



# Mullion School

## Data Protection Policy

### 2024-2025

This policy is reviewed annually to ensure compliance with current regulations

Approved/reviewed by	
M Dunleavy/SLT	
Date of next review	1/10/2026

Data Protection Policy (Exams) template (2021/22) Hyperlinks provided in this document were correct as at September 2021 1

#### Key staff involved in the policy

Role	Name(s)
Head of centre	<b>M Dunleavy</b>
Exams Manager	<b>S Reed</b>
Senior leader(s)	<b>D Penberthy</b>
IT manager	<b>D Harris</b>

#### Purpose of the policy

This policy details how Mullion School 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 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)
- Local Authority
- Department for Education;
- Multi Academy Trust

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

- hard copy
- email
- secure extranet site(s)
- e.g. AQA Centre Services; OCR Interchange; Pearson Edexcel Online; WJEC Secure Website; City & Guilds Walled Garden; RSL
- a Management Information System (MIS) provided by Capita SIMS
- 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, special consideration requests and exam results/post-results/certificate information.

## **Section 2 – Informing candidates of the information held**

Mullion School 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 centre website

Candidates are made aware of the above at the start of a course leading to a vocational qualification, or, where candidates are following GCE and GCSE qualifications, 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
Desk top PC for Exams Manager	29/06/21  Windows updates installed within 2 weeks of release. Antivirus updated daily. User configuration locked down to prevent installation of software or unauthorized programs.	28/06/22

Software/online system	Protection measure(s)
Arbor	Each user has their own account which is password protected. All passwords should be a mix of capitals, letters, numbers and special characters. Access to different areas of Arbor is restricted to what is required for the individual's role.
A2C Migration	This is only downloaded onto the Exams Manager PC. All exam board connections have a secure key only downloadable via exam board secure sites.
Awarding body extranet	All password protected. Passwords are changed frequently and should be a mix of letters, numbers, capitals, special characters. Members of staff are only given access to different areas of the site as required for their role.

### 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**

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 [detail the regularity].

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 month (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 Office or school's website policy section.

## **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 Data Protection Officer i. writing/email. ID will be needed to confirm 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 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 (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), 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](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, will make reference to the ICO (Information Commissioner's Office) <https://ico.org.uk/your-data-matters/schools/exam-results/> Can schools give my exam results to the media for publication?

#### OR

Mullion School 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 Mullion School 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 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		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	Access Arrangements  Online MIS  Lockable metal filing cabinet	Secure password   In secure office (SENCo)	
Alternative site arrangements	Examples for alternative site would be for home invigilation, hospitalisation	Candidate name Candidate DOB Gender	CAP Online	Secure password   Lockable cabinet in secure room	After the review deadline/all reviews completed for the applicable exam season
Attendance registers copies		Candidate Name Examination Taken	Lockable cupboard	In secure Exams Office	After the review deadline/all reviews completed for the applicable exam season
Candidates' scripts		Candidate Name Examination Taken Answers to questions	If the exam is in the morning the courier will be booked to collect in the afternoon. If the exam is in the afternoon the scripts will be locked away in the exams cupboard overnight. All packages are collected from reception	Signed for on reception. Locked in secure storage overnight if applicable.	Not retained.

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
			where they are logged in and signed for by receptionists.		
Candidates' work		Candidate Name	With teachers in lockable cabinets where applicable.	Lockable teacher cabinets  When coursework/ controlled assessment samples returned to the centre these are securely held until signed for by teachers	After the review deadline/all reviews completed for the applicable exam season
Centre consortium arrangements for centre assessed work	N/A	N/A	N/A	N/A	N/A
Certificates	Grades Achieved	Candidate name  Candidate date of birth  Subject grades achieved	MIS  Examination Board  Intranet Paper  certificates	Passwords to MIS and secure sites  Certificates stored in a secure area within the exams office	If certificates are not collected at the certificate evening then they are archived in secure area within the exams office



Certificate destruction information	Grades Achieved	Candidate name Candidate date of birth Subject grades achieved Spreadsheet detailing student details along with signature for signing for certificates	Certificates stored in the Exams Office	Certificates stored in a secure area within the exams office	6 years Log kept Confidential destruction
Certificate issue information	Emails/Intranets	Staff member name/ relationship and details of candidate with conflict. Candidate name Candidate date of birth	Exam board Intranet Folder in Exams Managers office	Passwords for exam board Intranet Lockable cupboard in secure office	Not destroyed. Archived into a folder in lockable storage cupboard

