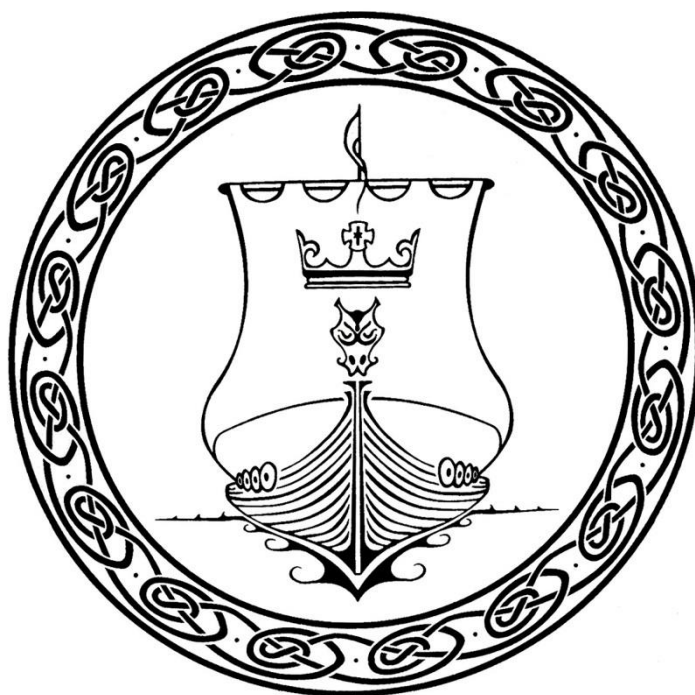


Queen Elizabeth II High School

Data Protection Policy (exams)

2023/24



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Key staff involved in the General Data Protection Regulation policy

Role	Name(s)
Head of centre/Data Controller (DC)	Mrs Charlotte Clarke
Data Protection Officer DESC	Tahir Deen
Exams officer	Mrs Paula Venezia
Exams officer line manager (Senior Leader)/Data Protection Representative (DPR)	Mr John Kinley
IT manager	Mr C Horton
Data manager	Mr J Kinley

Purpose of the policy

This policy details how Queen Elizabeth II High School, in relation to exams management and administration, ensures compliance with the regulations as set out by the Data Protection Act 2018 and the Data Protection (Application of GDPR) Order 2018, the Data Protection (Application of LED) Order 2018, and associated GDPR Regulations 2018 (or any updates to such legislation under this Act and Orders)

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 GDPR regulations 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 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 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
- Cambridge Assessment International Education (Cambridge International)
- The Department for Education, Sport and Culture; Collaborative schools, the Press, Universities
- Scottish Qualifications Authority
- Island Secondary Schools and UCM

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; Asdan Candidate Services; Cambridge International Direct; OCR Interchange; Pearson Edexcel Online; SQA Candidate services; WJEC Secure website;

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- 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>), <https://direct.cie.org.uk/a2c>, and to/from Asdan, SQA processing systems; etc.

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

Queen Elizabeth II High 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, written request.

Candidates are made aware of the above at the start of a course leading to a vocational qualification, or, where candidates are following Level 1-3 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 Asdan, Cambridge International, JCQ, SQA document Information for candidates – Privacy Notice which explains how the awarding bodies process their personal data in accordance with the DPA 2018 and 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 are protected in line with DPA & GDPR requirements.

Hardware	Date of purchase and protection measures	Warranty expiry
Desktop computer; Laptop/tablet.	<p>HP 645 G2 laptops purchased April 2016. Specifically for examinations. These are built to Isle of Man Government Department of Education Sport and Culture (IOMG) standards for software and device security (currently Windows 10 and Office 2016, with updated endpoint protection from Windows as antivirus solution)</p> <p>Laptops are checked prior to each examination season by the on-site technician, employed by Isle of Man Government Technology Services (GTS). Any updates/configuration policies that are required for exam examination season are changed at this time.</p> <p>Spare replacement laptops for all sessions are available for the invigilator to offer if necessary.</p>	Laptops on a seven year cycle for replacement as per (GTS) Service Level Agreement with current vendor if irreparable issues arise.

