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# **GDPR DATA PROTECTION POLICY (EXAMS)**

## **2025-2026**

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This procedure is reviewed annually to ensure compliance with current regulations

Reviewed by the Examinations Officer and Exams Manager

"The Governors of Greenbank High School are committed to safeguarding and promoting the welfare of children and young people at every opportunity and expect all staff and volunteers to share this commitment"

**Key staff involved in the policy**

<b>Role</b>	<b>Name(s)</b>
Head of centre	<b>Ms D. Aspinall</b>
Exams officer	<b>Mrs J. Blease</b>
Exams officer line manager (Senior leader)	<b>Miss T. Cullen</b>
GDPR Officer	<b>Mrs S. Whittaker</b>
IT manager	<b>Mr S. Lloyd</b>
Data manager	<b>Miss C. Sharman</b>

## **Purpose of the policy**

This policy details how Greenbank 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 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) 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 and 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
- 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
- Other organisations relevant to Greenbank High School e.g.the Department for Education, and the Education and Skills Funding Agency 'ESFA', Ofsted, health authorities and

professionals, the Local Authority, other schools, and other organisations where we have a lawful basis for doing so.

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

- hard copy
- email
- secure extranet site(s) – AQA Centre Services; CambridgeOCR Interchange; Pearson Edexcel Online; WJEC portal; City & Guilds Walled Garden; etc.
- Greenbank High School's Management Information System (MIS) provided by Arbor; 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, including controlled assessments and coursework, special consideration requests and exam results/post-results/certificate information.

## **Section 2 – Informing candidates of the information held**

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

All candidates are:

- informed via electronic communication
- given access to this policy via written request

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.

Materials which are submitted by candidates for assessment may include any form of written work, audio and visual materials, computer programs 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 will be informed that an application for access arrangements will be processed using *Access arrangements online*, complying with the UK GDPR and the Data Protection Act 2018.

Candidates involved in suspected or alleged malpractice will be informed that their personal data will be provided to the awarding body (or bodies) whose examinations/assessments are involved, and that personal data about them may also be shared with other awarding bodies, the qualifications regulator or professional bodies, in accordance with the JCQ document *Suspected Malpractice – Policies and Procedures*.

Candidates will be informed:

- that awarding bodies may be required to provide a candidate's personal data to educational agencies, such as DfE, Welsh Government, Department of Education (Northern Ireland), ESFA, regulators, HESA, UCAS, Local Authorities and the Learning Records Service (LRS)
- that their personal data may be provided to a central record of qualifications approved by the awarding bodies for statistical and policy development purposes

- of the processing that the centre undertakes, for example, that the centre will provide relevant personal data, including name, date of birth and gender, to the awarding bodies for the purpose of examining and awarding qualifications

Candidates may obtain access to their personal data, such as examination results by applying to the appropriate awarding body's data protection officer.

Candidates are also referred to the centre's privacy notice which explains:

- why GHS needs to collect personal data
- what it plans to do with it
- how long it will keep it
- whether it will be sharing it with any other organisation

### 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	Protection measures	Warranty expiry
Computer in Exams Office	Protection Software and Back Up to School Server.	Renewed at end of term

Software/online system	Protection measure(s)
Arbor	Encrypted
A2C	Encrypted

### 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

Mrs S. Whittaker 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.

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 (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 Retention policy, which is available centrally.

## **Section 7 – Access to information**

(with reference to ICO information <https://ico.org.uk/for-the-public/schools/exam-results/>)

The UK GDPR gives individuals the right to see information held about them. This means individuals can request information about them and their exam results, 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 GDPR Officer in writing. Identification of the individual will be requested to allow for information to be made available. This will include personal details retained by the school.

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.

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 results have been announced, 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 [insert your centre's 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 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 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](https://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](https://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	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		Candidate name Candidate DOB Gender Diagnostic testing outcome(s) Specialist report(s) (may also include candidate address) Evidence of normal way of working	Access Arrangements Online MIS Lockable metal filing cabinet	Secure user name and password Secure office (SENDCo)	
Alternative site arrangements			Exams Office	Lockable cabinet	
Attendance registers copies			Exams Office Arbor	Lockable cabinet	
Candidates' scripts			Safe	Lockable cabinet	
Candidates' work			Secure facility by teacher	Lockable cabinet	

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
Centre consortium arrangements for centre assessed work			Secure facility by teacher	Lockable cabinet	
Certificates			Reception	Lockable filing cabinet	
Certificate destruction information			Confidential disposal IDD	Lockable cabinet	
Certificate issue information			Reception – lockable filing cabinet	Lockable cabinet	
Conflicts of Interest records			Exams Office	Lockable cabinet	
Entry information			Exams Office	Lockable cabinet	
Exam room incident logs			Exams Office	Lockable cabinet	
Invigilator and facilitator training records			Exams Office	Lockable cabinet	
Overnight supervision information			Exams Office	Lockable cabinet	

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: confirmation of candidate consent information			Exams Office	Lockable cabinet	
Post-results services: requests/outcome information			Exams Office	Lockable cabinet	
Post-results services: scripts provided by ATS service			Exams Office	Lockable cabinet	
Post-results services: tracking logs			Exams Office	Lockable cabinet	
Resilience arrangements: Evidence of candidate performance			Exams Office	Lockable cabinet	
Resolving timetable clashes information			Exams Office	Lockable cabinet	
Results information			Exams Office	Lockable cabinet & Safe	
Seating plans			Exams Office	Lockable cabinet	

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
Special consideration information			Exams Office	Lockable cabinet	
Suspected malpractice reports/outcomes			Exams Office	Lockable cabinet	
Transferred candidate arrangements	Transferred candidate arrangements		Exams Office	Lockable cabinet	
Very late arrival reports/outcomes	Very late arrival reports/outcomes		Exams Office	Lockable cabinet	