



ANSFORD ACADEMY

LEARNING TOGETHER TO LEAD OUR LIVES

Data Protection policy (exams)

Status:	Required
Adopted:	January 2025
Renewal period:	Annually (to ensure compliance with current regulations)
Review Date:	January 2026

This policy should be read in conjunction with the following policies:

- Data Protection Policy
- Data Asset Audit - GDPR

Key staff involved in the policy

Role	Name(s)
Head of centre	Karl Musson
SLT	*Karl Musson*, Duncan Powell, Rebecca Comyns, Rob Mitchell, Frances Hirst, Thomas Cue, Rebecca Wood
Exams officer	Jo Dyal
Exams Officer Line Manager	Karl Musson
Data Protection Officer	Amy Brittan
IT Manager	Business Computing & Network Services Ltd (AlanTucker)
Data Manager	Jo Dyal

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Purpose of the policy

This policy details how Ansford Academy, 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, that 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
- ▶ Somerset County Council and/or candidates local authority
- ▶ Department for Education

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

- ▶ hard copy
- ▶ email

- ▶ secure extranet site(s), i.e., AQA Centre Services; OCR Interchange; Pearson Edexcel Online; WJEC Portal, CAP, AAO
- ▶ Management Information System (MIS) provided by Capita SIMS, sending/receiving information via electronic data interchange (EDI) using A2C (<https://www.icq.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 including controlled assessments and coursework, special consideration requests and exam results/post-results/certificate information.

Section 2 – Informing candidates of the information held

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

All candidates are:

- ▶ informed via hard copy Examination Information Pack
- ▶ given access to this policy via our website

Candidates are made aware of the above at the start of their course of study in KS4, and again at the beginning of year two.

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 – Hardware and software

Details of how our IT hardware, software and access to online systems is protected in line with DPA & GDPR requirements can be found in our Data Protection Policy and Data Asset Audit – GDPR document.

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

The 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 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 at the discretion of the Academy.

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 every day (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 from the Exams Officer.

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 by making a subject access request to us by mailbox@ansford.net. ID will need to be confirmed if a former candidate is unknown to current staff. All requests will be dealt with as detailed in our GDPR policy.

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 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 (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/carers (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, Ansford Academy will make reference to the ICO (Information Commissioner's Office) Can schools give my exam results to the media for publication? at <https://ico.org.uk/your-data-matters/schools/exam-results/>

As Ansford Academy 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 the Head of Centre, 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.

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	Any hard copy information kept by the EO or SENCO relating to an access arrangement candidate.	Candidate name, Candidate DOB, Gender, Signed candidate personal data consent form, Diagnostic testing outcome(s), Specialist report(s) (may also include candidate address), Evidence of normal way of working	Access Arrangements Online MIS Locked filing cabinet	School security systems In secure area solely assigned to exams	See Exams Archiving Policy
Alternative site arrangements	Any hard copy information generated on an alternative site arrangement. Notifications submitted online via CAP.	Candidate name, candidate number, some personal information surrounding location of site	Locked filing cabinet	In secure area solely assigned to exams	See Exams Archiving Policy
Attendance registers copies	Any hard copy attendance register generated and provided by the awarding body or from centre's MIS	Candidate name, candidate number, access arrangement information	MIS Locked filing cabinet	School security systems In secure area solely assigned to exams	See Exams Archiving Policy
Candidates' scripts	Any unwanted copies of scripts returned to the centre through the Access to Scripts (ATS) service.	Candidate name, candidate number, signature (where used)	Locked filing cabinet	In secure area solely assigned to exams	See Exams Archiving Policy
Candidates' work	Non-examination assessment work returned to the centre by the awarding body at the end of the moderation period.	Candidate name, candidate number, signature (where used)	Safe and secure storage in teacher's possession	In secure area	See Exams Archiving Policy

