



The

Lloyd Williamson

Schools Foundation

Data Protection Policy

(Exams)

2021-2022

Key staff involved in the policy

Role	Name(s)
Head of centre	Lucy Meyer
Exams officer	Deborah Thackeray
IT lead	Shaun Watson

Purpose of the policy

This policy details how Lloyd Williamson Schools Foundation 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 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 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 below.

Candidates' exams-related data may be shared with the following organisations:

- Awarding bodies
- Joint Council for Qualifications (JCQ)

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

- hard copy
- email
- secure extranet site(s) – CIE, WJEC
- ET-AIMS

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

Lloyd Williamson Schools Foundation ensures that candidates are fully aware of the information and data held.

All candidates are:

- informed via email
- given access to this policy via the school website

Candidates are made aware of the above 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	Date of purchase and protection measures	Warranty expiry
Desktop computer	2014 The protection measures currently in place: Computers are checked at least bi-weekly by the IT lead examining the hardware for any issues or damage.	N/A Majority of equipment is out of warranty – security and protection is carried out by system/security

	<p>System diagnostics are run by the IT lead monthly to ensure all hardware is working and not faulty.</p> <p>Mcafee internet security package:</p> <p>Antivirus software products, which protect devices from attacks by detecting and eliminating viruses.</p> <p>Password managers, which help store and organize passwords through encryption.</p> <p>Endpoint security suites, which include a more comprehensive internet security approach with firewalls, antivirus, anti-spyware, and more.</p> <p>McAfee's web security offering, which helps enable secure web connectivity for most devices, users, and locations to protect organizations against sophisticated threats</p>	
Laptops	<p>2021</p> <p>As above</p>	

Software/online system	Protection measure(s)
Internet browser: Google Chrome Microsoft Internet Explorer	<ul style="list-style-type: none"> Protected usernames and passwords; Passwords must contain a mix of upper/lower cases letters and numbers Passwords must be changed every 3 months Centre administrator must approve the creation of new user accounts and determine access rights; IT lead will maintain regular checks to Firewall/Antivirus software All Internet browsing takes place based on rules from school's E-safety policy
Awarding body secure extranet site(s): Cambridge Direct WJEC secure access	<ul style="list-style-type: none"> Access controlled by username and password Accounts have specified access rights Centre administrator has to approve the creation of new user accounts and determine access rights.
AIMS	<ul style="list-style-type: none"> Access controlled by username and password; Accounts have specified access rights. We are aware of what data we store, and the level of sensitivity. All databases are reliant on network security Access controls are in place. Accounts regularly reviewed and monitored. Restricted access to admin level privileges.

	<ul style="list-style-type: none"> • Inactive or no longer required user accounts are disabled. • Archive and deletion is depending on user's role and need for making data available for ex-students
	<ul style="list-style-type: none"> • All Internet browsing takes place based on rules from school's E-safety policy
	<ul style="list-style-type: none"> •

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, the following steps will be taken:

1. Containment and recovery

Shaun Watson, IT lead 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 annually.

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

Protection measures may include:

- secure drive accessible only to selected staff
- information held in secure area
- updates undertaken every 3 months (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/accessible on the school website.

Section 7 – 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 Deborah Thackeray, Exams Officer in writing/email. 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.

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 Head of Centre, Lucy Meyer 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.

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, Lloyd Williamson Schools Foundation will publish exam results to the media or within the centre (e.g. on an honours board) in line with the following principles:

- Refer to guidelines as published by the Joint Council for Qualifications
- Act fairly when publishing results, and where people have concerns about their or their child's information being published, taking those concerns seriously
- Ensure that all candidates and their parents/carers are aware as early as possible whether examinations results will be made public and how this will be done
- Explain how the information will be published. For example, if results will be listed alphabetically, or in grade order

As Lloyd Williamson Schools Foundation will have a legitimate reason for publishing examination results, consent is not required from students or their parents/carers for publication. However, if a student or their parents/carers have a specific concern about publication of their results, they have the right to object. This objection must be made in writing to Deborah Thackeray who will consider the objection before making a decision to publish and reply with a good reason to reject the objection to publish the exam results.

