Oak Academy

Data Protection for Exams Policy

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1. Introduction

1.1. Statement of Intent

This policy details how Oak 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)

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 UK GDPR, all candidates' exam information –even that which is not classified as personal or sensitive –is covered under this policy.

1.2. Audience

This policy is intended for use by all support, teaching staff and management of Authentic Education.

1.3. Revision History

Issue	Date	Author	Changes
V0.00	November 2026	AVP Standards	

1.4. Definitions

Detail any definitions here to aid in the understanding of the policy that the reader may not be familiar with. This may include technical or statutory definitions.

2. 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 'Candidate information, audit and protection measures' below.

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

- Awarding bodies
- Joint Council for Qualifications (JCQ)
- Department for Education
- Local Authority
- United Learning

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;VTCT LINX2 & NCFE Portal
- 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.

3. Informing candidates of the information held

Oak 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.

Candidates are made aware of the above at the start of a course leading to a vocational qualification, or, where candidates are following GCSE 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 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).

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.

4. Hardware and software

The table below confirms how IT hardware, software and access to online systems is protected in line with DPA & GDPR requirements.

4.1. Hardware

Hardware	Date of purchases and protection measures	Warranty expiry
Desktop Computer		
Laptop		

4.2. Software

Software/Online System	Protection Measures
MIS – Arbor	Security controlled by permissions in Arbor, only authorised users granted access to exams data
Awarding body secure extranet sites: • AQA Centre Services • OCR interchange • Pearson Edexcel Online • WJEC Secure Access • VTCT Linx2 • NCFE Portal	Access controlled by username and password
	Accounts have specified access rights
	Centre administrator has to approve the creation of new user accounts and determine access rights
A2C	Access controlled by username and password for computer login and Arbor login
Google Chrome	All internet browsing takes place on a controlled connection, based on rules set for education
Microsoft Edge	All internet browsing takes place on a controlled connection, based on rules set for education

5. 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:

- Containment and recovery. IT Manager 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.
- 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?
- 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.
- 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.

6. 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 1 month (this may include updating antivirus software, firewalls, internet browsers etc.)

7. 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 Examinations Officer and stored electronically.

8. 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 Academy's Principal in writing/email to office@oak-academy.co.uk

Photo identification may be requested 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 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.

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 Oak Academy's Principal 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 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
- School reports on pupil performance

9. Publishing exam results

When considering publishing exam results, Oak Academy will make reference to the ICO (Information Commissioner's Office) https://ico.org.uk/your-data-matters/schools/exam-results/

Oak Academy will publish exam results to the media or within the centre (e.g. on an honours board) in line with the following principles:

Refer to guidelines as published by the Joint Council for Qualifications

Ensure that all candidates and their parents/carers are aware as early as possible whether examinations results will be made public and how this will be done.

Explain how the information will be published. For example, if results will be listed alphabetically, or in grade order

As Oak Academy will have a legitimate reason for publishing examination results, consent is not required from students or their parents/carers for publication.

However, if a student or their parents/carers have a specific concern about publication of their results, they have the right to object. This objection must be made in writing to Oak Academy's Principal, who will consider the objection before making a decision to publish and reply with a good reason to reject the objection to publish the exam results.

10. Table recording candidate exams related to information held

For further details of how to request access to information held, refer to section 8 of this policy, 'Access to information'

For further details of how long information is held, refer to section 7 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 Arrangement Information	Information collected by SENDCo to process access arrangements	Candidate Name Candidate DOB Gender Data Protection notice (candidate signature) Diagnostic testing outcome(s) Specialist report(s) (may also include candidate address) Evidence of normal way of working Teachers feedback Medical evidence Samples of work	Access Arrangements Online MIS Lockable metal filing cabinet	Secure username and password In secure office (SENCo)	**Stored by SENCO:** To be confidentially disposed of a the end of the candidate's final exam series. **Stored by SENCo:** 3 years – from 9-11) – then files sent for archives. Electronic copies kept for longer.

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
Alternative Site Arrangements	Evidence of need collected by SENCo / Exams Officer. Alternative site form documentation	Candidate name Candidate DOB Evidence of need	Awarding body on-line submission portal		To be retained until after the deadline for EARs or until any appeal, malpractice or other results enquiry has been completed, whichever is later.
Attendance registers copies	Registers record attendance at each written exam are kept with the seating plan and exam room incident log	Candidate name Candidate DOB Presence at exam	On Arbor Examination Organiser Module Physical copies –in metal filing cabinet in the Exams office.		To be retained until after the deadline for EARs or until any appeal, malpractice or other results enquiry has been completed, whichever is later

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	Exam scripts	Candidate name Candidate number Exam answers		In secure area solely assigned to exams. When being transferred to the exam board from centre, is sent via the courier service Parcelforce. If the courier service is not used, then they are transported to the Parcel force sorting Office by the exams officer who will obtain a receipt of dispatch.	