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 certificates issued by awarding bodies.	Candidate name, candidate number	Locked filing cabinet	In secure area solely assigned to exams	See Exams Archiving Policy
Certificate destruction information	A record of unclaimed certificates that have been destroyed.	Candidate name, candidate number	Locked filing cabinet	In secure area solely assigned to exams	See Exams Archiving Policy
Certificate issue information	A record of certificates that have been issued to candidates.	Candidate name, candidate number, signature	Locked filing cabinet	In secure area solely assigned to exams	See Exams Archiving Policy
Conflicts of Interest records	Records demonstrating the management of Conflicts of Interest	Candidate name, candidate number, signature	Locked filing cabinet	In secure area solely assigned to exams	See Exams Archiving Policy
Entry information	Any hard copy information relating to candidates' entries.	Candidate name, candidate number	MIS Locked filing cabinet	School Security System In secure area solely assigned to exams	See Exams Archiving Policy
Exam room incident logs	Logs recording any incidents or irregularities in exam rooms for each exam session.	Candidate name, candidate number, signature, some personal details surrounding incident concerned	Locked filing cabinet	In secure area solely assigned to exams	See Exams Archiving Policy
Invigilator and facilitator training records		Invigilator name, signature	Exams Office (online invigilator training) Locked filing cabinet	In secure area solely assigned to exams	See Exams Archiving Policy
Overnight supervision information		Candidate name, candidate number, signature, some personal details surrounding location of candidate during the arrangement	Locked filing cabinet	In secure area solely assigned to exams	See Exams Archiving Policy
Post-results services: confirmation of candidate consent information	Hard copy or email record of required candidate consent	Candidate name, candidate number, signature	Locked filing cabinet	In secure area solely assigned to exams	See Exams Archiving Policy

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: requests/outcome information	Any hard, email or PDF copy information relating to a post-results service request (RoRs, appeals, ATS) submitted to an awarding body for a candidate and outcome information from the awarding body.	Candidate name, candidate number	Exams network area Locked filing cabinet	School Security System In secure area solely assigned to exams	See Exams Archiving Policy
Post-results services: scripts provided by ATS service	Any unwanted copies of scripts returned to the centre through the Access to Scripts (ATS) service.	Candidate name, candidate number, signature (where provided)	Locked filing cabinet	In secure area solely assigned to exams	See Exams Archiving Policy
Post-results services: tracking logs	Logs tracking to resolution all post-results service requests submitted to awarding bodies	Candidate name, candidate number	Locked filing cabinet	In secure area solely assigned to exams	See Exams Archiving Policy
Private candidate information	Any hard copy information relating to private candidates' entries.	Candidate name, candidate number, identification, access arrangement information	Locked filing cabinet	In secure area solely assigned to exams	See Exams Archiving Policy
Resilience arrangements: Evidence of candidate performance	Any hard or electronic copy of assessment and exam papers, may include classwork	Candidate name, candidate number	Locked filing cabinet	In secure area of Heads of Department or area solely assigned to exams	See Exams Archiving Policy
Resolving timetable clashes information	Any hard copy information relating to the resolution of a candidate's clash of timetabled exam papers or a timetable variation.	Candidate name, candidate number	Locked filing cabinet	In secure area solely assigned to exams	See Exams Archiving Policy
Results information	Broadsheets of results summarising candidate final grades by subject by exam series.	Candidate name, candidate number	Locked filing cabinet	In secure area solely assigned to exams	See Exams Archiving Policy

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
Seating plans	Plans showing the seating arrangements of all candidates for every exam taken.	Candidate name, candidate number, access arrangement information	Locked filing cabinet	In secure area solely assigned to exams	See Exams Archiving Policy
Special consideration information	Any hard copy information relating to a special consideration request and supporting evidence submitted to an awarding body for a candidate	Candidate name, candidate number, any personal details surrounding the need for a special considerations application	Locked filing cabinet	In secure area solely assigned to exams	See Exams Archiving Policy
Suspected malpractice reports/outcomes	Any hard copy 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 number	Locked filing cabinet	In secure area solely assigned to exams	See Exams Archiving Policy
Transferred candidate arrangements	Any hard copy information relating to a transferred candidate arrangement. Applications submitted online via CAP.	Candidate name, candidate number, access arrangement information	Locked filing cabinet	In secure area solely assigned to exams	See Exams Archiving Policy
Very late arrival reports/outcomes	Any hard copy information relating to a candidate arriving very late to an exam. Reports submitted online via CAP.	Candidate name, candidate number, any personal details surrounding the reason for the very late arrival	Locked filing cabinet	In secure area solely assigned to exams	See Exams Archiving Policy