



Data Protection Policy (Exams) 2024-25

Unity Academy Blackpool

Data Protection Policy (Exams) 2024-25

Centre name	Unity Academy Blackpool
Centre number	46427
Date policy first created	Autumn 2022
Current policy approved by	Stephen Cooke
Current policy reviewed by	Ellie Baron
Date of review	25/11/2024
Date of next review	25/11/2025

Key staff involved in the procedure/policy

Role	Name
Head of centre	Stephen Cooke
Senior leader(s)	Rebecca Lemar
Exams and Data officer	Ellie Baron
IT Manager	Michael Ainsworth

Purpose of the policy

This policy details how Unity Academy Blackpool, 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 JCQ's General Regulations for Approved Centres (section 6.1) 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, the centre will provide relevant personal data including name, date of birth, 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

To ensure that the centre meets the requirements of the DPA 2018 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(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 (DfE)
- Fylde Coast Academy Trust (FCAT)

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

- Hard copy
- Email
- Secure extranet sites - AQA Centre Services, OCR Interchange, Pearson Edexcel Online, NCFE Portal, WJEC Portal
- Management Information System (MIS) provided by Bromcom
- Electronic Data Interchange (EDI) using A2C

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 candidate of the information held

Unity Academy Blackpool ensures that candidates are fully aware of the information and data held.

All candidates are informed via the candidate handbook provided in the spring term before their exams and given access to this policy via the school website.

Materials which are submitted by candidates for assessment may include any form of written work, audio and visual materials, computer programmes 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/reasonable adjustments which require awarding body approval using Access arrangements online are also required to provide their consent by signing the GDPR compliant JCQ candidate personal data consent form before approval applications can be processed online.

Section 3: 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, the following steps will be taken:

1. Containment and recovery

Mr P Montgomery (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 4: 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.

Information audits and reviews are conducted regularly to test privacy measures and to ensure compliance.

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

Protection measures include:

- Secure drive accessible only to selected staff
- Information held in secure area
- Regular updates undertaken (includes updating antivirus software, firewalls, internet browsers, etc.)

Section 5: 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 school website.

Section 6: Access to information

(With reference to ICO information <https://ico.org.uk/your-data-matters/schools/exam-results/>)

The GDPR gives individuals the right to see information held about them. This means individuals can request information about them and their exam performance, 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 Ellie Baron (Exams and Data Officer) via email. If a former candidate is unknown to current staff, ID will be required to confirm the candidate's identity.

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.

The ability of young people to understand and exercise their rights is likely to develop or become more sophisticated as they get older. 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 the 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 exam results have been published, 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 unless a request is accompanied with permission from the candidate and appropriate evidence to verify the ID of both parties.

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 (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

Publishing exam results

When considering publishing exam results, Unity Academy Blackpool will make reference to the ICO (Information Commissioner's Office) <https://ico.org.uk/your-data-matters/schools/exam-results/>

Section 7: Table recording candidate exams-related information held

For details of how to request access to information held, refer to section 6 of this policy (Access to Information)

For further details of how long information is held, refer to the centre's Exams Archiving Policy.

Information Type	Information Description (where required)	What personal/sensitive data is/maybe 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)	Bromcom School Drive Any hard copy information is kept by the EO and SENCO in a secure location	Secure username and password In secure office	Refer to SENCO

		Specialist report(s) (may also include candidate address) Evidence of normal way of working		(SENCO and EO)	
Alternative site arrangements	Any hard copy information generated about an alternative site arrangement. Notifications submitted online via CAP	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	School Drive CAP/Bromcom Hard copy information kept by EO in secure location	Secure username and password	
Attendance registers copies	Attendance register to be retained with EO	Candidate name Candidate DOB Gender Candidate Exam number	To be retained with EO Bromcom Awarding bodies	Secure username	To be kept until the deadline for reviews of marking has passed or until any appeal, malpractice or other results enquiry has been completed, whichever is later. Confidential disposal.
Candidates' scripts		Candidate name Candidate DOB Gender Candidate Exam Number	To be retained with EO Any unwanted copies of scripts returned to the centre through ATS service	Secure username and password In secure office (EO)	To be retained securely until the awarding bodies' earliest date for confidential disposal of unwanted scripts. Confidential disposal.
Candidates' work		Candidate name Candidate DOB Gender Data Protection notice (Candidate signature) Diagnostic testing outcomes Specialist report (may	School Drive Bromcom Awarding bodies	Secure username and password Sent by secure mail to awarding	To be stored safely and securely along with work that did not form part of the moderation sample (including materials stored electronically) until

