SAIL Academy Exams:

Data Protection Procedure

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Centre name	SAIL Academy
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Key staff involved in the procedure

Role	Name
Head of centre	Daniel Goldstraw (SENCo, DDSL)
Exams officer	Andrew Fulker
Other staff (if applicable)	

These procedures are reviewed and updated annually to ensure that SAIL Academy deals with child protection and safeguarding in accordance with current requirements and regulations.

References in this procedure to GR and ICE refer to the JCQ publications **General Regulations for Approved Centres** and **Instructions for conducting examinations**.

Purpose of the procedure

This procedure details how SAIL Academy 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**)

It is the responsibility of the centre to inform candidates of the processing that the centre undertakes. For example, that the centre will provide relevant personal data including name, date of birth, gender to the awarding bodies for the purpose of examining and awarding qualifications.

All exams office staff responsible for collecting and sharing candidates' data are required to follow strict rules called 'data protection principles' ensuring the information is:

- used fairly and lawfully
- used for limited, specifically stated purposes
- used in a way that is adequate, relevant and not excessive
- accurate
- kept for no longer than is absolutely necessary
- handled according to people's data protection rights
- kept safe and secure

To ensure that the centre meets the requirements of the DPA 2018 and UK GDPR, all candidates' exam information – even that which is not classified as personal or sensitive – is covered under this procedure.

Section 1 – Exams-related information

There is a requirement for the exams office(r) to hold exams-related information on candidates taking external examinations. For further details on the type of information held please refer to Section 5 below.

Candidates' exams-related data may be shared with the following organisations:

- Awarding bodies
- Joint Council for Qualifications (JCQ)
- Department for Education; Independent Schools Council; Local Press
- Reach South 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 and Pearson Edexcel Online.
- Arbor
- EDI using A2C (https://www.jcq.org.uk/about-a2c) to/from awarding body processing systems

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

Section 2 – Informing candidates of the information held

SAIL Academy ensure that candidates are fully aware of the information and data held.

All candidates are:

- informed via letter sent home to parents
- given access to this procedure via the school website

Candidates are made aware of the above when the entries are submitted to awarding bodies for processing through issue of the Candidate Exam Handbook.

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).

Materials which are submitted by candidates for assessment may include any form of written work, audio and visual materials, computer programmes and data ("Student Materials"). Candidates will be directed to the relevant awarding body's privacy notice if they require further information about how their Student Materials may be used by the awarding body.

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	Background
Infrastructure	Administrator access is restricted to only IT Services, IT manager and select IT admins. Desktop devices are protected using Microsoft Windows Defender. The infrastructure is split into two networks to divide the infrastructure and the day-to-day user devices. This uses a two-layer enterprise firewall to block any external communications. This has been 'pen tested' by an external cyber organisation. User profiles/accounts are created for role specific jobs. Examination accounts are not created using our MIS but through PowerShell for automation and speed which feeds directly into our Active Directory. Each account has its own unique set of AD permissions, what it can read/write, if it can access the internet etc. Accounts created in Arbor are also automated but using a service called Salamander. The network is split up into multiple VLANs. This allows us to split devices up into different IP ranges and subnets. This is config is setup on each switch I.e., student desktops on VLAN x and printers on VLAN All files are backed up and are kept separate from the server room in a remote part of the site. Backups are running twice a day.

	The centre makes use of group procedure. This enables us to make changes to a mass number of users and to lock down anything student or staff shouldn't use/see. This also is extended to devices. SAIL Academy has a strict procedure on passwords. Passwords must be no shorter than 8 characters and must include a capital, number and special character. On top of this, it mustn't contain any personal information nor anything about SAIL Academy.
	Emails are sent through our on-premises MS Exchange servers. Our spam filter, Barracuda, filters any malicious/phishing emails. Every device at SAIL Academy is domain joined to the network to ensure every device gets all the latest procedure updates. To ensure we're on the latest versions of Windows, we make use of WSUS which enables us to keep on top of client updates as well as server updates. All Internet browsing takes place on a monitored system called Smoothwall. Every Key Stage has its own rules set to make sure anything based on adult material, radicalisation, shopping, suicide, social media is filtered. A report is run each week and is filtered down appropriately to the DSL. To keep personal data secure outside of the organisation, SAIL Academy implemented across all schools MFA (Multi-Factor Authentication). This means anything to do with personal data online through SharePoint (VLE)/Arbor/CPOMS requires an additional layer of security to access.
Desktops	Select office-based support staff also have a desktop to work from. Every device uses 'Secure Boot' which stops anything malicious from starting up with the Operating System. Every device has an admin password which only IT Services has and this stops any tampering with the BIOS configuration. Every device uses an image capture of Windows and has the appropriate software installed for that subject/requirement. Every device which comes from Dell has the same hardware spec. During their first-time setup, every device is asset tagged and input into our asset registry system. Devices are configured to sleep after 10 minutes of inactivity to minimise the risk of data being accessed while being away from the device.

