



# TOLWORTH GIRLS' SCHOOL & SIXTH FORM

## GENERAL DATA PROTECTION REGULATION POLICY (EXAMS-SPECIFIC)

Last Updated: October 2020

Next Review: October 2021

### **Purpose of the policy**

This policy details how Tolworth Girls' School and Sixth Form, 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 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
- ▶ 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.

### **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 – 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
- ▶ Local Authority
- ▶ The Press
- ▶ Linked organisations such as PRUs and Achieving for Children

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

- ▶ hard copy
- ▶ email
- ▶ secure extranet site(s)
- ▶ School Management Information System (SIMS -provided by Capita)

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**

Tolworth Girls' School and Sixth Form ensures that candidates are fully aware of the information and data held.

All candidates are:

- ▶ informed via electronic communication
- ▶ given access to this policy via the Tolworth Girls' School and Sixth Form website

Candidates are made aware of the above prior to sitting 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 GDPR.

## **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

If a data protection breach is identified, the following steps will be taken:

## **1. Containment and recovery**

Tolworth Girls' School and Sixth Form designated DPO 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.

An information audit is conducted on an annual basis and thorough protection measures are in place to secure all candidates' exam-related information

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
- ▶ regular updates undertaken as required by school systems (this may include 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 from the Examinations Officer (see section 7).

## Section 6 – Access to information

Current and former candidates can request access to the information/data held on them by making a **subject access request** (SAR) to Tolworth Girls' School and Sixth Form's designated DPO by email to [dpo@tolworthgirlsschool.co.uk](mailto:dpo@tolworthgirlsschool.co.uk). All SAR's will be dealt with within one calendar month of receipt of 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 (including non-resident parents), 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*.

## 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 section 5 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	Form 8 Medical letters Statement from SENCo Teacher notes Other specialist reports	Candidate name Candidate DOB Data protection notice (candidate signature) Diagnostic testing outcome(s) Specialist report(s) (may also include candidate address) Evidence of normal way of working Agreed access arrangements	Access Arrangements Online MIS Lockable metal filing cabinet Secure electronic staff folders	Secure user name and password In secure area solely assigned to exams/SEN	Students often require evidence for College and/or University.  Information to be kept for 3 years after student goes off-roll.
Attendance registers copies	Exams, controlled assessments, and invigilation	Candidate Name Access Arrangements Staff signatures	Folders in exams office	Office accessible by key-code only known to exams office staff and site team	Following completion of enquiries about results & appeals unless part of an investigation.
Candidates' scripts	Exams	Candidate name Candidate signature Candidate responses	Scripts collated, checked and packaged in exams office	Exams office staff and invigilators to assist with checking and packing. Scripts despatched using agreed JCQ Parcelforce arrangement.	Scripts kept for teaching purposes as long as required by staff. Electronic folders cleared out after 2 years. Emails deleted after staff/students confirm receipt.

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
Candidates' work	Coursework, controlled assessments, NEA	Candidate Name Candidate signature Staff signatures Candidate responses	Folders within staff offices	Key-code access	Dependent on AB and course. Most kept for 1 year to allow students to reclaim work. Some must be kept for 3 years.
Certificates	Subjects and results	Candidate Name Candidate DoB Subject Grade	Filing cabinets within exams office	Key-code access Handed out only with photo identification	Up to 10 years
Certificate destruction information	.	Candidate Name Candidate DoB Awarding Bodies used	-	-	No lists required if certificates are destroyed after 5 years
Certificate issue information		Candidate Name Candidate signature Authorisation Letter	Filing cabinets within exams office	Key-code access	10 years
Entry information	Exams, NEAs, registrations	Candidate Name Candidate DoB Subject Tier Staff signature	MIS Awarding body secure websites Folders within exams office	Key-code access to exams office Username/password access to AB sites	Hard-copy information held within Exams Office destroyed after enquiries/appeals following Summer results of that academic year unless part of an investigation
Exam room incident logs		Candidate Name Problem	Folders within exams office	Key-code access	Destroyed after enquiries/appeals following summer results of that