Software/online system	Protection measure(s)
IOMG Data Centre where critical systems are run	Individual examination accounts are created which are designated to each student requiring examination access prior to each examination season. Once logged in, there are subject to the security policies designed by GTS to prevent Internet access, accessing network folders other than the one specified to them, and to have only software required for the examination available once they have logged in.
MIS; Intranet; Internet browser(s); Awarding body secure extranet site(s); A2C; etc.] MIS	Secure user names and password Managing permissions Protected usernames and passwords; the Examinations Officer has to approve the creation of new user accounts and determine access rights; regular checks to Firewall/Antivirus software; etc. Encryption software on laptops MIS (SIMS) Student data is held and backed up, the data is not accessible to students. Regular backups. Information is generated relating to each students exam and printed out.
TURRYS Terminal Server/QE2StudentDocs	This is only accessible by a GTS administration account or the Examinations Officer and is where accounts are created for each examination season. The TURRYS server is also where passwords are reset, should there be any access issues. The QE2StudentDocs folder is also stored in the Data Centre. Documents are saved there during the duration of the examination and when completed the Examinations Officer accesses the examinations scripts and prints them out in a secure area. The examination script is verified and signed by the student in a secure area. The Examinations Officer informs the on-site technician that the examination has finished and the on-site technician then wipes the folder in preparation for the next examination session. There is no access to this area via a VPN connection; it is only available on an IOMG site.

Section 4 – Dealing with data breaches

The Head teacher is the Data Controller (DC) in Queen Elizabeth II High School, who will endeavour to ensure that all personal data is processed in compliance with this policy the Data Protection Act 2018 and the Data Protection (Application of GDPR) Order 2018, the Data Protection (Application of LED) Order 2018, and associated GDPR Regulations 2018 (or any updates to such legislation under this Act and Orders). The Data Protection Representative for Queen Elizabeth II High School is the School Business Manager.

The data protection legislation requires that we report to the Information Commissioner’s Office (ICO) any personal data breach where there is a material risk to the rights and freedoms of the data subject and the breach must be reported within 72 hours of first becoming aware of the breach.

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

DPR 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

All data breaches will be reported to the Head teacher (DC) and the Data Protection Officer for the Department of Education Sport and Culture: Hamilton House, Douglas. IM1 5EZ. Tel 01624 685828. Email: DPO-DESC@gov.im.

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.

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 12 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 within this policy.

Section 7 – Access to information

The GDPR gives individuals the right to see information held about them. This means individuals can request information held about them and their exam performance, including:

- their mark
- comments written by the examiner
- minutes of any examination appeals panels

Requesting exam information

Requests for exam information can be made by making a **subject access request** to Mrs K Darlow, Data Protection Representative in writing/email. Photographic ID will need to be confirmed if a former candidate is unknown to current staff. 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 understand 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 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.

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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 Isle of Man Government). The centre's DPR will confirm the status of these agreements and approve/reject any requests.

Sharing information with parents

Queen Elizabeth II High School will take into account any other legislations and guidance regarding sharing information with parents (including non-resident parents), as example guidance from The Department for Education, Sport and Culture regarding parental responsibility.

Publishing exam results

Queen Elizabeth II High School will publish examination results by emailing the IOM Press Office after students have received their results in August. Results are published alphabetically in subject order. Grades are not published. Results are only published with the written consent of the candidate.

If an individual believes that the school has not complied with this Policy or the Data Protection legislation, they should utilise the School complaints procedure and should also notify the Data Controller at Queen Elizabeth II High School, Douglas Road, Peel. IM5 1RD Tel. 01624 841000 Email: QE2enquiries@sch.im

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	Any hard copy information kept by the EO relating to an access arrangement candidate	Candidate name Candidate number Candidate DOB Gender Data protection notice (candidate signature) Diagnostic testing outcome(s) Specialist report(s) (may also include candidate address) Specialist assessor signature Evidence of normal way of working	Access Arrangements Online MIS Lockable metal filing cabinet	Secure user name and password Regular backups Encryption software on laptops Managing permissions In secure area solely assigned to exams in exams office and Learning Support Office)	To be returned to Learning Support Manager as records owner at end of the candidate's final exam series.
Attendance registers copies	Record of external examination/coursework attendance	Candidate name Candidate number	Secure room solely assigned to exams in the Data and Assessment office	In secure area solely assigned to exams with two key holders.	To be retained until the deadline for EARs or the resolution of any outstanding enquiries/appeals for the relevant exams series