		also include candidate address) Evidence of normal way of working		bodies	after the deadline for EARs or the resolution of any outstanding enquiry/appeal or malpractice investigations for the exam series. Returned to candidates or safe disposal.
Centre consortium arrangements for centre assessed work	Any hard copy information generated or relating to consortium arrangements for centre assessed work. Applications submitted online via CAP	Candidate name Candidate DOB Gender Candidate Exam Number	School Drive CAP Bromcom	Secure username and password	
Certificates	Candidate certificates issued by awarding bodies Received by EO and issued to students on GCSE presentation evening or as requested by student	Candidate name Candidate DOB Gender Candidate exam number	To be retained with EO	In secure office (EO)	Any certificates not claimed within 12 months will be returned to the awarding body or destroyed by a secure method as per JCQ guidelines
Certificate destruction information	A record of unclaimed certificates that have been destroyed	Candidate name Candidate DOB Gender Candidate exam number	To be retained with EO School drive	In secure office (EO) Secure username and password	To be retained for 4 years from the date of certificate destruction Confidential destruction
Certificate issue information	A record of certificates that have been issued	Candidate name Candidate DOB Gender Candidate exam	To be retained with EO School drive Awarding bodies	In secure office (EO) Secure username	To be kept secure with remaining certificates

		number		and password	Confidential destruction
Conflicts of interest records	Records demonstrating the management of conflicts of interest	Candidate name Candidate DOB Gender Data Protection notice (Candidate signature) Diagnostic testing outcomes Specialist report (may also include candidate address) Evidence of normal way of working	To be retained with EO	In secure office (EO)	To be retained in the Secure Storage until after the deadline for EARs or until any appeal, malpractice or other results enquiry has been completed, whichever is later.
Entry information	Any hard copy information relating to candidates' entries	Candidate name Candidate DOB Gender Data Protection notice (Candidate signature) Diagnostic testing outcomes Specialist report (may also include candidate address) Evidence of normal way of working	To be retained with EO School Drive Bromcom Awarding bodies	Secure username and password in secure office (EO)	To be retained in the EO office until after the deadline for EARs or until any appeal, malpractice or other results enquiry has been completed, whichever is later
Exam room incident logs	Logs recording any incidents or irregularities in exam rooms for each exam session	Candidate name Gender Candidate Exam number	To be retained with EO	In secure office (EO)	To be retained in the EO office until after the deadline for EARs or until any appeal, malpractice or other results enquiry has been completed, whichever is later
Invigilator and facilitator training records		Invigilator name Invigilator DOB Gender Confidentiality form References	To be retained with EO School drive Training providers website	Secure username and password In secure office (EO)	A record of the content of the training given to invigilators must be available for inspection and retained on file until the deadline for reviews of marking has passed or until any appeal, malpractice or other results

					enquiry has been completed, whichever is later.
Overnight supervision information	JCQ Form Timetable variation and confidentiality declaration for overnight supervision for any candidate eligible for these arrangements	Candidate name Candidate DOB Gender Data Protection notice (Candidate signature) Diagnostic testing outcomes Specialist report (may also include candidate address) Evidence of normal way of working	Bromcom School Drive Any hard copy information is kept by the EO and SENCO in a secure location	Secure username and password In secure office (EO)	EAR consent to be retained for at least six months following the outcome of the enquiry or any subsequent appeal. ATS consent to be retained for at least six months from the date consent is given. Confidential disposal
Post-results services: confirmation of candidate consent information	Hard copy or email record of candidate consent for an EAR or ATS request to be submitted to an awarding body	Candidate name Gender Candidate Exam Number	School drive Any hard copy information is kept by the EO in secure location	In secure office (EO) Secure username and password	EAR consent to be retained for at least six months following the outcome of the enquiry or any subsequent appeal. ATS consent to be retained for at least six months from the date consent is given. Confidential disposal
Post-results services: requests/outcome information	Any hard copy information relating to a post-results service request (EARs, appeals, ATS) submitted to an awarding body for a candidate and outcome information from the awarding body	Candidate name Gender Candidate exam number	School drive Any hard copy information is kept by the EO in secure location	In secure office (EO) Secure username and password	To be retained in the EO office until after the deadline for EARs or until any appeal, malpractice or other results enquiry has been completed, whichever is later Confidential disposal
Post-results services: scripts provided by ATS service	Logs tracking to resolution all post-results service requests submitted to awarding bodies	Candidate name Gender Candidate exam number	School drive Any hard copy information is kept by the EO in secure location	In secure office (EO) Secure username and password	Where copies of scripts are retained by the centre, they must be securely stored (including any electronic versions) until they

