DATA PROTECTION POLICY (Exams)

2026/27

This policy is reviewed annually to ensure compliance with current regulations

Approved/reviewed by	
Mrs. A. Sharma / Mr. J. Cariou	
Date of next review	July. 2027

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Key staff involved in the policy

Role	Name(s)
Head of centre	Mrs. A. Sharma
Exams officer	Mr. T. Willis
Senior leader(s)	Mr. J. Cariou
IT manager	Mr. S. Middleton
Data manager	Mr. S. Middleton

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Purpose of the policy

This policy details how Bourne Community College, 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 (JCQ)
- Department for Education, Local Authority, Learner registration service

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

- hard copy
- email
- secure extranet site(s) – AQA Centre Services; OCR Interchange; Pearson Edexcel Online; WJEC Portal; NCFE portal; JCQ CAP portal via exam body website.
- Management Information System (MIS) provided by BromCom sending/receiving information via electronic data interchange (EDI) using A2C (https://www.jcq.org.uk/about-a2c) to/from awarding body processing systems.

This data may relate to exam entries, access arrangements, the conduct of exams and non-examination assessments including controlled assessments and coursework, special consideration requests and exam results/post-results/certificate information.

Section 2 – Informing candidates of the information held

Bourne Community College ensures that candidates are fully aware of the information and data held.

All candidates are:

- informed via the Exams Policy
- given access to this policy via hard copy on request or via the school website.

Candidates are made aware of the above when the registrations/entries are submitted to awarding bodies for processing.

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

The table below confirms how IT hardware, software and access to online systems is protected in line with DPA & GDPR requirements.

Hardware	Protection measures	Warranty expiry
Desktop computers	Separate username and password. Hardware and software is checked by I.T. team and antivirus protection up to date.	n/a

Software/online system	Protection measure(s)
BromCom	Username and password protected
AQA Centre Services	Username and password protected plus 2 factor authentication
OCR Interchange/Teach Cambridge	Username and password protected plus 2 factor authentication
Edexcel Online	Username and password protected plus 2 factor authentication
Eduqas	Username and password protected plus 2 factor authentication
NCFE portal	Username and password protected
JCQ portal	Username and password protected plus 2 factor authentication

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 designated 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?

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.

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 start of each academic year.

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 automatically, (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 Policy which is available in hard copy on request or 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 the Exams Officer via email. ID will need to be confirmed if a former candidate is unknown to current staff.

- 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 SLT (Exams) 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 is 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 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

Bourne Community College 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 Bourne Community College 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 Mr. J. Cariou, 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	Information required such as processing speeds/medical conditions to make an application for access arrangements	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 Lockable metal filing cabinet in SENDCo office and Exams Office SENDCo and Exams Officer computers	Secure user name and password in secure area solely assigned to exams	10 years
Attendance registers copies	List of those entered for exams	Candidate name	Secure store	Exam officer only	10 years
Candidates' scripts	Exam scripts requested by subject staff with student knowledge	Candidate name with exam script	In department filing cabinet/cupboards	Locked cabinet/cupboards	2 years
Candidates' work	Coursework, non-examined assessments, mock exam papers	Candidate name	In departments in filing cabinets/cupboards	Locked cabinets/cupboards	2 years
Certificates	Confirmation of exam results	Legal name Date of Birth Exam results	Secure store	Exam officer only	10 years
Certificate destruction information	Examination certificates	Legal name Date of Birth	Secure store	Exam officer only	1 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
		Exam results			
Certificate issue information	Email to advise they are available	Candidate name Email address	BromCom Collection log in hard copy of list of students	Exams Officer computer with password protection Secure store	Mail merge deleted once sent by Exams Officer 10 years
Conflicts of interest records					
Entry information	Marksheet showing candidate details and entry codes	Candidates full legal name	BromCom Paper copy in Exams Office	BromCom username and password protected Secure exams office	10 years
Exam room incident logs	Report of incidents in the exam rooms	Candidate full legal name	Paper copy in Exams office	Secure exams office and then in secure store	10 years
Invigilator and facilitator training records	Invigilator and facilitator training records	Staff names	Hard copy in Exams office and Exams officer computer	Hard copy securely locked in exams office or secure store Exams officer computer password protected	10 years
Post-results services: confirmation of candidate consent information	PRS consent form listing PRS papers, services and costs	Candidates full legal name Date of birth	Paper copy in Exams office	Secure Exams office or secure store	10 years
Post-results services: requests/outcome information	Confirmation of PRS	Candidates full legal name Date of birth	Paper copy in Exams office	Secure Exams office or secure store	10 years

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: scripts provided by ATS service	Exam scripts for teaching purposes	Candidates full legal name	In departments	Name is blanked out to make script anonymous if requested	1 year – destroyed confidentially
Post-results services: tracking logs	Record of what services have been ordered	Candidate full legal name	Excel spreadsheet on Exam officers computer	Username and password protected	1 year
Private candidate information	Personal details for the candidate plus entry requirements	Full legal name Date of birth Address Gender	BromCom Exam officer computer Paper copy of candidate information	Username and password protected Secure exams office	10 years
Resilience arrangements: Evidence of candidate performance	Student mock exam scripts	Full legal name	In departments or given to students	Department secure filing cabinets or cupboards	Indefinitely
Resolving timetable clashes information	Details confirming the order exams will be taken	Candidates full legal name	Paper copy in exams office	Secure exams office	1 year
Results information	Results statements, awarding body paperwork, subject specific data	Candidates full legal name Date of birth	BromCom Paper copies in the departments and exams office	Username and password protected Secure exams office and secure store Departments locked filing cabinets	10 years Indefinitely
Seating plans	Seating plans	Candidate full legal names	Paper copy in exams office Exams officer computer	Secure exams office and secure store Username and password protected	10 years
Special consideration information	Applications and medical evidence	Candidates full legal names Date of birth	Paper copy in exams office	Secure exams office and secure store	10 years

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
		Address			
Suspected malpractice reports/outcomes	JCQ form and evidence	Candidate full legal name	Paper copy in exam office and secure store	Secure exams office and secure store	10 years
Transferred candidate arrangements	JCQ form and entries	Candidate full legal name Date of birth	Paper copy in exam office and secure store	Secure exams office and secure store	10 years
Very late arrival reports/outcomes	JCQ form and evidence	Candidate full legal name	Paper copy in exam office and secure store	Secure exams office and secure store	10 years