**St Michael’s Catholic Grammar School**

**General Data Protection Regulation Policy (Exams)** 2021/22

**Founded by the Sisters of the Poor Child Jesus, a Voluntary Aided school in the trusteeship of St Michael’s Catholic School Trustee and a member of the Loreto Education Trust.**

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| **Approved by:** | **Headteacher** | **Date: March 2022** |
| **Last reviewed on:** | **N/A** | |
| **Next review due by:** | **Spring 2023** | |

**Key staff involved in the policy**

|  |  |
| --- | --- |
| **Role** | **Name(s)** |
| Head of Centre | Mr M Stimpson |
| Exams Administrator | Mrs N De Lord |
| Exams Admnistrator Line Manager | Mrs R Wallis |
| IT Manager | Mr G Pite |

**Purpose of the policy**

This policy details how St Michael’s Catholic Grammar in relation to exams management and administration, ensures compliance with the regulations as set out by the Data Protection Act 2018 (DPA 2018) and General Data Protection Regulation (GDPR).

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 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 – Candidate information, audit and protection measures*.

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

* Awarding bodies
* Joint Council for Qualifications
* [insert (by listing) any other organisations as relevant to your centre e.g. Department for Education; Local Authority; Multi Academy Trust; Consortium; the Press; etc.]

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

* hard copy
* email
* secure extranet site(s) – [insert as appropriate to your centre e.g. eAQA; OCR Interchange; Pearson Edexcel Online; WJEC Secure services; City & Guilds Walled Garden; etc.]
* a 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>) to/from awarding body 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**

St Michael’s Catholic Grammar ensures that candidates are fully aware of the information and data held.

All candidates are:

* informed via the school website
* given access to this policy via the school website

Candidates are made aware of the above at the start of their course of study leading to an externally accredited qualification.

Candidates eligible for access arrangements 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 is protected in line with DPA & GDPR requirements.

|  |  |
| --- | --- |
| Hardware | Date of purchase and protection measures |
| MIS Server | Purchased 2019 with 5-year warranty  Local IT Engineering Support  LA application support  Windows authentication (restricted by user role)  Automated AV protection update |
| Desktop Computers | Automated AV protection  Windows Authentication  WatchGuard Firewall restrictions |
| NAS Server | Purchased 2019 with 5-year warranty  Local IT Engineering Support  Automated AV protection update  Windows security and authentication |
| Backup Server | Standalone Backup Server on site and separated from Domain  Windows Authentication for ICT support team only  Cloud encrypted daily backups with MFA for access |

|  |  |
| --- | --- |
| Software/online system | Protection measure(s) |
| MS. Office | Files stored in network storage protected by MS. Windows securities and passwords, with restrictions by staff groupings. |
| MIS System | Password Protected. |
| MIS Exams Organiser | Password Protected. |
| A2C Transfer Software | Installation on EO machine. |
| Awarding Body Secure Websites | Individual staff passwords/accounts. |
| Secure email | Encrypted and password protected cloud email system. |

**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

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

1. **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?

1. **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.

1. **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 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 in the centre’s Exams archiving policy which is available/accessible in the Exams Policy.

**Section 7 – 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. Candidates not known to staff will need to provide photo evidence. All requests will be dealt with within 40 calendar days.

**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 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.