

The Maynard School, Exeter

September 2024

Exams Data Protection Policy

2024-2025

Independent Day School for Girls

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Key staff involved in the General Data Protection Regulation policy

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| **Role** | **Name(s)** |
| Head of centre | **Liz Gregory** |
| Exam’s officer | **Donna Lewis** |
| Exams officer line manager (Senior Leader) | **Liz Gregory** |
| Data Protection Officer | **Lynn Drake** |
| IT manager | **Stephen Hackwell** |
| Data manager | **Rhi Thompson/ Phil Rudling** |

Purpose of the policy

This policy details how The Maynard School, in relation to exams management and administration, ensures compliance with the regulations as set out by the Data Protection Act (DPA) and General Data Protection Regulation (GDPR May 25 2018)

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 *General Regulations For Approved Centre (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.

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* below.

Candidates’ exams-related data may be shared with the following organisations:

* Awarding bodies
* Joint Council for Qualifications
* Other organisations include The 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, CIE Direct
* ISAMS Information Management System -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.

Section 2 – Informing candidates of the information held

Maynard School ensures that candidates are fully aware of the information and data held for exam purposes.

All candidates are:

* Candidates are given access to this policy via the school website
* Candidates are made aware of the above at the start of their course of study leading to external examinations (September) in the L5/ U5/ U6. 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 which require awarding body approval 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.

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.

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| --- | --- | --- |
| Hardware | Date of purchase and protection measures | Warranty expiry |
| Staff desk top for entering data | Windows updates are installed every day.  Window Defender & Microsoft Endpoint Protection for antivirus with 3 update schedules each day. | N/A |
| Student use of class room desk tops for exams | Windows updates are installed every day.  Window Defender & Microsoft Endpoint Protection for antivirus with 3 update schedules each day. | N/A |

|  |  |
| --- | --- |
| Software/online system | Protection measure(s) |
| ISAMS | Single Sign On via Microsoft 365 (Office 365) with MFA (Multifactor Authentication) on all accounts. |
| Microsoft Edge - internet browser | Firewalls & antivirus protection. Centre administrator approves new accounts. Encryption for external emails. IRM encryption. Document classification. |
| Awarding body secure sites | Password protected, Passwords are complex with lower and upper case, number or symbol. Protected usernames. Exams Officer manages all user accounts. |
| A2C | Password protected, Passwords are complex with lower and upper case, number or symbol. Protected usernames. |

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
* Cyber-attacks involving ransomware infections.

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

## Containment and recovery

Lynn Drake 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

## 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?

## 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.

## 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. Microsoft Multi Factor Authentication.
* Secure drive accessible only to selected staff
* Information held in secure area- Microsoft SharePoint
* Updates undertaken every week (this includes updating antivirus software, firewalls on a daily basis.

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 in the Exams/ Examination Policies & Risk Assessments or in the Policies folder in Administration.

Section 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 The Data Protection Officer by email. Photo ID will be required 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.

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 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 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**

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| 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](https://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

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| --- |
| When considering publishing exam results, Maynard School will make reference to the ICO (Information Commissioner’s Office) https://ico.org.uk/ schools give my exam results in the media for publication?  ICO 2025: *Publishing examination results is a common and accepted practice. Many students enjoy seeing their name in print, particularly in the local press and the UK GDPR does not stop this happening. However, under the UK GDPR schools have to act fairly when publishing results, and where people have complaints about their or their child’s information being published, schools must take those complaints 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 complaint 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.*  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. * Refer to guidelines published by JCQ * Ensure that all pupils 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 Maynard will have a legitimate reason for publishing examination results, pupils or their parents/carers do not need to give their consent to publication. However, if a student or their parents/carers have specific concerns about publication of their results, they have the right to object. An objection must be made in writing to Rachael Board, Head of Marketing, who will make a decision about what to publish. The school would need to have a good reason to reject someone’s objection to publication of their exam results and would document this. |