Laptops	Everything is the same as above in 'Desktops'. All teaching staff have their own laptop. Staff laptops use Microsoft Sync, which enables staff to take their laptop home using an offline copy of their files. Each time they visit a SAIL Academy; their offline file changes are synced with the sites DFS. Students also have access to laptops and laptop trolleys (department dependant). These have the same config and group procedure setup as the student desktops.

Software/online system	Protection measure(s)
Arbor	System controlled by the Data Manager. Access controlled by username and password. Accounts have specified access rights. Administrator accounts regularly reviewed and monitored. Restricted access to admin level privileges. Access requests go through an approval process. Local admin rights restricted to reduce client's ability to run executables. Inactive or no longer required user accounts are disabled. Archive and deletion are depending on user's role and need for making data available for ex-students. Anything GDPR related on the system itself is down to Arbor as a company to manage here.
A2C	Access controlled by username and password for account login. Only accessible on Exams Manager desktop computer and user profile.
Microsoft Edge & Google Chrome	All Internet browsing takes place on MS Edge and Google Chrome. Edge is a chosen preferred browser now and are starting to phase out Chrome.
Read/Write	Reading software which we use for English exams. The PDF version of the exam paper is put into an extractor so that the software can read it.

Candidate details	Stored	Managed	Protected
Candidate Exam Detail: - Name - Candidate number - UCI	Electronically on Arbor Exam registers, seating plans, Access Arrangement registers and hardcopies of the above produced when necessary for exams	Stored/Deleted on Arbor in line with whole school Data Protection and Archiving Policies Hardcopies of Exam Data destroyed annually following the deadline for all reviews of results or appeals	All data on Arbor only accessible to SAIL Academy staff. It is protected by • password protected area on the centre's intranet • secure drive accessible only to selected staff • information held in secure area
Exam Access Arrangements (AA) Information	Electronically on SENCo's desktop computer or Lap top, hard copies in Exam files for exams	Deleted following the deadline for all Reviews of results or appeals	SENCo Desktop and is password protected, hard copies only in use by exam staff during exam periods
Candidate Results	Downloaded electronically and stored on Arbor. Hardcopies printed for individual candidates, SLT and Curriculum Leaders Anonymous results information supplied to local press, candidate's permission will be sought before any named results information is given out to the press	Stored/Deleted on Arbor in line with whole school Data Protection Procedure Hard copies of annual results are kept in the exams office	All data on Arbor/SharePointi only accessible to SAIL Academy staff and are protected in the following ways: • secure drive accessible only to selected staff • information held in secure area (SLT)

Section 4 – Dealing with data breaches

Although data is handled in line with DPA/GDPR regulations, a data breach may occur for any of the following reasons:

- loss or theft of data or equipment on which data is stored
- inappropriate access controls allowing unauthorised use
- equipment failure
- human error
- unforeseen circumstances such as a fire or flood
- hacking attack
- 'blagging' offences where information is obtained by deceiving the organisation who holds it
- cyber-attacks involving ransomware infections

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

1. Containment and recovery

The 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 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.

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 SharePoint
- secure drive accessible only to selected staff
- information held in secure area
- updates undertaken every half term (this may include updating antivirus software, firewalls, internet browsers etc.) End user client equipment is updated when updates are released from Microsoft and the device has been restarted. Internet browsers are updated when they've been released by the developer

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 Procedure which is available/accessible from the Exams Manager

Section 7 – Access to information

(with reference to ICO information https://ico.org.uk/your-data-matters/schools/exam-results/)

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

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

This does not however give individuals the right to copies of their answers to exam questions.