Reviewed and updated
Updated November 2021

Lucy Meyer
Co-Principal

Deborah Thackeray
Exams Officer

Shaun Watson
IT Lead

Section 8 – Table recording candidate exams-related information held

For details of how to request access to information held, refer to section 7 of this policy (**Access to information**)

For further details of how long information is held, refer to section 6 of this policy (**Data retention periods**)

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	Information collected by SENCo to process access arrangements	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 Teachers' feedback Medical evidence Samples of work	Access Arrangements Online AIMS Lockable metal filing cabinet in the SENCO's / exams office.	Secure user name and password In secure area solely assigned to SENCo / exams team.)	Stored by exams: To be confidentially disposed of at the end of the candidate's final exam series. Stored by SENCo: 3 years then files sent for archives.
Alternative site arrangements	Evidence of need collected by SENDCo / Exams team. Alternative site form documentation	Candidate name Candidate DOB Evidence of need	Awarding body on-line submission portal; Physical copies – in metal filing cabinet in the lockable Exams cupboard.	Exams cupboard is locked.	To be stored safely and securely until after the deadline for EARS or the resolution of any outstanding enquiry / appeal or malpractice investigations for the exam series.

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
Attendance registers copies	Registers record attendance at each written exam, are kept with seating plan and exam room incident log	Candidate name Candidate number Presence at exam	On AIMS Examination Organiser Module Physical copies – in metal filing cabinet in the lockable Exams cupboard.	Exams cupboard is locked.	To be stored safely and securely until after the deadline for EARS or the resolution of any outstanding enquiry / appeal or malpractice investigations for the exam series.
Candidates' scripts	Exam scripts	Candidate name Candidate number Exams answers	In secure storage	In secure area solely assigned to exams. When being transferred to the exam board from centre, is sent via the courier service Parcelforce.	Exam papers are retained until the end of the exam day or next working day, where they are then sent to the relevant exam board.
Candidates' work	Non-examination assessment work (inc. controlled assessment, coursework, portfolios) returned to the centre after awarding body moderation.	Candidate name Candidate number Candidate marks and grades	To be immediately returned to subject staff as records owner. To be stored safely and securely along with work that did not form part of the moderation sample (including materials stored electronically) until	Each department stores in secure cupboard	Returned to candidates or safe disposal

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
			after the deadline for EARs or the resolution of any outstanding enquiry/appeal or malpractice investigations for the exam series.		
Certificates	Record of achievement	Candidate name Candidate DOB UCI Candidate examination results	Metal filing cabinet in the exams cupboard	Limited number of key holders to cupboard. If a student wants to collect their certificate(s) from the centre, they must present photo identification to the exams officer if they cannot be identified on AIMS.	
Certificate destruction information	A record of unclaimed certificates that have been destroyed.	Candidate name Candidate DOB UCI Candidate examination results	In AIMS	Only accessible by Exams Officer	7 years from date of issue
Certificate issue information	A record of certificates that have been issued to candidates.	Candidate name Candidate signature Level of qualification	In the exams cupboard – copies of post receipts or students sign-out in	Limited number of key holders to cupboard	7 years from date of issue

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
			person which is kept in a paper file.		
Conflicts of interest records	A record of any potential conflicts of interest	Candidate name Candidate DOB	In the exams cupboard	Limited number of key holders to cupboard	7 years
Entry information	Any hard copy information relating to candidates' entries.	Candidate name Candidate number Candidate DOB ULN (If appropriate) UCI Qualification information	In the exams cupboard On AIMS	Limited number of key holders to office	To be stored safely and securely until after the deadline for EARs or the resolution of any outstanding enquiry/appeal or malpractice investigations for the exam series.
Exam room incident logs	Logs recording any incidents or irregularities in exam rooms.	Candidate name Candidate number	In the exams cupboard with corresponding seating plan in filing cabinet	Limited number of key holders to office	To be stored safely and securely until after the deadline for EARs or the resolution of any outstanding enquiry/appeal or malpractice investigations for the exam series.
Invigilator and facilitator training records	Availability to work	Name Contact number Email address	In the exams cupboard On exam office computer On Exams Officer laptop	Limited number of key holders to cupboard Password protected access to computers	Hard copies disposed after completion of the exam series

