



# Exams Data Protection Procedure (Including Exams Archiving) 2024/25

## Key staff involved in the procedure

Role	Name(s)
Head of centre	Mr Jonathan Wood
Assistant Headteacher (Assessment, Recording & Reporting)	Dr Joel Dunn
Network and Operations Manager	Mr Ben Headon
Data and Examinations Manager	Ms Lindsey MacAdam
Exams Officer	Mrs Jane Blunt
Exams Administrator	Mrs Michele McLennan

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## Purpose of the procedure

This procedure details how The Judd 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 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, 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 procedure.

## Section 1 – Exams-related information

There is a requirement for the exams office 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
- Department for Education (DfE)
- Local authority
- Schools, colleges and further education establishments, that students attend after leaving The Judd School

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; Cambridge Assessment International Education, CIE Direct, WJEC, Management Information System (MIS) provided by Capita SIMS electronic file transfers, Local authority Perspectives Lite
- 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, forecast grades, special consideration requests and exam results/post-results/certificate information.

## Section 2 – Informing candidates of the information held

The Judd School's Privacy policy details the information and data held on each student, a copy of which is given within the school's welcome pack when the student starts.

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"). An email is circulated to all students at the start of the academic year in years 10 to 13, directing them 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. Links to all exam board privacy notices are put on the Judd Website.

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 Network and Systems Manager regularly reviews the IT infrastructure to ensure compliance with DPA and GDPR.

## 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 breach is identified the school's outsourced Data Protection Officer at **Judicium Consulting Ltd** will take steps to contain the breach, recover data and conduct a full investigation including assessing the ongoing risk, notifying individuals of the breach and evaluating what happened putting in place an appropriate response.

## Section 5 – Candidate information, audit and protection measures

For the purposes of this procedure, 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.

The Exams Office reviews the data it holds annually.

Details of the type of candidate exams-related information held, and how it is managed, stored and protected can be found at the end of this document.

Protection measures include:

- ▶ secure drive accessible only to relevant staff
- ▶ information held in exams secure area
- ▶ software updates undertaken regularly for antivirus software, firewalls, internet browsers, SIMS the MIS, 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 [Section 8 table](#).

## 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 results, 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

Current and former candidates can request access to exams specific information/data held on them by making a request to the exams office in writing or by email. If a former candidate is unknown to current staff, appropriate ID such as passport or birth certificate will need to be confirmed to the exams office or school office. Individuals authorised in writing by candidates to collect certificates on their behalf are required to provide photographic ID.

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 Dr J. Dunn 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 from the exams office as soon as is possible but no later than 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. This request may be in writing or by email. The permission from the candidate must be signed and in writing, and may be attached to an email.

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](https://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 separate parents about a child moving school)
- School reports on pupil performance [www.gov.uk/guidance/school-reports-on-pupil-performance-guide-for-headteachers](https://www.gov.uk/guidance/school-reports-on-pupil-performance-guide-for-headteachers)

### **Legislation on information sharing**

Under the principles of the General Data Protection Regulations 2018 (GDPR) and the Data Protection Act 2018 (the DPA 2018), children and young adults can assume control over their personal information and restrict access to it from the age of 13. However, parents are entitled to request access to, or a copy of their child's educational record, even if the child does not wish them to access

it. This applies until the child reaches the age of 18. A parent is not, however, entitled to information that the school could not lawfully disclose to the child under the GDPR or in relation to which the child would have no right of access.

### **Publishing exam results**

The Judd School may publish exam results to the media or within the centre 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
- Will publish those students with ten 9 GCSE grades or 4 plus A\* grades on the honours board in alphabetical order

When considering publishing exam results, The Judd School will make reference to the ICO <https://ico.org.uk/your-data-matters/schools/exam-results/> Can schools give my exam results to the media for publication?

If the Judd School has 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 Wood, 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 6 of this procedure (Access to information)

