

The **GALLERY TRUST**



A community of special schools

Examinations and Accreditation Data Protection Policy

Written	April 2021
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Lead	Data Protection Manager
Signed:	
Chief Executive Officer	_____
Chair of Trustees	_____



Purpose

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

Students are given the right to find out what information the Trust 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 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 and up to date
- Kept for no longer than is necessary
- Handled according to data subjects' data protection rights
- Kept safe and secure
- Not transferred outside the European Economic Area without adequate protection

Section 1 – Exams-related information:

There is a requirement for the exams officer and exams staff to hold exams-related information on candidates taking external examinations.

Candidates' exams-related data may be shared with organisations, examination bodies and external verifiers including:

- Awarding bodies
- Joint Council for Qualifications
- Department for Education
- Local Authority
- ASDAN
- NOCN
- Pearson
- WJEC

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

- Hard copy
- Email
- Secure extranet sites (e-AQA, OCR Interchange, Pearson Edexcel online, WJEC Secure services)
- Management Information Systems
- Post to external verifiers

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

Section 2 – Information for pupils

The Gallery Trust ensures that pupils are aware of the information and data held. All pupils are informed about their examination timetable verbally, and results are shared with pupils and parents/carers. Information about results, assessment and accreditation are provided in reports which may be shared appropriately with third parties (e.g. onward educational establishments, colleges etc). This information can also be included in Education Health and Care Plans.

Pupils receive all their certificates when they leave the academy. **Copies are not retained, as if necessary, the Trust can check results of past students through the examination board secure sites.**

Section 3 – 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 fire or flood
- Hacking attack
- ‘blagging’ offences where information is obtained by deceiving the organisation who holds it

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

Containment and recovery:

The Data Protection Officer (Satswana Ltd, info@satswana.com; telephone number 01252 516898) will lead on investigating the breach as soon as it has been identified.

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 and 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

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 it is?

- 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 it relates; if it has been damaged, this poses a different type of 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 loss of public confidence in an important service we provide?

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 and 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 4 – Candidate information, audit and protection measures:

All candidates' examination papers will be handled in line with DPA/GDPR guidelines and will be securely retained. Coursework will not necessarily require to be secured, as coursework is part of the everyday requirements of the curriculum, and teaching and learning. Photographs may be taken for assessment use only.

Examination papers are stored securely in archive storage until they are destroyed in line with the Trust's Compliant Records Management policy. Examination papers are stored until the appeals/validation process has been completed, for one year. Examination papers and information containing personal data will be securely destroyed in confidential waste.

Public examination results and internal examination results are added to the pupil's record and securely destroyed at the end of the retention period for pupil records, 25 years after date of birth.

Protection measures for data may include:

- Password protected area on the academy's intranet
- Secure drive accessible only to selected staff
- Information held in secure area
- Updates which apply to the Trust's security measures undertaken every month (including updating antivirus software, firewalls, internet browsers etc.)
- When sending information through email, eg to external verifiers, work is password protected and the password is sent in a separate email.

Information shared with examination boards and verifiers include:

- Full name
- Date of Birth
- Gender
- UCI number
- Unique Learning Number
- Assessments
- Coursework
- Results
- Photographs of learners. Photographs are provided for assessment purposes only and are not for publication.

Section 5 – Access to 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/email. Valid photographic ID will be requested if a former candidate is unknown to current staff.

The Data Protection Officer for The Gallery Trust is Satswana Ltd, info@satswana.com; telephone number 01252 516898