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
Overnight supervision information	Copy of JCQ/CIE form Timetable variation and confidentiality declaration for overnight supervision for any candidate eligible for these arrangements.	Candidate name Candidate number Reason for timetable variation	In the exams cupboard On exam office computer	Limited number of key holders to cupboard Password protected access to computers	To be stored safely and securely until after: - • JCQ inspection purposes for the relevant exam series; • the deadline for EARs or the resolution of any outstanding enquiry/appeal or malpractice investigations for the exam series
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 Candidate number Candidate signature	In exams cupboard On exam office computer	Limited number of key holders to cupboard Password protected access to computers	EAR consent to be retained for at least six months following the outcome of the enquiry or any subsequent appeal / malpractice investigations for the exam series. ATS consent to be retained for at least six months

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
					from the date consent given.
Post-results services: requests/outcome information	Hard copy or email record of candidate consent for an EAR or ATS request to be submitted to an awarding body	Candidate name Candidate number Candidate signature	In exams office On exam office computer	Limited number of key holders to cupboard Password protected access to computers	To be stored safely and securely until after the deadline for EARs or the resolution of any outstanding enquiry/appeal or malpractice investigations for the exam series.
Post-results services: scripts provided by ATS service	Copy, digital or original scripts returned to the centre by the awarding body	Candidate name Candidate exam number Candidate results information	To be immediately provided to the head of department or the candidate as record's owner	Password protected access to computers	n/a returned to the requester after the post results period is complete
Post-results services: tracking logs	A log tracking to resolution all post results service requests submitted to awarding bodies.	Candidate name Candidate number Candidate results information	Exam office computer	Only accessible by Exams Officer	Retained for 12 months after the deadline for EARs.
Private candidate information	Any hard or digital copy information relating to private candidates' entries.	Candidate name Candidate number Date of birth Address and contact details	Metal filing cabinet in the exams office	Limited number of key holders to cupboard	To be stored safely and securely until after the deadline for EARs or the resolution of any outstanding

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
					enquiry/appeal or malpractice investigations for the exam series.
Resolving timetable clashes information	Any hard copy information relating to the resolution of a candidate's clash of exam papers or a timetable variation	Candidate name Candidate exam number	Exams office	Limited number of key holders to cupboard	To be stored safely and securely until after the deadline for EARs or the resolution of any outstanding enquiry/appeal or malpractice investigations for the exam series
Results information	Broadsheets of results summarising candidate final grades by subject by exam series.	Candidate name Candidate number Unit mark achieved Grade achieved	Exam office computer Filing cabinets	Limited number of key holders to cupboard Password protected access to computers	7 years
Seating plans	Plans showing the seating arrangements of all candidates for every exam taken	Candidate name Candidate number	With corresponding exam report in a lockable filing cabinet in the exams office	Only accessible by Exams Officer	To be kept until the deadline for EARs and the resolution of any outstanding enquiries/appeals for the relevant exams series.

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
Special consideration information	Any hard or digital copies of information relating to a special consideration request and supporting evidence submitted to an awarding body for a candidate.	Candidate name Candidate number Candidate DOB Candidate personal or medical information	Filing cabinet exams cupboard	Limited number of key holders to cupboard Password protected access to computers	Evidence supporting an on-line application and evidence supporting a candidate's absence from an exam will be stored safely and securely until after the deadline for EARs or the resolution of any outstanding enquiry/appeal or malpractice investigations for the exam series
Suspected malpractice reports/outcomes	Any hard or digital copies of information relating to a suspected malpractice investigation/report submitted to an awarding body and outcome information from the awarding body.	Candidate name Candidate number Detail of the malpractice	Exam office computer Filing cabinet	Limited number of key holders to cupboard Password protected access to computers	Retained until after the deadline for EARs or until any appeal, malpractice or other results enquiry has been completed, whichever is later.
Transferred candidate arrangements	Any hard copy information relating to an application for a	Candidate name Candidate number Candidate DOB	Filing cabinet exams office Exam office computer	Limited number of key holders to cupboard	Retained until after the deadline for

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
	transferred candidate arrangement submitted to an awarding body for a candidate			Password protected access to computers	EARs or until any appeal, malpractice or other results enquiry has been completed, whichever is later.
Very late arrival reports/outcomes	Any hard copy information relating to a very late arrival report submitted to an awarding body for a candidate and outcome information from the awarding body.	Candidate name Candidate number Reason for late arrival	Filing cabinet exams office	Limited number of key holders to cupboard	Retained until after the deadline for EARs or until any appeal, malpractice or other results enquiry has been completed, whichever is later.