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' work	Non-examination assessment work (inc. controlled assessment, coursework, portfolios) returned to the centre after awarding body moderation.	Candidate name Candidate number Candidate marks and grades	To be immediately returned to subject staff as records owner. To be stored safely and securely along with work that did not form part of the moderation sample (including materials stored electronically) until after the deadline for EARs or the resolution of any outstanding enquiry/appeal or malpractice investigations for the exam series.	Each department stores in secure cupboard	Returned to candidates or safe disposal

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**
Centre consortium arrangements for centre assessed work					To be retained until after the deadline for EARs or until any appeal, malpractice or other results enquiry has been completed, whichever is later
Certificates	Record of achievement	Candidate name Candidate DOB Candidate UCI Candidate examination results	Filing cabinet in the exams office	If a student wants to collect their certificate(s) from the centre, they must present photo identification to reception if they cannot be identified on the MIS (Arbor). Or have a signed letter from student to collect on their behalf.	Unclaimed/uncollected certificates to be retained securely for a minimum of 12 months from date of issue

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**
Certificate destruction information	A record of unclaimed certificates that have been destroyed.	Candidate name Candidate DOB Candidate UCI Candidate examination results			
Certificate issue information	A record of certificates that have been issued to candidates.	Candidate name Candidate signature Level of qualification	In the exams office – copies of post receipts or students sign-out in person which is kept in a paper file.		
Entry information	Any hard copy information relating to candidates' entries.	Candidate name Candidate number Candidate DOB Candidate UCI Candidate ULN Qualification Information	In the exams office On Arbor Examination Organiser Module		To be retained until after the deadline for EARs or until any appeal, malpractice or other results enquiry has been completed, whichever is later.

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**
Exam room incident logs	Logs recording any incidents or irregularities in exam rooms	Candidate name Candidate number	In the exams office with corresponding seating plan in lockable filing cabinet		To be retained until after the deadline for EARs or until any appeal, malpractice or other results enquiry has been completed, whichever is later.
Invigilator and facilitator training records	Signed completed list	Name	Exam folder		Each exam season
Overnight supervision information	Copy of JCQ form Timetable variation and confidentiality declaration for overnight supervision for any candidate eligible for these arrangements.	Candidate name Candidate number Reason for timetable variation	In the exams office On exam office computer		To be retained until after the deadline for EARs or until any appeal, malpractice or other results enquiry has been completed, whichever is later.

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	Hard copy or email record of candidate consent for an EAR or ATS request to be submitted to an awarding body	Candidate name Candidate number Candidate signatu8re	In exams office On exams office computer		EAR consent to be retained for at least six months following the outcome of the enquiry or any subsequent appeal / malpractice investigations for the exam series. ATS consent to be retained for at least six months from the date consent given.
Post-results services: requests/outcome information	Any hard copy information relating to a post-results service request (EARs, appeals, ATS) submitted to an awarding body for a candidate and outcome information from the awarding body.	Candidate name Candidate exam number Candidate results information	In exams office On exams office computer		To be stored safely and securely until after the deadline for EARs or the resolution of any outstanding enquiry/appeal or malpractice investigations for the exam 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: scripts provided by ATS service	Copy, digital or original scripts returned to the centre by the awarding body	Candidate name Candidate number Candidate results information	To be immediately provided to the head of department or the candidate as record's owner	Only accessible by EO staff.	n/a returned to the requester after the post results period is complete
Post-results services: tracking logs	A log tracking to resolution all post results service requests submitted to awarding bodies.	Candidate name Candidate number Candidate results information	Exam office computer	Only accessible by exams team log in.	Retained for 12 months after the deadline for EARs.
Private candidate information	Any hard or digital copy information relating to private candidates' entries	Candidate name Candidate number Candidate DOB Candidate Address and contact details	Exam office computer		To be stored safely and securely until after the deadline for EARs or the resolution of any outstanding enquiry/appeal or malpractice investigations for the exam 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**
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	Exams office		To be stored safely and securely until after the deadline for EARs or the resolution of any outstanding enquiry/appeal or malpractice investigations for the exam series
Results information	Broadsheets of results summarising candidate final grades by subject by exam series.	Candidate name Candidate number Unit mark achieved Grade achieved	Exam office computer Filing cabinets		
Seating plans	Plans showing the seating arrangements of all candidates for every exam taken	Candidate name Candidate number	With corresponding exam report in a cabinet in the exams office		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 or digital copies of information relating to a special consideration request and supporting evidence submitted to an awarding body for a candidate.	Candidate name Candidate number Candidate DOB Candidate personal or medical information	Filing cabinet in exams office		Evidence supporting an on-line application and evidence supporting a candidate's absence from an exam will be stored safely and securely until after the deadline for EARs or the resolution of any outstanding enquiry/appeal or malpractice investigations for the exam 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**
Suspected malpractice reports/outcomes	Any hard or digital copies of information relating to a suspected malpractice investigation/report submitted to an awarding body and outcome information from the awarding body.	Candidate name Candidate number Detail of the malpractice	Filing cabinet in the exams office		Retained until after the deadline for EARs or until any appeal, malpractice or other results enquiry has been completed, whichever is later.
Transferred candidate arrangements	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 Candidate DOB	Filing cabinet in the exams office		To be retained until after the deadline for EARs or until any appeal, malpractice or other results enquiry has been completed, whichever is later.

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**
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 Reason for late arrival	Filing cabinet in the exams office		To be retained until after the deadline for EARs or until any appeal, malpractice or other results enquiry has been completed, whichever is later.