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 | **Extra time, own room, scribe, reader, rest breaks** | 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  Medical data from consultants to back up extra time etc. on medical grounds. | Access arrangements online  MIS  Lockable metal filing cabinet in C3 | Secure user name and password  In secure area solely assigned to exams/ in SEN Office in locked filing cabinets. | Until the student is 25 |
| Attendance registers copies | External exams | Candidate name and exam number | In a folder in the annex- locked during the day & overnight. | Annex has keypad entry, code only known by Exams Officer, Exams Assistants and invigilators. | Until end of Enquiries about results |
| Candidates’ work | NEA coursework | Candidate name and exam number  Candidate authentication sheet with signature. | Kept securely by Head of Department. | NEA is kept in a locked cupboard. | Until end of Enquiries about results |
| Certificates | **External Exams** | Candidate name  Subject grades | Locked box in the Exams Office  \*Exams Office is locked when Exams Officer is not present | Locked box | Kept for at least one year and then confidential disposal |
| Certificate issue information |  | Candidate name  Subject grades | Locked box in the Exams Office. Locked in desk in the Reception on day of receipt. | Kept in sealed envelope in locked office until required. | If not collected on the day posted, kept for one year and then confidentially disposed of. |
| Entry information |  | Date of birth  Candidate name | On ISAMS. Paper copy of entry kept in folder in Exams Office.  \*Exams Office is locked when Exams Officer is not present | Exams Office is locked and External Exams within ISAMS can only be accessed by limited staff. | Until the period after enquiries about results has passed. |
| Exam room incident logs | **Green sheets** | Access arrangements  Medical issue during the exam | Folder of daily exam records- kept in the annex, locked during the day & kept in DL office at the end of the exam session. | Kept in the Gym annex which has keypad entry, code only known by Exams Officer, Exams Assistants and invigilators. | Until the period after enquiries about results has passed. |
| Overnight supervision information | **N/A** | N/A | N/A | N/A | N/A |
| Post-results services: confirmation of candidate consent information | **Form given to students with their statements of results.** | Candidate name and exam number.  Candidate signature | Folder in Exam Office.  \*Exams Office is locked when Exams Officer is not present | Exams Office is kept locked. | Until the period after enquiries about results has passed. |
| Post-results services: requests/outcome information |  | Candidate name & exam result. | **Posted directly to student or handed to them personally. They sign to show delivery.** Kept in Exam Office until collected. | Folded over so can’t be read by other students. | Until collected by the student.  Copies held by Exams Officer until after enquiries & DoE checks/ISC data return. |
| Post-results services: scripts provided by ATS service |  | Candidate name & exam marks | Posted directly to the student or collected from Exams Officer. Kept in Exam Office until collection. | Given directly to the student and only passed on to a member of staff if specifically requested to by the candidate. Electronic form on the Examination Information section of the school website is used for giving consent to use scripts in lessons. Option to have name removed is offered. | Until collected by the student.  If a teacher uses a script for learning and teaching purposes the candidate must give permission. Forms included in the envelope with statements of results. |
| Post-results services: tracking logs |  | Candidate name & exam number | Folder in Exams Office.  \*Exams Office is locked when Exams Officer is not present | Exams Office is kept locked. | Until the period after enquiries about results has passed. |
| Private candidate information |  | Candidate name, date of birth, address, telephone number, email address. | Folder in Exams Office.  On ISAMS External exams/ private candidates | Exams Office is locked and External Exams within ISAMS can only be accessed by limited staff. | Until certificates have been sent out. |
| Resolving clashes information |  | Candidate name | ISAMS/ Paper copy of instructions to student. | Handed directly to the student. | N/A |
| Results information |  | Candidate name, exam number, exam grades | Folders in Exam Office. On secure/ public examinations area only accessible to staff | Exams Office is locked and External Exams within PASS can only be accessed by limited staff.  Secure area of the website | One year after girl has left the school. Broad sheets are archived after 6 years. |
| Seating plans |  | Candidate exam number or name | Folder of daily exam records in annex. Locked during the day and overnight. | Kept in the Gym annex which has keypad entry, code only known by Exams Officer, Exams Assistants and invigilators. | Until the period after enquiries about results has passed. |
| Special consideration information |  | Candidate name, exam number, medical or personal information of issue on or before the day of the exam. Medical forms from hospital or doctor to back up applications. | Special consideration folder in exams office.  \*Exams Office is locked when Exams Officer is not present | Exams Office is locked if no-one is present. | Until the period after enquiries about results has passed. |
| Suspected malpractice reports/outcomes |  | Candidate name, exam number | Reports and outcomes kept in a folder in Exam Officer’s Office. Copy kept with the Head of Centre. | Exams Office & Head’s Office are locked if no-one is present. |  |
| Transfer of credit information |  | Candidate name, previous school information, exam grades | Folder in Exam Office  \*Exams Office is locked when Exams Officer is not present | Exams Office is locked if no-one is present. | Until the period after enquiries about results has passed. |
| Transferred candidate information |  | Candidate name, previous school information, exam grades | Folder in Exam Office | Exams Office is locked if no-one is present. | Until the period after enquiries about results has passed. |
| Very late arrival reports/outcomes |  | Candidate name & candidate number | Folder of daily exam records  \*Exams Office is locked when Exams Officer is not present | Kept in the Gym annex which has keypad entry, code only known by Exams Officer, Exams Assistants and invigilators. | Until the period after enquiries about results has passed. |

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| **Approved/reviewed by** | |
| Donna Lewis 14/03/2025 | |
| **Date of next review** | March 2026 |