



Westborough  
High School  
Together We Succeed

## Appendix 8 – Data Protection Policy (Exams) 2021/22

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Next review: Autumn 2022

## Key staff involved in the policy

Role	Name(s)
Head of centre	Mrs J Napper
Data \ Exams officer	Mrs C Woffenden
Senior leader(s)	Mr U Ali Mrs M Muhammed
IT manager	Mr D Entwisle

## Purpose of the policy

This policy details how Westborough 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 these *General Regulations* 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. (JCQ [General Regulations for Approved Centres](#) (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

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 (JCQ)
- Department for Education
- Local Authority
- The 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 Secure Website; City & Guilds Walled Garden; etc.
- Management Information System (MIS) SIMS provided by Education Software Solutions (ESS) 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

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

All candidates are:

- informed via the school website
- given access to this policy via the school website

Candidates are made aware of the above at the start of a course leading to a vocational qualification, or, where candidates are following GCE and GCSE qualifications, when the entries are submitted to awarding bodies for processing.

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 UK GDPR (or law relating to personal data in any jurisdiction in which the awarding body or centre are operating).

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 (**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.

Hardware	Date of purchase and protection measures	Warranty expiry
MIS Server	Onsite IT support Authenticated access AV protection School firewall Authority firewall Onsite data backup Offsite encrypted data backup 4HR Onsite Fix 24x7x365	N/A
Desktop computers	Onsite IT support Authenticated access AV protection School firewall Authority firewall	N/A

Software/online system	Protection measure(s)
MS Office	Files stored in network storage protected by MS Windows securities and passwords, with restrictions by staff groups.
MIS System	Password protected.
Awarding Body Secure Websites	Individual staff passwords / accounts
A2C Transfer Software	Installation on PC-UALI
Secure email	Encrypted and password protected cloud email system

## 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:

### 1. Containment and recovery

Mr U Ali, Assistant Head and 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 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 12 months or sooner if required (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 Exams Officer, Appendix 17.

## **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 in writing/email, this is detailed on the school website.

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 Data Protection Officer 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 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

Westborough 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 Westborough 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 the Data Protection Officer, 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.

## 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	Any hard copy information kept relating to an access arrangement candidate.	<ul style="list-style-type: none"> <li>• Candidate name</li> <li>• Candidate DOB</li> <li>• Gender</li> <li>• Data protection notice (candidate signature)</li> <li>• Diagnostic testing outcome(s)</li> <li>• Specialist report(s) (may also include candidate address)</li> <li>• Evidence of normal way of working</li> <li>• Medical information</li> </ul>	<ul style="list-style-type: none"> <li>• Access Arrangements Online</li> <li>• MIS</li> <li>• Lockable metal filing cabinet</li> </ul>	In secure office (SENCo)	<p>Retained as long as pupil records</p> <p>Electronic (MIS) copies kept indefinitely</p>
Alternative site arrangements	Any hard copy information on an alternative site arrangement. Notifications submitted to the Exam bodies online.	<ul style="list-style-type: none"> <li>• Candidate name</li> <li>• Candidate number</li> <li>• Candidate DOB</li> </ul>	Physical copies – in the secure store	Only accessible by EO staff	To be held by the EO until post results has completed.
Attendance registers copies	Registers record attendance at each written exam, are kept with seating plan and exam room incident log	<ul style="list-style-type: none"> <li>• Candidate name</li> <li>• Candidate number</li> <li>• Presence in exam</li> </ul>	Exams secure store	Only accessible by EO staff	To be retained until the deadline for EARs or the resolution of any outstanding enquiries / appeals for the relevant exam series