					are no longer required.
Resilience arrangements: Evidence of candidate performance	Proof of previous attainment in case GCSE exams cannot take place in the summer	Candidate name Candidate exam number	School drive Hard copies are kept by heads of department	Secure username and password	To be retained by the centre until the issue of GCSE results
Resolving timetable clashes information	Any hard copy information relating to the resolution of a candidate's clash of timetabled exam papers	Candidate name Candidate DOB Gender Data Protection notice (Candidate signature) Diagnostic testing outcomes Specialist report (may also include candidate address) Evidence of normal way of working	School drive Any hard copy information is kept by the EO in secure location	In secure office (EO) Secure username and password	Where copies of timetable clashes are retained by the centre, they must be securely stored until they are no longer required. Confidential disposal
Results information	Broadsheets of results summarising candidate final grades by subject by exam series	Candidate name Candidate DOB Gender Data Protection notice (Candidate signature) Diagnostic testing outcomes Specialist report (may also include candidate address) Evidence of normal way of working	Bromcom School Drive Any hard copy information is kept by the EO in a secure location	In secure office (EO) Secure username and password	Records for current year plus previous 6 years to be retained as a minimum which are available on the school software system
Seating plans	Plans showing the seating arrangements of all candidates for every exam taken	Candidate name Gender Candidate exam number	Bromcom School drive Any hard copy information is kept by the EO in a secure location	In secure office (EO) Secure username and password	To be retained in the EO office until after the deadline for EARs or until any appeal, malpractice or other results enquiry has been completed, whichever is later. Confidential disposal
Special consideration information	Any hard copy information relating to a special consideration request and supporting evidence	Candidate name Candidate DOB Gender Data Protection notice (Candidate signature) Diagnostic testing outcomes Specialist report (may	Bromcom School Drive Any hard copy information is kept by the EO in a secure location	In secure office (EO) Secure username and password	To be retained in the EO office until after the deadline for EARs or until any appeal, malpractice or other results enquiry has been

	submitted to an awarding body for a candidate	also include candidate address) Evidence of normal way of working			completed whichever is later.
Suspected malpractice reports/outcomes	Any information relating to a suspected or actual malpractice investigation/report submitted to an awarding body and outcome information from the awarding body	Candidate name Candidate DOB Gender Data Protection notice (Candidate signature) Diagnostic testing outcomes Specialist report (may also include candidate address) Evidence of normal way of working	Bromcom School Drive Any hard copy information is kept by the EO in a secure location Awarding bodies	In secure office (EO) Secure username and password	To be retained in the EO office until after the deadline for EARs or until any appeal, malpractice or other results enquiry has been completed whichever is later.
Transferred candidate arrangements		Candidate name Candidate DOB Gender Data Protection notice (Candidate signature) Diagnostic testing outcomes Specialist report (may also include candidate address) Evidence of normal way of working	Bromcom School Drive Any hard copy information is kept by the EO in a secure location Awarding bodies	In secure office (EO) Secure username and password	To be retained until the transfer arrangements are confirmed by the awarding body
Very late arrival reports/outcomes		Candidate name Candidate DOB Gender Data Protection notice (Candidate signature) Diagnostic testing outcomes Specialist report (may also include candidate address) Evidence of normal way of working	Bromcom School Drive Any hard copy information is kept by the EO in a secure location Awarding bodies	In secure office (EO) Secure username and password	To be retained in the EO office until after the deadline for EARs or until any appeal, malpractice or other results enquiry has been completed, whichever is later. Confidential disposal

Centre Specific Changes 24/25

MIS has changed from ESS SIMS to Bromcom.