



CHS South

General Data Protection Policy (Exams)

Ref: E006

This policy applies to all individuals on the school site/premises

Contents

- Purpose of the policy
- Section 1 – Exams-related information
- Section 2 – Informing candidates of the information held
- Section 3 – Hardware and software
- Section 4 – Dealing with data breaches
- Section 5 – Candidate information, audit and protection measures
- Section 6 – Exams Archiving
- Section 7 – Access to information

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Prosper Learning Trust is a Multi Academy Trust
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Registered Office: Firbank Road, Manchester, M23 2YS

Purpose of the policy

This policy details how CHS South, 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 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 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
- Department for Education (DfE)
- Prospere Learning Trust academies
- Centres that may form a consortium with our centre

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

- hard copy,

- email,
- secure extranet site(s) – e-AQA, Edexcel Online, OCR Interchange, NCFE Portal, WJEC Walled Garden, CIE Portal,
- via the school's Management Information System – 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

CHS South ensures that candidates are fully aware of the information and data held.

All candidates are:

- informed of the exams-related data the school holds via exam entry sheets sent out during Spring 2 of a students' examination year
- given access to this policy the CHS South website

Candidates are made aware of the above at the start of their course of study leading to external examinations.

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

Refer to Trust GDPR Policy.

Section 4 – Dealing with data breaches

Refer to Trust GDPR 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.

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 month (this may include updating antivirus software, firewalls, internet browsers etc.)

Section 6 – Exams Archiving

Retention periods for exams-related data are detailed below:

1. Access Arrangements Information
Hard copy information is retained by the SENCo for date of birth plus 25 years.
Hard copy information is retained by the Exams Manager until after the deadline for EARs.
Electronic copies of all Access Arrangements information are attached to students' SIMS profiles and these are retained for date of birth plus 25 years.
2. Attendance register copies
Hard copy registers retained by Exams Manager until after the deadline for EARs or until any appeals, malpractice or other results enquiry is completed.
3. Candidates' work
NEA or Controlled Assessment which is returned to the centre after Awarding Body moderation is immediately returned to the subject staff as the records owner. The work is stored safely and securely along with non-moderated work until the deadline for EARs or until any appeals, malpractice or other results enquiry is completed. After this time, it can be returned to candidates or securely disposed of.
4. Certificates
Unclaimed/uncollected certificates are retained securely for three years from the date of the candidate being taken off role. After this date, a log is made of all unclaimed certificates and confidential destruction takes place. A record of certificates that have been issued to certificates is retained until the destruction of certificates takes place. Certificate destruction information is stored in the centre for a minimum of 4 years.
5. Confidential materials delivery logs
A log, recording confidential materials delivered to the centre from Awarding Bodies is kept at the centre's reception desk. This is retained in centre until the deadline for EARs or until any appeals, malpractice or other results enquiry is completed.
6. Dispatch logs
Proof of dispatch of exam script packages to examiners cover by the DFE yellow label service are kept until the deadline for EARs or until any appeals, malpractice or other results enquiry is completed.
7. Exam question papers
Question papers for timetabled, written exams are issued to teaching staff 24 hours after the published finishing time of the exam, and only when all candidates in the centre have completed the exam.
8. Exam room incident logs
These are kept until the deadline for EARs or until any appeals, malpractice or other results enquiry is completed.

9. Examiner/Moderator reports

These are immediately provided to the Curriculum Leader, as records owner.

10. Finance Information

Retained by the Finance Department, as records owner.

11. Post-results services

Confirmation of candidate consent – Retained for at least 6 months from the date the consent was given.

Requests/outcome information – Retained for at least 6 months from the date of the outcome of the service.

Scripts provided by the ATS service – Stored securely in the centre, either hard-copy or electronically, until they are no longer needed. They must be securely disposed of.

Tracking logs – A spreadsheet, tracking all post-results services requests and outcomes will be retained for at least 12 months after the outcomes of all post-results services have been received.

12. Proof of postage – candidate work

Proof of postage of candidate work to moderators will be retained until the deadline for EARs or until any appeals, malpractice or other results enquiry is completed.

13. Results information

Records for current year plus previous 6 years are retained as a minimum.

14. Seating plans

Retained until the deadline for EARs or until any appeals, malpractice or other results enquiry is completed.

15. Special consideration information

Any information relating the Special Consideration request must be retained until the deadline for EARs or until any appeals, malpractice or other results enquiry is completed.

16. Suspected malpractice reports/outcomes

Retained until the deadline for EARs or until any appeals, malpractice or other results enquiry is completed.

17. Transferred candidate information

Retained until the deadline for EARs or until any appeals, malpractice or other results enquiry is completed.

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. Requests from former students will need to be accompanied by proof of identification. All requests will be dealt with within 20 calendar days.

Third party access

Permission should be obtained before requesting personal information on another individual from a third-party organisation. Candidates' data will not be shared unless the form in Appendix 1 is completed and returned to the Exams Manager.

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.

APPENDIX 1

DATA PROTECTION NOTICE SHARING OF EXAM-RELATED DATA

As per JCQ regulations, we need your consent to share exam-related data with outside agencies.

If you are happy for us to share your data, please provide your consent by completing the declaration below. We will not use your data for any other purpose without your consent, unless authorised to do so by law.

CANDIDATE FULL NAME	CANDIDATE NUMBER

DECLARATION

I consent to the sharing of my exam data with outside agencies. I understand that this information will not be used for any other purpose, without my consent, unless authorised by law.

Signed _____

Date _____