Record type	Record(s) description (where required)	Retention information/period	Action at end of retention period (method of disposal)
Access arrangements information	Any information relating to an access arrangement of a candidate kept on google drive or in SIMs. The SA collates the body of evidence inc. the signed candidate personal data consent form	Google files should be archived once the student has left and; retained until the pupil reaches at least the age of 25. Can be up to 31 to enable a defence about failure to provide a decent education.	Securely deleted after student reaches 31 years
Alternative site arrangements	Any hard copy information kept by EO in secure room; Notifications submitted online via CAP	Kept until the deadline for reviews of marking has passed or until any appeal, malpractice or other results enquiry has been completed, whichever is later	Confidential waste/shredding
Attendance register copies	Signed hard copies of attendance registers for each examination	Kept until the deadline for reviews of marking has passed or until any appeal, malpractice or other results enquiry has been completed, whichever is later	Documents kept for 2 years and then put in confidential waste/shredding
Candidates' scripts (RoM)	Candidates request copies of scripts to be returned.  Teachers request copies of scripts to be returned for teaching and learning purposes but only with the candidates' permission	All electronic - Immediately forwarded to the candidate / teacher. Where teachers have used copies of candidates' scripts for teaching and learning purposes but no longer wish to retain them, they must ensure that the scripts are disposed of in a confidential manner. Electronic files kept until deadline for reviews of marking has passed or until any appeal, malpractice or other results enquiry has been completed, whichever is later	Downloaded electronic scripts and RoM are deleted by EO staff from google drive. Overall tracking spreadsheet kept.
Candidates' work	Non-examination assessment work	Work not part of the moderation sample to be stored safely and securely (including materials stored electronically) until the deadline for	Returned to candidates or safe disposal

		<p>a review of moderation has passed or until a review of moderation, an appeal or a malpractice investigation has been completed, whichever is later</p> <p>Work sent to the moderator, to be logged on return to the centre and kept securely in the EO; returned to subject staff as records owner after the appeals period</p>	
Centre consortium arrangements for centre assessed work	Any hard copy information relating to consortium arrangements for centre assessed work. Applications submitted online via CAP	Kept until the deadline for reviews of marking has passed or until any appeal, malpractice or other results enquiry has been completed, whichever is later	Confidential waste/shredding
Certificates	Candidate certificates issued by awarding bodies	All unclaimed certificates are retained at the centre under secure conditions for at least 12 months from the date of issue	Students contacted to collect them
Certificate destruction information	<p>A record of unclaimed certificates that have been destroyed.</p> <p>OR a list of certificate details returned to Cambridge Assessment.</p>	<p>Certificates unclaimed after at least 12 months from date of issue may be destroyed in a confidential manner, at the discretion of the centre. A record of certificates that have been destroyed is retained for a minimum of four years from their date of destruction.</p> <p>Cambridge Assessment International Education should be returned to the exam board</p>	Certificates shredded 5 years after students have sat the exams. Confidential waste/shredding
Certificate issue information	A record of certificates that have been issued	All candidates sign a log as receipt of collecting their certificates. The log is kept securely in the EO for seven years	Confidential waste/shredding
Confidential materials: receipt, secure movement and secure storage logs	Logs recording the receipt, checking, secure movement and secure storage of confidential exam materials	Required to be kept until the deadline for reviews of marking has passed or until any appeal, malpractice or other results enquiry has been completed, whichever is later, however this paperwork is kept securely in the EO for seven years	Confidential waste/shredding
Conflicts of Interest records	Centre staff who are taking qualifications at their own centre which include internally assessed components; centre staff who are teaching and preparing	<p>Data collected using google doc. Spreadsheet kept electronically records responses within the secure exams section of google.</p> <p>Any conflicts are detailed on a separate google doc, a hard copy of</p>	Paper copies confidential waste/shredding

	<p>members of their family or close friends and their immediate family for qual's which include internally assessed components;</p> <p>Exams office staff have members of their family or close friends and their immediate family being entered for examinations; centre staff are taking qual's at their centre which do not include internally assessed components; centre staff are taking qual's at other centres</p>	<p>which is held in the Exams Policies &amp; Procedures File for inspection purposes.</p> <p>Kept until the deadline for reviews of marking has passed for that exam series or until any appeal, malpractice or other results enquiry has been completed, whichever is later</p>	Files on google under relevant year
Dispatch logs	Proof of dispatch of exam script packages to awarding body examiners	EO keeps them until the deadline for reviews of marking has passed or until any appeal, malpractice or other results enquiry has been completed, whichever is later	Confidential waste/shredding
Entry information	Any hard copy information relating to candidates' entries	Documentation kept for 2 years on file to be able to refer to.	Confidential waste/shredding  Electronic information available on SIMs. Season is closed
Exam question papers	Question papers for timetabled written exams	For confidentiality purposes question papers must not be released to centre personnel until after the awarding body's published finishing time for the examination or, in the case of a timetable variation, until all candidates within the centre have completed the examination (24 hours after the key time for Cambridge International). This does not restrict access to question papers by authorised centre personnel for the purpose of conducting examinations. The Judd School keep all question papers until they are collected by Parcel Force	Issued to subject Heads of Departments or if not required confidential waste/shredding
Exam room checklists	Checklists confirming exam room conditions and invigilation arrangements for each exam session	Kept until the deadline for reviews of marking has passed or until any appeal, malpractice or other results enquiry has been completed. Documentation kept for 2 years on file to be able to refer to.	Confidential waste/shredding