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' scripts	Any unwanted copies of scripts returned to the centre through the Access to Scripts (ATS) service.	Candidate name Candidate number Candidate signature	To be retained securely until the awarding body's earliest date for confidential disposal of unwanted scripts. <i>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.</i> [Reference PRS 6]	In secure area assigned to Head of Subject e.g. Lockable metal filing cabinet	Confidential disposal
Candidates' work	Non-examination assessment work) returned to the centre after awarding body moderation	Candidate name Candidate number Authentication form (candidate signature)	To be immediately returned to Head of subject. To be stored safely and securely along with work that did not form part of the moderation sample (including materials stored electronically).	In secure area assigned to Head of Subject e.g. Lockable metal filing cabinet	Returned to candidates or safe disposal after the deadline for EARs or the resolution of any outstanding enquiries/appeals or malpractice investigations for the exam series.
Candidates' work	Mock papers, tests assessed in class.	Candidate name	To be returned to Head of subject.	In secure area assigned to Head	Stored in the secure area indefinitely

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		Candidate number		of Subject e.g. Lockable metal filing cabinet	
Certificates	Certificates issued by Awarding Bodies listing subjects and grades achieved.	Candidate name Candidate number Subject/Grade	In locked office opposite reception	In secure area	Unclaimed/uncollected certificates to be retained securely for 12 months from the date of issue then confidentially destroyed at the centres discretion.
Certificate destruction information	A record of unclaimed certificates that have been destroyed.	Candidate name Candidate number Subject/Grade	School archiving file	Secure user name and password	To be retained for 4 years from the date of certificate destruction.
Certificate issue information	A record of certificates that have been issued to candidates.	Candidate name Candidate signature	School archiving file	Secure user name and password	To be retained for 4 years from the date of certificate issue information.
Confidential materials delivery log	A log recording confidential materials delivered	n/a	Reception	In secure area	Stored electronically on the exams area indefinitely

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
Dispatch logs	Proof of dispatch of exam script packages to awarding body examiners	Name and address of Examiners	Log held within typing	Regular back ups	Log to be retained for four years
Entry information	Any hard copy information relating to candidates' entries.	Candidate name Candidate number	Digital copies stored on the exams area indefinitely	Secure user name and password Regular backups. Encryption software on laptops. Managing permissions	Hard copies to be archived in the exams storage for one 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
				In secure area solely assigned to exams	
Exam question papers	Question papers for timetabled written exams	n/a	Stored in the exams secure storage after exam and issued to teaching staff 24 hours after the published exam time in case of any clashes and only when all candidates in the centre have completed the exam.	In secure area solely assigned to exams	Stored securely by teaching staff after 24 hours after all candidates in the centre have sat the exam including any clash candidates. For the November CAIE 2021 season exam question papers stored securely by teaching staff after 72 hours after all candidates in the centre have sat the exam including any clash candidates.
Exam room incident logs	Logs recording any incidents or irregularities in exam rooms	Candidate name Candidate number Malpractice/Special Consideration evidence if applicable	Archived in exams secure storage.	In secure area solely assigned to exams	Archived in exams secure storage for one academic year.
Overnight supervision information	Copy of JCQ/Cambridge International/SQA Timetable Variation form.	Candidate name Candidate number	Archived in exams secure storage	In secure area solely assigned to exams	To be retained for inspection and until the deadline for EARs or the resolution of

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
		Candidate date of birth Candidate address Candidate signature Parent/Supervisors name Parent/Supervisors address Parent/Supervisors signature			any outstanding enquiries/appeals for the relevant exams series.
Post-results services: confirmation of candidate consent information	Hard copy or email record of candidate consent for EAR (Enquiry about result) or ATS (Access to Script) request to be submitted to an awarding body.	Candidate name Candidate number Candidate signature	Archived in exams secure storage	In secure area solely assigned to exams	EAR consent to be retained for at least six months following the outcome of the enquiry or any subsequent appeal. ATS consent to be retained for at least six months from the date consent given. Archived in exams storage.
Post-results services: requests/outcome information	Any hard copy information relating to a post-results service (EARs, appeals, ATS) submitted to an awarding	Candidate name Candidate number Candidate subject grade	Archived in exams secure storage.	In secure area solely assigned to exams	To be retained for at least six months.

