

# fortismere

**Fortismere School**

**Centre number 12602**

## **External Exams – GDPR Policy 2021-2022**

(GDPR = General Data Protection Regulations)

Approved/reviewed by
Head of Centre:
Exam Officer:
Date:
Date of Next Review:

This policy is reviewed annually to ensure compliance with current regulations.

Contents	Page
1. Purpose of the Policy	3
2. Key Staff Involved	3
3. Section 1 – Exams Related Information	3
4. Section 2 – Informing Candidates of Information Held	4
5. Section 3 – Hardware and Software	4
6. Section 4 – Dealing with Data Breaches	4
7. Section 5 – Candidate Information, Audit and Protection	5
8. Section 6 – Data Retention Periods	5
9. Section 7 – Access to Information	5
10. Section 8 – Table Recording Candidate Exam-Related Information	7

## 1. Purpose of the Policy

This policy details how Fortismere 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).

Students are given the right to find out what information the centre holds about them, how this is protected, how it 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.

## 2. Key Staff Involved

- Heads of Centre: Ms J Davey & Ms Z Judge
- Assistant Head (Line manager): Mr D Barsby
- SENCO: Ms E Brooks
- Exams Officer (EO): Mrs R Robson
- Data Protection Officer: Ms S Murray
- IT Manager: Mr T Walker

## 3. Section 1 – Exams-related Information

There is a requirement for the exams officer 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
- Haringey Local Authority

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

- hard copy
- email
- secure extranet site(s) e.g. e-AQA; OCR Interchange; Pearson Edexcel Online; WJEC Secure services; etc
- the school's Management Information System (MIS), CMIS
- 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.

#### **4. Section 2 – Informing Candidates of the Information Held**

Fortismere School ensures that candidates are fully aware of the information and data held. All the 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 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.

#### **5. Section 3 – Hardware and software**

The school's IT hardware, software and access to online systems are protected in line with DPA & GDPR requirements (for example by antivirus protection, firewalls, protection from unauthorised access, etc).

#### **6. 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:

- **Containment and Recovery**

The school's Data Protection Officer (Ms S Murray) 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

## **7. 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 access to school computers
- Secure drive accessible only to selected staff
- Information held in secure area
- Undertaken regularly, including updating antivirus software, firewalls, internet browsers etc.

## **8. 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 External Exams - Archiving Policy, which is available/accessible on the school website.

## **9. 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 (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 unless a request is accompanied with permission from the candidate and appropriate evidence 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**

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*. External exam results will not be given to a third party, including parents without the permission of the student.

10. Section 8 – Table Recording Candidate Exams-related Information Held

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 Data protection notice (candidate signature) Diagnostic testing Outcome(s) Specialist report(s) (may also include candidate address) Evidence of normal way of working	Access Arrangements Online MIS Lockable cupboard	Secure user name and password in secure area solely assigned to exams.	After the candidate completed Yr 11 – 13.
Attendance Registers Copies		Candidate name Candidate number Name Invigilator signature	Lockable cupboard	In secure area solely assigned to exams.	After all review of marking deadline has been passed or any appeal.
Candidates' Scripts		Candidate name Candidate number Candidate signature Candidate written exam	Lockable safe	In secure area solely assigned to exams.	To be retained securely until the awarding body's earliest date for confidential disposal of unwanted scripts. Where teachers have used copies of candidates' scripts for teaching and learning purposes but no longer wish Disposed of in a confidential manner.
Candidates' Work		Candidate name Candidate number Candidate signature	Lockable safe	In secure area solely assigned to exams.	After all review of marking deadlines have passed or any appeal.

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
Certificates		Candidate name Candidate number Candidate results Year candidate sat the Exam and grades obtained	Lockable exam safe room	In secure area solely assigned to exams.	Kept for 4 years.
Certification Destruction Information		Candidate name Candidate number Year candidate sat the Exam and grades obtained	Lockable exam safe room	In secure area solely assigned to exams.	Kept for 4 years, then shredded via external confidential waste company, onsite or exam office cross shredder.
Certificate Issue Information		Candidate name Candidate number Candidate results	Lockable exam safe room	In secure area solely assigned to exams.	4 years, then shredded.
Entry Information		Candidate name Candidate number Candidate DOB Exam information	Lockable cupboard	In secure area solely assigned to exams.	After all review of marking deadline has passed or any appeal completed.
Exam Room Incident Logs		Candidate name Candidate number Candidate signature Details of the incident	Lockable cupboard	In secure area solely assigned to exams.	After all review of marking deadlines have been passed, or any appeal.
Invigilator and Facilitator Training Records		Invigilator name Invigilator signature	Lockable cupboard	In secure area solely assigned to exams.	After all review of marking deadlines have been passed, or any appeal.
Overnight Supervision Information		Candidate name Candidate number candidate signature Exam information	Lockable cupboard	In secure area solely assigned to exams.	After all review of marking deadlines has been passed, or any appeal.



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		Candidate Name Candidate Number Candidate Signature Exam Information	Lockable cupboard	In secure area solely assigned to exams.	Kept until the outcome of the clerical re-check or review of marking or any subsequent appeal.
Post-results Services: Requests/outcome Information		Candidate name Candidate number Candidate signature Results updates	Lockable cupboard	In secure area solely assigned to exams.	After certificates have been printed.
Post-results services: scripts provided by ATS service		Candidate name Candidate number Candidate signature Candidates written exam	Lockable cupboard	In secure area solely assigned to exams.	Return to candidates After all review of marking has passed or any appeal
Post-results services: tracking logs		Candidate name Candidate number Exam information	Lockable cupboard	In secure area solely assigned to exams.	Kept until certificates are Issued.
Private Candidate Information		Candidate name Candidate number Exam information	Lockable cupboard	In secure area solely assigned to exams.	After all review of marking deadlines have passed or any appeal.
Resolving Timetable Clashes Information		Candidate name Candidate number Exam information	Lockable cupboard	In secure area solely assigned to exams.	After all review of marking deadlines have passed or any appeal.
Results Information		Broadsheets of results summarising candidates final grades by subject exam series	Lockable cupboard	In secure area solely assigned to exams.	Records for current year plus previous 6 years to be retained as a minimum.

Seating Plans		Candidate name Candidate number Invigilator name Invigilator signature	Lockable cupboard	In secure area solely assigned to exams.	After all review of marking deadlines have passed or any appeal.
<b>Information Type</b>	<b>Information Description (where required)</b>	<b>What Personal/Sensitive Data is/may be contained in the Information</b>	<b>Where Information is Stored</b>	<b>How Information is Protected</b>	<b>Retention Period</b>
Special Consideration Information		Candidate Name Candidate Number Candidate DOB Confidential Information Medical Information	Lockable cupboard	In secure area solely assigned to exams	After all review of marking deadlines have passed or any appeal.
Suspected Malpractice Reports & Outcomes		Candidate Name Candidate Number Candidate DOB Exam Information	Lockable cupboard	In secure area solely assigned to exams.	After certificates have been issued.
Transfer of Credit Information		Candidate Name Candidate Number Exam Information	Lockable cupboard	In secure area solely assigned to exams.	To be retained until the issue of a GCE A level result.
Transferred Candidate Arrangements		Candidate Name Candidate Number Exam Information	Lockable cupboard	In secure area solely assigned to exam.	After all review of marking deadlines have passed or any appeal.
Very Late Arrival Reports & Outcomes		Candidate name Candidate number Exam information	Lockable cupboard	In secure area solely assigned to exams.	After all review of marking deadlines have passed or any appeal.