Exam room incident logs	Logs recording any incidents or irregularities in exam rooms for each exam session	Kept until the deadline for reviews of marking has passed or until any appeal, malpractice or other results enquiry has been completed, whichever is the later. Documentation kept for 2 years on file to be able to refer to.	Confidential waste/shredding
Exam stationery	Awarding body exam stationery provided solely for the purpose of external exams.	Unused stationery will be returned to the centre's secure storage facility until needed for a future examination. Surplus stationery must not be used for internal school tests, mock examinations and non-examination assessments	Surplus or out-of-date stationery is confidentially destroyed
Examiner reports		All available electronically and if requested forwarded to Head of Department	Copies kept on exams google drive
Invigilator and access arrangement facilitator training records		A record of the content of the training given to invigilators or facilitators is retained on file for inspection purposes for at least 2 years. Subsequently disposed of.	Confidential waste/shredding
Moderator reports		All electronic and if requested forwarded to Head of Department	Copies kept on exams google drive
Overnight supervision information	JCQ form Timetable variation and confidentiality declaration for overnight supervision for any candidate eligible for these arrangements	Kept until the deadline for reviews of marking has passed or until any appeal, malpractice or other results enquiry has been completed, whichever is later. Forms are stored in hard copy paper format and are not be sent to an awarding body, unless specifically requested	Confidential waste/shredding
Post-results services: confirmation of candidate consent information	Candidate consent now by submission of google form	Candidate consent is captured electronically on a spreadsheet that is then used to track the requests.	Overall tracking spreadsheet is kept securely on the exams google drive
Post-results services: requests/outcome information	All requests made electronically	All electronic - Immediately forwarded to the candidate. Electronic files kept until deadline for reviews of marking has passed or until any appeal, malpractice or other results enquiry has been completed, whichever is later	Downloaded RoM are deleted by EO staff from google drive.
Private candidate information	Any hard copy information relating to private candidates' entries	Kept until the deadline for reviews of marking has passed or until any appeal, malpractice or other results enquiry has been completed, whichever is the later	Confidential waste/shredding
Proof of postage – candidates' work	Sample of candidates' work submitted to	Kept until the deadline for reviews of marking has passed or until any	Confidential waste/shredding

	awarding body moderators;	appeal, malpractice or other results enquiry has been completed, whichever is the later	
Resilience arrangements. Evidence of candidate performance	Work / exam scripts from mocks are kept securely by the respective Heads of Department.	Kept until just before study leave and exams are confirmed as taking place	Confidential waste/shredding of unreturned work
Resolving timetable clashes information	Clash information held on google drive. Emails to advise candidates of arrangements	All electronic.	kept on secure exams google drive and SIMS
Results information	Broadsheets of results summarising candidate final grades by subject by exam series	Secure electronic records for current year plus previous 7 years to be retained as a minimum	Archived on SIMS exams. Any hard copies are disposed of by confidential waste/shredding
Seating plans	Seating plans signed by invigilators showing the seating arrangements of all candidates for every exam taken, including for access arrangements	Kept until the deadline for reviews of marking has passed or until any appeal, malpractice or other results enquiry has been completed, whichever is the later. Documentation kept for 2 years on file to be able to refer to.	Confidential waste/shredding Electronic information archived on SIMS exams
Special consideration information	Any hard copy information relating to a special consideration request and supporting evidence submitted to an awarding body for a candidate	Retains evidence supporting an on-line special consideration application until the deadline for reviews of marking has passed or until any appeal, malpractice or other results enquiry has been completed, whichever is later. Hard copy information kept on file for 2 years to be able to refer to.	Confidential waste/shredding
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.	Retains documentation until the deadline for reviews of marking has passed or until any appeal, malpractice or other results enquiry has been completed, whichever is later.  Main documents are electronic	Confidential waste/shredding Electronic information held on secure google Exams drive
Very late arrival reports/outcomes	Any hard copy information relating to a candidate arriving very late to an exam. Reports submitted online via CAP.	Retains supporting evidence documentation until the deadline for reviews of marking has passed or until any appeal, malpractice or other results enquiry has been completed, whichever is later	Confidential waste/shredding Electronic information held on secure google Exams drive

Word processor scripts from candidates	Electronic files kept by in N drive in a single folder by student by paper	Retains supporting evidence documentation until the deadline for reviews of marking has passed or until any appeal, malpractice or other results enquiry has been completed, whichever is later	Securely deleted
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