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	Where a candidate records their exam answers	<ul style="list-style-type: none"> <li>• Candidate name</li> <li>• Candidate number</li> <li>• Candidate mark and grades</li> </ul>	<p>In the exam secure cupboard until completed by candidates and whilst waiting to be collected.</p> <p>Requested scripts are stored with the relevant Team Leader</p>	<p>Secure cupboard</p> <p>Only accessible by EO staff</p>	Retained until the post-results period has been completed for that exam series and disposed of as confidential waste
Candidates' work	Controlled assessments, coursework and non-examination assessments	<ul style="list-style-type: none"> <li>• Candidate name</li> <li>• Candidate number</li> <li>• Candidate mark and grades</li> </ul>	<p>In the secure store when not being completed by candidates.</p> <p>Or with each Team Leader in a secure cupboard depending on the information.</p>	Secure cupboard or in a secure cupboard with the Team Leader	Retained until the post-results period has been completed for that exam series
Certificates	Record of achievement	<ul style="list-style-type: none"> <li>• Candidate name</li> <li>• Candidate number</li> <li>• UCI number</li> <li>• Candidate DOB</li> <li>• Candidate mark and grades</li> </ul>	Exams secure store	Only accessible by EO staff	Retained for 5 years from date of issue
Certificate destruction information	A record of unclaimed certificates that have been destroyed	<ul style="list-style-type: none"> <li>• Candidate name</li> <li>• Candidate number</li> <li>• UCI number</li> <li>• Candidate DOB</li> <li>• Candidate mark and grades</li> </ul>	Exams secure store	Only accessible by EO staff	To be retained for 4 years from the date of certificate destruction

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
Certificate issue information	A record of certificates that have been issued to candidates	<ul style="list-style-type: none"> <li>• Candidate name</li> <li>• Candidate number</li> <li>• Candidate qualifications</li> </ul>	Exams secure store	Only accessible by EO staff	To be retained for 4 years from the date of certificate issue
Conflicts of interest records	The conflict of interest process is designed to protect the integrity of the exams system and also helps to ensure that staff members at schools are protected if there is an allegation of malpractice due to a perceived, or real, conflict	<ul style="list-style-type: none"> <li>• Name</li> </ul>	Exams secure store	Only accessible by EO staff	<p>Minimum period to be kept until post results / appeals has completed.</p> <p>Information can be held until the new exam's year begins.</p>
Entry information	Any hard copy information relating to candidates entries	<ul style="list-style-type: none"> <li>• Candidate name</li> <li>• Candidate number</li> <li>• Candidate UCI</li> </ul>	Kept by EO staff	Offices are locked when the staff are absent	To be kept until the next exam season.
Exam room incident logs	Logs recording any incidents or irregularities in exam rooms	<ul style="list-style-type: none"> <li>• Candidate name</li> <li>• Candidate number</li> <li>• Candidate qualifications</li> </ul>	Kept by EO staff	Offices are locked when the staff are absent	To be kept until the next exam season.
Invigilator and facilitator training records	Training records, certificates and other proof of invigilator training	Invigilator's name	Online or in the Exams folder by EO staff	Offices are locked when the staff are absent	To be kept until the next exam season or longer if the certificate is in date

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
Overnight supervision information	Copy of JCQ form Timetable variation and confidentiality declaration for overnight supervision for any candidate eligible for these arrangements.	<ul style="list-style-type: none"> <li>• Candidate name</li> <li>• Candidate number</li> <li>• Reason for timetable variation</li> </ul>	Kept by EO staff	Offices are locked when the staff are absent	To be kept until the next exam season
Post-results services: confirmation of candidate consent information	Hard copy or email record of candidate consent for a Review of Results to be submitted to the Awarding Body.	<ul style="list-style-type: none"> <li>• Candidate name</li> <li>• Candidate number</li> </ul>	Kept by EO staff	Offices are locked when the staff are absent	To be kept until the next exam season
Post-results services: requests/outcome information	Any hard copy information relating to a post –results service request submitted to an Awarding Body for a candidate and outcome information from the Awarding Body	<ul style="list-style-type: none"> <li>• Candidate name</li> <li>• Candidate number</li> <li>• Candidate outcome</li> </ul>	Kept by EO staff	Offices are locked when the staff are absent	To be kept until the next exam season
Post-results services: scripts provided by ATS service	Copies of exam scripts (or an electronic image of the script) returned to the centre by the Awarding Body. Copies downloaded by the centre where the Awarding Body provides online access to scripts.	<ul style="list-style-type: none"> <li>• Candidate name</li> <li>• Candidate number</li> <li>• Exam answers</li> </ul>	<p>Passed to the Team Leader once received.</p> <p>When pupil has requested access to their script, once received the pupil is informed to collect as soon as possible.</p>	Team Leader to keep secure	Where copies of scripts are retained by the centre, they must be securely stored until they are no longer required (Ref PRS 6)