Requesting exam information

Requests for exam information can be made to the Exams Manager in writing/email. ID will need to be confirmed by passport/driving licence or other form of photo ID 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 consider 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 and a local authority 'the corporate parent'), as example guidance from the Department for Education (DfE) regarding parental responsibility and school reports on pupil performance:

- Understanding and dealing with issues relating to parental responsibility www.gov.uk/government/publications/dealing-with-issues-relating-to-parental-responsibility/understanding-and-dealing-with-issues-relating-to-parental-responsibility

(Updated 24 August 2023 to include guidance on the role of the 'corporate parent', releasing GCSE results to a parent and notifying separated parents about a child moving school)

- School reports on pupil performance www.gov.uk/guidance/school-reports-on-pupil-performance-guide-for-headteachers

Publishing exam results

When considering publishing exam results, Twynham Learning Secondary Schools 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?

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 procedure (**Access to information**)

For further details of how long information is held, refer to section 6 of this procedure (**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	Collected and held to establish eligibility of student's use of specific exam arrangements	- Candidate name - Candidate DOB - Gender - Diagnostic testing outcome - Specialist reports - may also include candidate address - Evidence of normal way of working	- Access Arrangements Online - ARBOR / secure SharePoint site only accessible by relevant staff. - Lockable filing cabinet	- information held in secure area by SENCo or Assessor - password protected - electronic copies	The end of the current examination series or until after the deadline for EARs or when outstanding enquires, appeals or malpractice investigations have been resolved and closed
Attendance registers copies	Produced in Arbor for use in exam rooms	- Candidate name - Candidate number	- -Secure SharePoint site only accessible by relevant exam staff. - Hard copies retained in secure storage	- information held in secure area - Computer in secure office (Exams) - password protected	The end of the current examination series or until after the deadline for EARs or when outstanding enquires, appeals or malpractice investigations have been resolved and closed

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	Candidate current series exam papers	- Candidate name - Candidate number	- In exam secure storage	- Access to named key holders only	Minimum time until scripts can be despatched to awarding body
Candidates' work	Non-Examined Assessment work from different subjects	- Candidate name - Candidate number	- Secure SharePoint site only accessible by relevant staff. - Hard copies retained in secure storage or departments under secure conditions.	- In accordance with JCQ NEA 4.8 in secure storage by subject teachers	The end of the current examination series or until after the deadline for EARs or when outstanding enquires, appeals or malpractice investigations have been resolved and closed
Centre consortium arrangements for centre assessed work	Information on which subjects share teaching facilities.	- Candidate name - No: of students	- Access Arrangements Online - ARBOR / secure SharePoint site only accessible by relevant exams staff. - Hard copy retained on file in locked Exams office	Accessible only to AA and Exam staff who have AOL permissions. Exams office is secured when not occupied and only Exams staff have access.	The end of the current examination series or until after the deadline for EARs or when outstanding enquires, appeals or malpractice investigations have been resolved and closed

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
Certificates	Subject certificate verifying candidate grade	- Name - Candidate Number - DoB - Exam results	In secure exams store	in a secure storage area with locked door	1 year
Certificate destruction information	Subject certificate verifying candidate grade	- Name - Candidate Number - DoB - Exam results	In secure exams store	in a secure storage area with locked door	7 years Disposed of to a waste paper merchant or shredded using cross cut shredder
Certificate issue information	Subject certificate verifying candidate grade	- Name - Candidate Number - DoB - Exam results	In secure exam office	Only accessible by named key holders	7 years
Conflicts of interest records	Required annually by JCQ	- Staff name - relative names, - DOBs - Exam information	- Lockable - metal filing cabinet - Electronically on exam computer	In secure office (Exams) Secure user name & password	Kept on file until the end of the exam series and accessible for EARs or the resolution of any 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
Entry information	Required every exam series	- Candidate Name - Candidate Number - DoB - Gender - Access Arrangements	- Lockable metal filing cabinet - Electronically on exam computer	- In secure exam office - Secure user name & password	7 years
Exam room incident logs	Required every exam series	- Candidate Name - Candidate Number - Details of the incident	- In secure exam office	- In secure exam office	Kept on file until the end of the exam series and accessible for EARs or the resolution of any appeals for the relevant exams series
Invigilator and facilitator training records	Details of training and invigilator details	- Invigilator name - Invigilator signature	- In secure exam office	- In secure exam office	Keep until no longer employed or for at least 3 years whichever is longer
Overnight supervision information	Required if candidate has clash of 3 or more exams on same day – need to move an exam to later date	- Candidate Name - Candidate number - Place of residence, - supervisors name - relationship to candidate	- In secure exam office	- In secure exam office -	To be retained for JCQ inspection purposes. Kept on file until the end of the exam series and accessible for EARs or the resolution of any 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

