After EAR Deadline
Candidates' work	Candidate name Candidate number Candidate tier information Candidate assessment data	Classrooms Staff learning rooms	Locked filing cabinet	After the EAR deadline
Certificates	Candidate Name Candidate number Candidate DoB Unique Candidate Identifier (UCI) Qualification grades	The Exams Office filing cabinet	Locked cabinet in the exam's office	Minimum of 12 months
Certificate destruction information	Candidate name Year of issue of certificate	The Exams Office filing cabinet	Locked cabinet in the exam's office	4 years

Information type	What personal/sensitive data is/may be contained in the information	Where information is stored	How information is protected	Retention period
Certificate issue information	Candidate Name Candidate number Candidate Signature	The Exams Office filing cabinet	Locked cabinet in the exam's office	Minimum of 12 months from last signature
Conflicts of interest records	Staff information Candidate information Nature of conflict Awarding bodies details	The Exams Office filing cabinet Teams	Locked cabinet in the exam's office Secure username and password	Minimum of 12 months
Entry information	Candidate name Candidate number Candidate tier information (where applicable)	MIS Hard copies in filing cabinet	Secure file and password protected Locked filing cabinet	To be retained until after the deadline for RoRs or until any appeal, malpractice or other results enquiry has been completed, whichever is later.
Exam room incident logs	Candidate name Candidate number Details of incident involving candidate(s)	The Exams Office filing cabinet	Locked filing cabinet	To be retained until after the deadline for RoRs or until any appeal, malpractice or other results enquiry has been completed, whichever is later.
Invigilator and facilitator training records	Invigilator name	The Exams Office filing cabinet	Locked cabinet in the exam's office	After the deadline for EARs and/or appeals have been exhausted
Overnight supervision information	Candidate name Candidate number Details of overnight supervision arrangements Candidate address Candidate contact details	The Exams Office filing cabinet	Locked cabinet in the exam's office	After the deadline for EARs and/or appeals have been exhausted
Post-results services: confirmation of candidate consent information	Candidate Name Candidate number	The Exams Office filing cabinet	Locked cabinet in the exam's office	After the deadline for EARs and/or appeals have been exhausted

Information type	What personal/sensitive data is/may be contained in the information	Where information is stored	How information is protected	Retention period
Post-results services: requests/outcome information	Candidate name Candidate number Qualification grades and marks Candidate answers to questions	The Exams Office filing cabinet	Locked cabinet in the exam's office	After the deadline for EARs and/or appeals have been exhausted
Post-results services: scripts provided by ATS service	Candidate name Candidate number Qualification grades and marks Candidate answers to questions	Teams	Secure username and password	After the deadline for EARs and/or appeals have been exhausted
Post-results services: tracking logs	Candidate Name Candidate number Candidate Results Awarding body information	Teams	Secure username and password	After the deadline for EARs and/or appeals have been exhausted
Private candidate information	Candidate name Candidate number Candidate UCI Candidate ULN Candidate DoB Gender Candidate timetable	MIS Awarding body secure extranet site The exams office	Secure username and password Locked cabinet in the exam's office	After the deadline for EARs and/or appeals have been exhausted
Resilience arrangements: Evidence of candidate performance	Candidate name Candidate number Candidate Results	Subject Areas	Lockable storage cabinets	After the deadline for EARs and/or appeals have been exhausted
Resolving timetable clashes information	Candidate name Candidate number Candidate UCI Candidate timetable	MIS Awarding body secure extranet site The exams office	Secure username and password Locked cabinet in the exam's office	After the deadline for EARs and/or appeals have been exhausted
Results information	Candidate name Candidate number Candidate UCI Candidate ULN Candidate DoB Qualification grades	MIS Awarding body secure extranet site SISRA The exams office Teacher reports Local Borough Information Press	Secure username and password Locked cabinet in the exam's office Lockable cabinets Via confidential email As above Via a confidential press	After the deadline for EARs and/or appeals have been exhausted

Information type	What personal/sensitive data is/may be contained in the information	Where information is stored	How information is protected	Retention period
			release. With explicit permission from students and parents, to use any student photos and information	
Seating plans	Plans showing the seating arrangements of all candidates for every exam taken Candidate name Candidate number	MIS Exams Officer's computer The exams office Each exam venue	Secure username and password Locked cabinet in the exam's office Kept with invigilator and returned to Exams Office after each session	To be retained until after the deadline for EARs or until any appeal, malpractice, or other results enquiry has been completed, whichever is later
Special consideration information	Candidate name Candidate number Candidate UCI Candidate DoB Medical details (if applicable) Safeguarding information (if applicable)	Awarding body secure extranet site Teams The exams office	Secure username and password Locked cabinet in the exam's office	To be retained until after the deadline for EARs or until any appeal, malpractice, or other results enquiry has been completed, whichever is later
Suspected malpractice reports/outcomes	Candidate name Candidate number Candidate UCI Qualification codes Personal details as pertaining to the incident Evidence	Awarding body secure extranet site Teams The exams office	Secure username and password Locked cabinet in the exam's office	To be retained until after the deadline for EARs or until any appeal, malpractice, or other results enquiry has been completed, whichever is later
Transferred candidate arrangements	Candidate name Candidate number Candidate UCI Candidate ULN Entry codes Tier information (where applicable)	Awarding body secure extranet site Teams The exams office	Secure username and password Locked cabinet in the exam's office	To be retained until after the deadline for EARs or until any appeal, malpractice, or other results enquiry has been completed,

Information type	What personal/sensitive data is/may be contained in the information	Where information is stored	How information is protected	Retention period
Very late arrival reports/outcomes	Candidate name Candidate number Entry codes	Awarding body secure extranet site Teams The exams office	Secure username and password Locked cabinet in the exam's office	To be retained until after the deadline for EARs or until any appeal, malpractice, or other results enquiry has been completed, whichever is later