Appendix 5:
Data Protection Policy (Exams)
2021/22

This plan is reviewed annually to ensure compliance with current regulations

Reviewed by	
Jill Rhodes, Exams Officer, September 2021	
Date of next review	September 2022

Key staff involved in the policy

Role	Name(s)	
Head of centre	**Kate Connolly**	
Exams officer	**Jill Rhodes**	
Senior leader(s)	**Laura Coe, Catherine Holden, Krystian Liptrot**	
IT manager	**Dave Gay**	
Data manager	**Jill Rhodes**	

Purpose of the policy

This policy details how Brownhill Learning Community 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 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; Consortium; Alternative Provision who enter our Pupils for awards, other Schools where our Pupils attend and any other relevant agencies.

This data may be shared via one or more of the following methods:
- hard copy
- email
- secure extranet site(s)
- Management Information System (MIS) provided by (e.g. 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

Brownhill Learning Community 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 their 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	Protection measures
Server Desktop computer Laptop	School's Network Manager/Technician LA application support Windows authentication (restricted by user role) Automated AV protection update

Software/online system	Protection measure(s)
MS. Office	Files stored in network storage protected by MS. Windows securities and passwords, with restrictions by staff groupings.
MIS System	Password Protected.
MIS Exams Organiser	Password Protected.
A2C Transfer Software	Installation on EO machine.
Awarding Body Secure Websites	Individual staff passwords/accounts.

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 - refer to Brownhill Learning Community's Data Protection Policy.

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.

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 as deemed necessary by the Network Manager (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 in the Exams Policy and/or via the Exams Officer.

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 – please refer to our Data Protection Policy and Privacy Notices.

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
- School reports on pupil performance

www.gov.uk/guidance/school-reports-on-pupil-performance-guide-for-headteachers

Publishing Exam Results

When considering publishing exam results, Brownhill Learning Community will make reference to the ICO (Information Commissioner's Office) https://ico.org.uk/your-data-matters/schools/exam-results/