Post-results services: confirmation of candidate consent information	Requested by candidate as/ when necessary	- Candidate name - Candidate number - Candidate signature - exam details	- In secure exam office	- In secure exam office	Kept on file until the end of the exam series and accessible for EARs or the resolution of any appeals for the relevant exams series
Post-results services: requests/outcome information	Results of outcome	- Candidate name - Candidate number - exam details - exam grade	- In secure exam office	- In secure exam office	EAR consent to be retained for at least six months following the outcome of the enquiry or any subsequent appeal. Internal exam records permanently amended accordingly
Post-results services: scripts provided by ATS service	Requested by candidates as/when necessary or by teaching staff (with candidates written permission) to use to inform teaching & learning	- Candidate name - Candidate number - Exam details	- Given directly to candidates or teaching staff	Stored by staff electronically	Where scripts are retained by the centre, they are 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	Compiled by exam manager when necessary	- Candidate name - Candidate number - Exam details	In secure exam office	In secure exam office	12 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

Private candidate information	Registration forms received before exam series	- Candidate name - Candidate number - Exam details	- In secure exam office	- In secure exam office	12 months
Resilience arrangements: Evidence of candidate performance	Marked mock exam scripts	- Candidate name - Candidate number - Centre number - Exam answers - Exam results	- Held under secure (locked) conditions within departments.	- Only department teaching staff have access to work that is locked away.	The end of the current examination series or until after the deadline for EARs or when outstanding enquires, appeals or malpractice investigations have been resolved and closed
Resolving timetable clashes information	Exam manager to do, when necessary, before each exam series	- Candidate name - Candidate number - Exam details	- Exams Manager computer - In secure exam office	- Password protected - In secure exam office	Kept on file until the end of the exam series and accessible for EARs or the resolution of any appeals for the relevant exams series.
Results information	Downloaded by exams manager following exams series	- Candidate name - Candidate number - UCI, - DoB - Exam results	- Exams Manager computer - Arbor - Sisra - Alps - Paper copies shared with LT and CLs	- Pass word - protection with software accounts accessible by named Twynham staff - In secure office (Exams)	7 years
Information type	Information description (where required)	- What personal/sensitive data is/may be contained in the information	- Where information is stored	- How information is protected	Retention period

Seating plans	Produced by exam manager each exam series	- Candidate name - Candidate number - Access Arrangement	- Arbor - Exams manager computer	- Password protected - Paper copies in secure exams office	Kept on file until the end of the exam series and accessible for EARs or the resolution of any appeals for the relevant exams series
Special consideration information	Produced by exams manager if necessary following exams	- Candidate name, - Candidate number - invigilator name - exam details, - exam incident details - possible candidate medical details - other supporting information	- Evidence supporting an online special consideration application - Exams manager laptop	- Password protected - In secure office (Exams)	Kept on file until the end of the exam series and accessible for EARs or the resolution of any appeals for the relevant exams series
Suspected malpractice reports/outcomes	Produced by Head of Centre following exams Outcomes downloaded by exams manager	- Candidate name, - Candidate number - invigilator name - exam details, - exam incident details - other supporting information	- Exams manager laptop - In secure office (Exams)	- Password protected - In secure office (Exams)	Kept on file until the end of the exam series and accessible for EARs or the resolution of any 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

Transferred candidate arrangements	Organised by exams manager of both establishments through JCQ portal	- Candidate name - Candidate number - UCI, - DoB - Exam details	- Exams manager laptop	Password protected - In secure office (Exams)	Kept on file until the end of the exam series and accessible for EARs or the resolution of any appeals for the relevant exams series
Very late arrival reports/outcomes	Required if candidate very late for exam	- Candidates name - Candidate exam number - Exam details - Information regarding late arrival	- In secure office (Exams)	- In secure office (Exams	Kept on file until the end of the exam series and accessible for EARs or the resolution of any appeals for the relevant exams series