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
		Invigilator Name/Signature			academic year unless part of an investigation
Invigilator and facilitator training records	Invigilators and courses	Invigilator Name Invigilator Signature Description of courses	Exams secure cupboard Exams electronic folder	Key access to secure cupboard Username/password to access exam files	Duration of invigilator employment
Overnight supervision information		Candidate Name Candidate Address Guardian Name Guardian Signature Access arrangements/special requirements	Folder within exams office JCQ Portal	Key-code access to exams office Username/password for Portal	Following any enquiries about results/appeals for the summer series, unless part of an investigation
Post-results services: confirmation of candidate consent information	Subjects and exam scripts	Candidate Name Candidate Signature Candidate Contact Details	Folder within exams office	Key-code access to exams office	7 years to cover consent of student for use of scripts and financial reasons
Post-results services: requests/outcome information	Exam scripts/NEAs	Candidate Name Candidate Signature Candidate Contact Details	Folder within exams office	Key-code access to exams office	7 years to cover consent of student and financial reasons
Post-results services: scripts provided by ATS service	Exams	Candidate name Candidate signature Candidate responses	Hard copies are handed to staff or students, depending on agreement.  Electronic copies saved in secure folders.	Electronic folders in secure area solely assigned to exams.  Emailed to staff/student school addresses which are protected.	Scripts for teaching As required by staff  Electronic folders cleared after 2yrs.  Emails deleted after staff/students confirm receipt.

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: tracking logs		Candidate Name Candidate Contact Details Staff signature	Folders within exams office	Key-code access	7 years to cover financial reasons
Private candidate information		Candidate Name Candidate Address Candidate Identification	Electronic exams folder Folder within exams office MIS Awarding Body secure website	Username/password to access electronic exams area & MIS Username/password to access AB secure site Key-code access to exams office	7 years to cover financial reasons
Resolving timetable clashes information	Exams, Candidates, Venues	Candidate Name Access Arrangements	Electronic exams folder Folder within exams office	Username/password to access electronic exams area Key-code access to exams office	Following any enquiries about results/appeals for the summer series, unless part of an investigation.
Results information	By subject, by candidate	Candidate Name Subject Results	MIS Electronic exams folders Booklets within exams office Awarding Body secure websites	Username/password to access electronic exams area & MIS Username/password to access AB secure site Key-code access to exams office	Duration of school records.
Seating plans		Candidate Number Access Arrangements indicated Invigilator Name/Signature	Folders within exams office	Key-code access	Destroyed after enquiries/appeals following summer results of that

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
					academic year unless part of an investigation
Special consideration information	Overview form Supporting documents	Candidate Name Problem Evidence (medical, death certificates, statements) Staff signature	Electronic exams folders Folders within exams office Awarding Body secure websites	Username/password to access electronic exams area Username/password to access AB secure site Key-code access to exams office	Destroyed after enquiries/appeals following summer results of that academic year unless part of an investigation If student remains within centre, information is retained for the duration the student is attending the school
Suspected malpractice reports/outcomes	Overview Statements Evidence AB letters	Candidate Name Problem Statements with signatures (staff and student) Penalty	Electronic exams folder Folder within exams office	Username/password to access electronic exams area Key-code access to exams office	Retained for as long as we use that awarding body
Transfer of credit information		Candidate Name Candidate DoB Name of Candidate's Previous School Staff and student signatures	Electronic exams folder Folder within exams office	Username/password to access electronic exams area Key-code access to exams office	Destroyed after enquiries/appeals following summer results of that academic year unless part of an investigation
Transferred candidate arrangements		Candidate Name Candidate DoB Name of Candidate's Previous School	Electronic exams folder Folder within exams office	Username/password to access electronic exams area	Destroyed after enquiries/appeals following summer results of that academic year

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
		Staff and student signatures		Key-code access to exams office	unless part of an investigation If student remains within centre, information is retained for the duration the student is attending the school
Very late arrival reports/outcomes		Candidate Name Problem Statements Signatures of staff and student	Electronic exams folder Folder within exams office	Username/password to access electronic exams area Key-code access to exams office	Destroyed after enquiries/appeals following summer results of that academic year unless part of an investigation If student remains within centre, information is retained for the duration the student is attending the school