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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
Conflicts of interest records	Emails/Intranets	Staff member name/ relationship and details of candidate with conflict. Candidate name Candidate date of birth	Exam board Intranet Folder in Exams Managers office	Passwords for exam board Intranet Lockable cupboard in secure office	Not destroyed. Archived into a folder in lockable storage cupboard
Entry information		Candidate name Candidate DOB Gender	MIS Examination board Intranet	Passwords to MIS and secure sites	After the review deadline/all reviews completed for the applicable exam season

Exam room incident logs	Any incident in relation to exams, however, minor to be logged	Candidate name Nature of the incident	Examination board Intranet if applicable  Folder in the Exams Office	Passwords for exam board Intranet  Lockable cupboard in lockable office	After the review deadline/all reviews completed for the applicable exam season
Invigilator and facilitator training records	Forms	Invigilator name Address Telephone number Next of kin details	PC restricted folder  Folder in the Exams Office	Password on PC  Lockable cupboard in lockable office	Archived into a folder in lockable storage cupboard/ on PC
Overnight supervision information		Candidate name Candidate DOB Gender	PC restricted folder Folder in the Exams Office MIS Examination board Intranet	Password on PC  Lockable cupboard in lockable office	After the review deadline/all reviews completed for the applicable exam season
Post-results services: confirmation of candidate consent information	Form	Candidate name Candidate contact details Candidate signature Grade achieved	PC restricted folder Folder in the Exams Office Examination board Intranet	Password on PC Passwords for exam board Intranet  Lockable cupboard in lockable office	After the review deadline/all reviews completed for the applicable exam season

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		Candidate name Candidate contact details Candidate signature Grade achieved	PC restricted folder Folder in the Exams Office Examination board Intranet	Password on PC Passwords for exam board Intranet  Lockable cupboard in lockable office	After the review deadline/all reviews completed for the applicable exam season

Post-results services: scripts provided by ATS service		Candidate name Candidate contact details Candidate signature Grade achieved Scripts	PC restricted folder Folder in the Exams Office Examination Board Intranet Scripts given to student Scripts given to teacher for teaching and learning purposes Scripts given to teacher for possible review of marking	Password on PC Passwords for exam board Intranet Lockable cupboard in lockable office	N/A
Post-results services: tracking logs		Candidate name Grade achieved Outcome	PC restricted folder Folder in the Exams Office	Password on PC Lockable cupboard in lockable office	After the review deadline/all reviews completed for the applicable exam season
Private candidate information		Candidate name Candidate DOB Gender	PC restricted folder Folder in the Exams Office MIS Examination board Intranet	Password on PC Lockable cupboard in lockable office Passwords for exam board Intranet	After the review deadline/all reviews completed for the applicable exam season
Resolving timetable clashes information		Candidate name	PC restricted folder Folder in the Exams Office	Password on PC Lockable cupboard in lockable office	After the review deadline/all reviews completed for the applicable exam season

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
Results information		Candidate name Candidate date of birth Grade achieved	PC restricted folder Folder in the Exams Office MIS Examination board Intranet	Password on PC Lockable cupboard in lockable office Passwords for exam board Intranet	After the review deadline/all reviews completed for the applicable exam season
Seating plans		Candidate name Access Arrangements	PC restricted folder Folder in the Exams Office MIS	Password on PC Lockable cupboard in lockable office	After the review deadline/all reviews completed for the applicable exam season
Special consideration information	Special Consideration	Candidate name Candidate date of birth Personal details of issue Doctor's note Self-certification form	Folder in the Exams Office Examination board Intranet	Password on PC Lockable cupboard in lockable office Passwords for exam board Intranet	After the review deadline/all reviews completed for the applicable exam season
Suspected malpractice reports/outcomes	Suspected malpractice	Candidate name Candidate date of birth Personal details of report/outcomes	Folder in the Exams Office Examination board Intranet	Password on PC Lockable cupboard in lockable office Passwords for exam board Intranet	After the review deadline/all reviews completed for the applicable exam season

Transferred candidate arrangements	Transferred candidate arrangements	Candidate name Candidate date of birth Candidates contact details	Folder in the Exams Office Examination board Intranet Host School	Password on PC Lockable cupboard in lockable office Passwords for exam board Intranet Host school's exam Intranet	After the review deadline/all reviews completed for the applicable exam season
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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
Very late arrival reports/outcomes	Very late arrival reports/outcomes	Candidate name Candidate date of birth Personal details of report	Folder in the Exams Office Examination board Intranet	Password on PC Lockable cupboard in lockable office Passwords for exam board Intranet	After the review deadline/all reviews completed for the applicable exam season

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