



St John  
Bosco  
College

# General Data Protection Regulation policy (exams)

## 2019/20

This policy is reviewed annually to ensure compliance with current regulations

Approved/reviewed by	
Makeda Griffith	
Date of next review	January 2021

## Key staff involved in the policy

Role	Name(s)
Head of centre	<b>Mr P. Dunne</b>
Exams/Data officer	<b>Mrs M. Lambert</b>
Exams officer line manager (Senior leader)	<b>Miss M. Budzynska</b>
IT manager	<b>Mr W. Lau</b>
Data Protection Officer	<b>Mr J. Smith</b>

## **Purpose of the policy**

This policy details how St John Bosco College, 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; Local Authority.

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.
- Management Information System (MIS) provided by Capita 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

St John Bosco College ensures that candidates are fully aware of the information and data held.

All candidates are:

- informed via centre publications
- given access to this policy via centre website
- Candidates are made aware of the above at the start of their course of study leading to an externally accredited qualification.

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 – Hardware and software

The table below confirms how IT hardware, software and access to online systems is protected in line with DPA & GDPR requirements.

<https://www.sjbc.wandsworth.sch.uk/attachments/download.asp?file=209&type=pdf>

## 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

Mr Smith the Data Protection Lead will lead on investigating the breach at school and will communicate findings to Mr Hipple the Data Protection Officer.

It will be established:

- who needs to be made aware of the breach and inform them of what they are expected to do to assist in the containment exercise. This may include isolating or closing a compromised section of the network, finding a lost piece of equipment and/or changing the access codes
- whether there is anything that can be done to recover any losses and limit the damage the breach can cause. As well as the physical recovery of equipment, this could involve the use of back-up hardware to restore lost or damaged data or ensuring that staff recognise when someone tries to use stolen data to access accounts
- which authorities, if relevant, need to be informed

## **2. Assessment of ongoing risk**

The following points will be considered in assessing the ongoing risk of the data breach:

- what type of data is involved?
- how sensitive is it?
- if data has been lost or stolen, are there any protections in place such as encryption?
- what has happened to the data? If data has been stolen, it could be used for purposes which are harmful to the individuals to whom the data relates; if it has been damaged, this poses a different type and level of risk
- regardless of what has happened to the data, what could the data tell a third party about the individual?
- how many individuals' personal data are affected by the breach?
- who are the individuals whose data has been breached?
- what harm can come to those individuals?
- are there wider consequences to consider such as a loss of public confidence in an important service we provide?

## **3. Notification of breach**

Notification will take place to enable individuals who may have been affected to take steps to protect themselves or to allow the appropriate regulatory bodies to perform their functions, provide advice and deal with complaints.

## **4. Evaluation and response**

Once a data breach has been resolved, a full investigation of the incident will take place. This will include:

- reviewing what data is held and where and how it is stored
- identifying where risks and weak points in security measures lie (for example, use of portable storage devices or access to public networks)
- reviewing methods of data sharing and transmission
- increasing staff awareness of data security and filling gaps through training or tailored advice
- reviewing contingency plans

## **Section 5 – Candidate information, audit and protection measures**

For the purposes of this policy, all candidates' exam-related information – even that not considered personal or sensitive under the DPA/GDPR – will be handled in line with DPA/GDPR guidelines.

An information audit is conducted annually.

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

Protection measures may include:

- password protected area on the centre's intranet
- secure drive accessible only to selected staff
- information held in secure area
- updates undertaken every 3 months (this may include updating antivirus software, firewalls, internet browsers etc.)

## Section 6 – Data retention periods

Details of retention periods, the actions taken at the end of the retention period and method of disposal are contained in the centre’s Exams archiving policy which is available/accessible from the Data Protection Lead

## 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 Mr Smith the Data Protection Lead in writing/email and ID will need to be confirmed if a former candidate is unknown to current staff. 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, St John Bosco’s College 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 Lead will confirm the status of these agreements and approve/reject any requests.

### Sharing information with parents

The centre will take into account any other legislation and guidance regarding sharing information with parents (including non-resident parents), 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](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, 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 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	<p>Candidate name</p> <p>Candidate DOB</p> <p>Gender</p> <p>Data protection notice (candidate signature)</p> <p>Diagnostic testing outcome(s)</p> <p>Specialist report(s) (may also include candidate address)</p> <p>Evidence of normal way of working</p>	<p>Access Arrangements Online</p> <p>MIS</p> <p>Lockable metal filing cabinet</p>	<p>Secure user name and password</p> <p>In secure area solely assigned to exams</p>	<p><b>Returned to the SEN department and kept in line with SEN retention period</b></p>
Attendance registers copies	<p>Candidate name</p> <p>Candidate numbers</p> <p>Subject details</p>	<p>Lockable metal filing cabinet</p>	<p>In secure area solely assigned to exams</p>	<p>Retained until all appeals and EARs are completed.</p>
Candidates' scripts	<p>Candidate name</p> <p>Candidate numbers</p> <p>Subject details</p> <p>Candidates handwritten answers</p>	<p>Locked in the departments</p>	<p>To be retained securely until the awarding body's earliest date for confidential disposal of unwanted scripts.</p> <p><i>Where teachers have used copies of candidates' scripts for teaching and learning purposes but no longer wish to retain them, they must ensure that</i></p>	<p>Confidential disposal</p>

