



The Piggott School

General Data Protection Regulation policy (exams)

2019/20

This policy is reviewed annually to ensure compliance with current regulations

Approved/reviewed by	
Date of next review	

This checklist is provided for members of *The Exams Office* **only** and must not be shared beyond use in your centre

GDPR policy (exams) template (2019/20)

Hyperlinks provided in this document were correct as at October 2019

Key staff involved in the policy

Role	Name(s)
Head of Centre	Mr Derren Gray
SLT with Examinations responsibility	Mr Tim Griffith
GDPR Officer	David Thatcher
SENCo	Mrs Viki Hunt
Exams officer	Mrs Vicky Middleton
SLT member(s)	Rebecca Alexander, Alex Macleod, Viki Hunt, Karen Thornton, Michelle Bird
IT manager	Mr James Fisher
Data Manager	Mrs Cathie Cook

Purpose of the policy

This policy details how [insert centre name], 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; the Press;

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

- hard copy
- email
- secure extranet site(s) –. eAQA; OCR Interchange; Pearson Edexcel Online; WJEC Secure services; City & Guilds Walled Garden; etc
- 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

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

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

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All candidates are:

- ▶ informed via electronic communication
- ▶ given access to this policy via centre website
- ▶ Candidates are made aware of the above
- ▶ 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

All IT hardware, software and any access to online systems are protected in line with DPA & GDPR requirements.

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

[Insert staff name and/or role e.g. 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 [detail the regularity].

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

Protection measures may include:

- The X: drive where exam prep and results are held is available to office staff and SLT only. We can secure specific folders further so that only you or a select few can open them – let me know if you want that and we'll sort it
- Windows security updates are done on school computers on a daily basis
- Firewall Filters are updated 2 times a day – Firewall System software once a month
- We are presently in the process of removing internet explorer 11 as it is significantly less secure than Edge or Chrome.
- Computers are monitored continuously using System Centre Config Manager for virus outbreaks
- All computer activity is logged using Impero

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 centre website.

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 the Data Protection Officer in writing and how 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.

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.

Please refer to the whole school policy on. The contents of this policy should be read in conjunction with The Piggott School policy on General Data Protection

<https://www.piggottschool.org/attachments/download.asp?file=3097&type=pdf>