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: tracking logs	A log tracking to resolution all post-results service requires submitted to Awarding Bodies	<ul style="list-style-type: none"> <li>• Candidate name</li> <li>• Candidate number</li> </ul>	Kept by EO staff	Offices are locked when the staff are absent	To be kept until the next exam season
Private candidate information	Any hard copy information relating to private candidates entries	<ul style="list-style-type: none"> <li>• Candidate name</li> <li>• Candidate number</li> <li>• Candidate DOB</li> </ul>	Kept by EO staff	Offices are locked when the staff are absent	To be kept until the next exam season
Resolving timetable clashes information	Any hard copy information relating to the resolution of a candidate's clash of exam papers or a timetable variation	<ul style="list-style-type: none"> <li>• Candidate name</li> <li>• Candidate number</li> </ul>	Kept by EO staff	Offices are locked when the staff are absent	To be kept until the next exam season
Results information	Any hard copy broadsheets of results summarising candidate final grades by subject by exam series	<ul style="list-style-type: none"> <li>• Candidate name</li> <li>• Candidate unit mark</li> <li>• Candidate grade achieved</li> </ul>	Kept by EO staff, SLT, Team Leaders and subject staff		Records for current year plus previous 6 years to be retained as a minimum  <a href="#">Kirklees Records of Management Toolkit for Schools</a>
Seating plans	Plans showing the seating arrangements of all candidates for every exam taken	<ul style="list-style-type: none"> <li>• Candidate name</li> <li>• Candidate number</li> </ul>	Kept by EO staff and in secure store	Offices are locked when the staff are absent	To be retained until after the deadline for EAR's or until any appeal, malpractice or

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
					other results enquiry has been completed whichever is later. (Ref ICE 6)
Special consideration information	Any hard copy information relating to a special consideration request and supporting evidence submitted to an Awarding Body for a candidate	<ul style="list-style-type: none"> <li>• Candidate name</li> <li>• Candidate unit mark</li> <li>• Information of why the special consideration has been applied for</li> </ul>	With the SENCO	Kept in a secure cupboard	Evidence supporting an on-line special consideration application and evidence supporting a candidate's absence from an exam must be kept until after the publication of results
Suspected malpractice reports/outcomes	Any hard copy information relating to a suspected malpractice investigation / report submitted to an awarding body and outcome information from the awarding body	<ul style="list-style-type: none"> <li>• Candidate name</li> <li>• Candidate number</li> <li>• Details of the malpractice</li> </ul>	Kept by EO staff	Offices are locked when the staff are absent	To be kept for 3 years
Transferred candidate arrangements	Any hard copy information relating to an application for a transferred candidate arrangement	<ul style="list-style-type: none"> <li>• Candidate name</li> <li>• Candidate number</li> <li>• Candidate DOB</li> </ul>	Kept by EO staff	Offices are locked when the staff are absent	To be retained until the transfer arrangements are confirmed

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
	submitted to an awarding body for a candidate				by the Awarding Body
Very late arrival reports/outcomes	Any hard copy information relating to a very late arrival report submitted to an Awarding Body for a candidate and outcome information from the Awarding Body	<ul style="list-style-type: none"> <li>• Candidate name</li> <li>• Candidate number</li> <li>• Reason for late arrival</li> </ul>	Kept by EO staff	Offices are locked when the staff are absent	To be kept for 3 years