Information type	What personal/sensitive data is/may be contained in the information	Where information is stored	How information is protected	Retention period
			<i>the scripts are disposed of in a confidential manner.</i>	
Candidates' work	Candidate name Candidate numbers Candidate's signature/teachers signature	Locked in cabinet in the departments	Lockable cabinet (locked room – large pieces i.e. Art work)	Retained until all appeals and EARs are completed
Certificates	Candidate name Candidate numbers Candidate Result	Locked in a cupboard in the visitors reception ready for students to collect	Lockable cupboard	Retained for 1 year.
Certificate destruction information	Candidate name Exam number Certificate number	Register on computer drive of certificates destroyed (G: Office)	Office staff access only	Confidential waste & shredded
Certificate issue information	Candidate name Type and number of certificates collected	Locked cupboard in visitors reception	Lockable cabinet	7 Years
Conflicts of Interest records	Staff name, position along with family members name school details and qualification details	Exams Office	Secure Office	Retained until all appeals and EARs are completed
Entry information	Candidate name Candidate DOB Gender Subject details	File in locked exams office	In secure area solely assigned to exams	Retained until all appeals and EARs are completed



Information type	What personal/sensitive data is/may be contained in the information	Where information is stored	How information is protected	Retention period
Exam room incident logs	<p>Candidate name</p> <p>Candidate DOB</p> <p>Gender</p> <p>Exam number</p> <p>Subject details</p> <p>Incident details</p> <p>Invigilator details</p>	Lockable metal filing cabinet	In secure area solely assigned to exams	Retained until all appeals and EARs are completed.
Invigilator and facilitator training records	<p>Invigilator's name</p> <p>Date of training</p> <p>Topics covered during the training session</p>	The JCQ inspection folder in the Examinations Officers Office	Office is kept locked	<p><i>A record of the content of the training given to invigilators must be retained on file until the deadline for reviews of marking has passed or until any appeal, malpractice or other results enquiry has been completed, whichever is later.</i></p> <p><i>A record of the content of the training given to invigilators and those facilitating an access arrangement for a candidate under examination</i></p>

Information type	What personal/sensitive data is/may be contained in the information	Where information is stored	How information is protected	Retention period
				<p><i>conditions must be retained on file until the deadline for reviews of marking has passed or until any appeal, malpractice or other results enquiry has been completed, whichever is later.</i></p> <p>[Reference <a href="#">ICE</a> 12, 13]</p>
Overnight supervision information	<p>Candidate name</p> <p>Candidate DOB</p> <p>Gender</p> <p>Exam number</p> <p>Subject details</p> <p>Parent/Carer/Supervision details</p>	Lockable metal filing cabinet	In secure area solely assigned to exams	Retained until all appeals and EARs are completed.
Post-results services: confirmation of candidate consent information	<p>Candidate name</p> <p>Exam number</p> <p>Subject details</p>	File in locked exams office	In secure area solely assigned to exams	Retained until all appeals and EARs are completed
Post-results services: requests/outcome information	<p>Candidate name</p> <p>Exam number</p> <p>Subject details</p> <p>Outcome letter from the exam board</p>	File in locked exams office	In secure area solely assigned to exams	Retained until all appeals and EARs are completed

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: scripts provided by ATS service	Candidate name Exam number Subject details	File in locked exams office	Permission retained in locked exams office	Scripts are given to the departments where the candidate has given permission
Post-results services: tracking logs	Candidate name Exam number Subject details Cost/invoice details	File in locked exams office/file on exams computer	In secure area solely assigned to exams	Retained 7 years
Private candidate information	Candidate name Exam number Address/ phone no. Subject details Cost/invoice details	File in locked exams office/file on exams computer	In secure area solely assigned to exams	Retained until all appeals and EARs are completed
Resolving timetable clashes information	Candidate name Exam number Subject details	File in locked exams office	In secure area solely assigned to exams	Retained until all appeals and EARs are completed
Results information	Candidate name Exam number Subject details Result details	File in locked exams office/files on exams computer	In secure area solely assigned to exams	Retained 10 years
Seating plans	Candidate name Exam number	File in locked exams office	In secure area solely assigned to exams	Retained until all appeals and

Information type	What personal/sensitive data is/may be contained in the information	Where information is stored	How information is protected	Retention period
	Subject details Room / Seat no.			EARs are completed
Special consideration information	Candidate name Exam number Subject details Evidence provided	Lockable metal filing cabinet	In secure area solely assigned to exams	Retained until all appeals and EARs are completed.
Suspected malpractice reports/outcomes	Candidate name Exam number Subject details Evidence provided	Lockable metal filing cabinet	In secure area solely assigned to exams	Retained until all appeals and EARs are completed.
Transferred candidate arrangements	Candidate name Exam number Subject details Centre details transferred from	File in locked exams office	In secure area solely assigned to exams	Retained until all appeals and EARs are completed.
Very late arrival reports/outcomes	Candidate name Exam number Subject details	Lockable metal filing cabinet	In secure area solely assigned to exams	Retained until all appeals and EARs are completed.