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
	body for a candidate and outcome information from the awarding body.				
Post-results services: scripts provided by ATS service	Copy or original exam scripts returned to the centre by the awarding body	Candidate name Candidate number Candidate script	To be immediately returned to student when received from Awarding Body. If requested to support teaching and learning, to be immediately returned to Head of Subject.	In secure area solely assigned to exams	Where scripts are retained by the centre, they must be securely stored (including any electronic versions) and not edited in any way or disposed of until after the Awarding Body deadline.
Post-results services: tracking logs	A log tracking to resolution all post-results service requests submitted to awarding bodies.	Candidate name Candidate number	Archived in exams secure storage	In secure area solely assigned to exams	Archived in exams secure storage
Private candidate information	Any hard copy information relating to private candidates' entries	Candidate name Candidate number Candidate address Candidate date of birth Candidate signature	Archived in exams secure storage	In secure area solely assigned to exams	Archived in exams secure storage

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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
Resolving timetable clashes information	Any hard copy information relating to the resolution of a candidate's clash of exam papers or a timetable variation	Candidate name Candidate number Candidate signature Parent/carer signature	Archived in exams storage	In secure area solely assigned to exams	To be retained on file until the end of the exam series or to be retained and accessible for EARs or the resolution of any outstanding enquiries/appeals for the relevant exams series
Results information	Broadsheets of results summarising candidate final grades by subject by exam series	Candidate name Candidate grades	Archived in exams storage	In secure area solely assigned to exams	Records for current year plus previous 6 years to be retained as a minimum
Seating plans	Plans showing the seating arrangements of all candidates for every exam taken	Candidate name Candidate number Invigilators signature (s)	Archived in exams storage	In secure area solely assigned to exams	To be kept until the deadline for EARs and the resolution of any outstanding enquiries/appeals for the relevant exams series

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
Special consideration information	Any hard copy information relating to a special consideration request and supporting evidence submitted to an awarding body for a candidate.	Candidate name Candidate number Candidate signature Head of Centre/Exams Officer/Invigilator (s) signature Evidence and signatures supporting application which may include evidence from third party organisations e.g. Parent, Doctor, Consultant etc.	Digital copy to be retained on the exams area. Hard copies to be archived in the exams storage.	Secure user name and password. Regular backups. Encryption software on laptops. Managing permissions. In secure area solely assigned to exams.	To be retained until after the publication of results.
Suspected malpractice reports/outcomes	Any hard copy information relating to a suspected malpractice investigation/report submitted to an awarding body and outcome information from the awarding body.	Candidate name (s) Candidate number (s) Evidence relating to the investigation. Head of Centre/Exams Officer/Invigilator (s) signature	Digital copies to be stored on the exams area. Hard copies to be archived in exams storage.	Secure user name and password. Regular backups. Encryption software on laptops. Managing permissions. In secure area solely assigned to exams.	Digital copies to be stored on the exams area. Hard copies to be archived in exams storage.

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
Transferred candidate arrangement.	Any hard copy information relating to an application for a transferred candidate arrangement submitted to an awarding body for a candidate.	Candidate name Candidate number Exams Officers signature Host Centre number Host Centre Exams Officers signature	Digital copies to be stored on the exams area. Hard copies to be archived in exams storage.	Secure user name and password. Regular backups. Encryption software on laptops. Managing permissions. In secure area solely assigned to exams.	To be retained until the transfer arrangements are confirmed by the awarding body.
Very late arrival reports/outcomes	Any hard copy information relating to a very late arrival report submitted to an awarding body for a candidate and outcome information from the awarding body.	Candidate name Candidate number Candidate signature Potentially sensitive evidence Head of Centre/Exams Officer/Invigilator (s) signature	Digital copies to be stored on the exams area. Hard copies to be archived in exams storage.	In secure area solely assigned to exams.	To be retained until the end of the current examination series or until after the deadline for EARs or the resolutions of any outstanding enquiries appeals or malpractice investigations.