General Data Protection Regulation (GDPR) policy: Exams

Magna Academy

Approved by:		**Date:** November 2024
Last reviewed on:	September 2026	
Next review due by:	September 2027	

Key staff involved in the General Data Protection Regulation policy

Role	Name(s)
Head of centre	**Mr Philip Midworth**
Exams officer	**Mr Farayi Munyoro**
Exams officer line manager (Senior Leader)	**Mrs Manpreet Kainth**
Data Protection Officer	**Mr John Eldridge**
IT manager	**Boris Didov**
Data manager	**Ms Angela Jones**

Purpose of the policy

This policy details how Magna Academy, in relation to exams management and administration, ensures compliance with the regulations as set out by the Data Protection Act (DPA) and General Data Protection Regulation (GDPR).

At the date of reviewing these regulations, although the UK has left the European Union the General Data Protection Regulation still has a direct effect within the UK (JCQ's General Regulations for Approved Centres (GR, section 6) **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
- not transferred outside the European Economic Area without adequate protection

To ensure that the centre meets the requirements of the DPA 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; Multi Academy Trust; Consortium; the Press

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 Secure website
- Management Information System (MIS) provided by Arbor 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

Magna Academy 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 and/or written request

Candidates are made aware of the above at the start of their course of study leading to external examinations.

Students are signposted to 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) via the Student Exam Handbook.

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 in relation to exams.

Hardware	Date of purchase and protection measures	Warranty expiry
HP ProBook 250 G9 laptop	2024	Hardware - 2025 (in house support after) OS - Ongoing Support
HP Chromebook 11 G9 EE	2025	Hardware - 2025 (in house support after) OS - 2031

Software/online system	Protection measure(s)
Trelson Assessments	Trelson Assessment features a complete computer lockdown mode, preventing students from accessing external websites, applications, or files during an exam. It also prevents unauthorised staff and third parties from gaining access to the data. This mode is activated during exams, ensuring compliance with GDPR. The relationship between Trelson and Magna Academy is governed by mutually agreed policies including a DPA. Access to student data, including controlled assessment data is limited to that which is necessary to run the exams. Persons specifically with access are the Exams Officer, SLT Exam Lead, relevant invigilator and, only where necessary to resolve technical issues, IT staff. Data access and modification are logged in Google Workspace and subject to Google's GDPR and DLP measures. The exam environment is only made available during exam periods and is automatically revoked on exam period expiry. During the exam, data is saved, transferred and secured every 20 seconds, limiting the possibility of data loss. Should connection to the secure storage fail, students are able to finish their exam and access is revoked automatically at exam end. The data is then recoverable directly from the device through specific processes defined by Trelson Assessment. If these emergency procedures are activated, data control is handed to the IT Team member (under the supervision of the Invigilator and Exam Officer/SLT Exam Lead) who recovers the exam data until they deposit it into the secure exam submission container in Google Workspace. The technical data control is subject to Trelson data protection policies. Functional data control is managed by Magna Academy as required by school exam policies or exam board requirements as relevant.
Safe Exam Browser	Safe Exam Browser is used in conjunction with Trelson Assessments to facilitate the locking down of HP ProBook 250 G9 devices. When in use, students cannot access any material outside of the permitted exam materials. The technical data control is subject to Trelson and Safe Exam Browser data protection policies. Functional data control is managed by Trelson.

Google Workspace	Exam and student data is stored in Google Workspace under an Aspirations Academies Trust tenant, and in specific cases where necessary by Trelson Assessment. Data access is limited technically through Google Workspace's inbuilt data security functionality, and functionally through data security practices implemented by the Exam Officer and IT Department. Access is safeguarded by secure Google authentication. Credential security is reviewed as required, and accounts with significant data access are protected with 2FA. Unauthorised login attempts and suspicious logins are automatically logged and reviewed in Google Workspace.

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-attack involving ransomware infections

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

1. **Containment and recovery**

IT Manager & 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 annually

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 6 months (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 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 the information/data held on them by making a **subject access request** to the Data Protection Officer in writing. Former candidates unknown to current staff will need to provide an exam result slip/certificates with photographic ID. All requests will be dealt with within 40 calendar days.

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.

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 results have been announced, 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, except in section 1, 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

Magna Academy 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
  (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

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	H
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)	Access arrangements online In secure area solely accessed to by exams/SEND department	Pa In ac ex
Attendance registers copies		n/a	Exam office	
Candidates' work	Coursework		Secure storage in curriculum areas	
Certificates		Name/DOB Student signature of receipt	Exam store	In as
Certificate destruction information	.	Candidate name	Exam store	In as
Certificate issue information		Candidate name/signature	Exam store	In as
Entry information		Name/DOB	Exam office MIS	In as

				Password protected	
Exam room incident logs		Candidate name	Exam office	In secure area solely assigned to exams	After EAR
Overnight supervision information		Name/DOB/Address/signature	Exam office	In secure area solely assigned to exams	After EAR
Post-results services: confirmation of candidate consent information		Name/signature	Exam office	In secure area solely assigned to exams	6 years
Post-results services: requests/outcome information			Exam office MIS	In secure area solely assigned to exams Password Protected	6 years
Post-results services: scripts provided by ATS service			Exam office		6 years
Post-results services: tracking logs			Exam office	In secure area solely assigned to exams	6 years
Private candidate information		Name/DOB/Address/photo ID Proof of ID	Exam office MIS	In secure area solely assigned to exams Password protected	9 months
Resolving clashes information		n/a	Exam office	In secure area solely assigned to exams	After EAR

Results information		Name/DOB Signature of receipt	Exam office MIS	In secure area solely assigned to exams Password protected	6 years
Seating plans		n/a	Exam office	In secure area solely assigned to exams	6 months
Special consideration information		Name/DOB/sensitive information	Exam store	In secure area solely assigned to exams	6 months
Suspected malpractice reports/outcomes		Candidate name/DOB	Exam office	In secure area solely assigned to exams	9 months
Transferred candidate information		Name/DOB/address	Exam office	In secure area solely assigned to exams	6 months
Very late arrival reports/outcomes		Candidate name	Exam office	In secure area solely assigned to exams	6 months