Colmers School & Sixth Form College

Exams Data Protection Policy

Exams Policy:	Colmers Exams Data Protection Policy 2026/2027
Date Agreed:	September 2026
Review Date:	September 2027
Responsibility:	Mrs J Eadie

Key staff involved in the policy

Role	Name(s)
Head of centre	Peter White
Examinations Manager	Jemma Eadie
Senior leader(s)	Craig Walker
IT manager	Ashley Cole
Data manager	Michelle Rainbow

Purpose of the policy

This policy sets out how Colmers School & Sixth Form College in relation to the management and administration of examinations and assessments, will handle personal data in accordance with applicable UK data protection legislation and the requirements of the Joint Council for Qualifications (JCQ).

The delivery of examinations and assessments involves centres and awarding bodies processing significant amounts of personal data, including information relating to candidates, staff, examiners, assessors and other individuals involved in the examination process. Personal data is information relating to an identified or identifiable living individual.

Colmers School & Sixth Form College ensures that personal data is processed in accordance with the **UK General Data Protection Regulation (UK GDPR)**, the **Data Protection Act 2018 (DPA 2018)**, as amended by the **Data (Use and Access) Act 2025 (DUAA)**, and any other applicable data protection legislation, regulatory requirements and statutory codes of practice. The centre must also comply with any applicable requirements relating to the processing of personal data in other jurisdictions where relevant. The DUAA has amended, but does not replace, the UK GDPR and the DPA 2018.

JCQ's **General Regulations for Approved Centres** (section 6.1) require centres and awarding bodies to comply with current data protection legislation. JCQ's reference to 'data protection legislation' includes the UK GDPR, the DPA 2018 and relevant statutory codes of practice issued by the Information Commissioner. JCQ also requires centres to ensure that candidates are properly informed when their personal data is transferred to awarding bodies.

Relevant staff at Colmers School & Sixth Form College ensure that they assume responsibility for ensuring that candidates are provided with appropriate privacy information about how their personal data is collected, used and shared. This includes explaining, where applicable, that relevant personal data such as a candidate's name, date of birth, gender and other information required for the administration, assessment and awarding of qualifications may be provided to awarding bodies.

All exams office staff and other individuals who collect, access, use, store or share personal data must follow the centre's data protection procedures and the **seven data protection principles** set out in Article 5 of the UK GDPR. Personal data must be:

- processed lawfully, fairly and transparently;
- collected for specified, explicit and legitimate purposes and not processed in a way that is incompatible with those purposes;
- adequate, relevant and limited to what is necessary for the purposes for which it is processed;
- accurate and, where necessary, kept up to date;
- kept in a form that permits identification of individuals for no longer than is necessary;
- processed using appropriate technical and organisational measures to ensure security, including protection against unauthorised or unlawful processing and against accidental loss, destruction or damage; and
- processed in accordance with the principle of accountability, meaning that the centre must be responsible for, and able to demonstrate, compliance with the data protection principles.

Where exams office staff at Colmers School & Sixth Form College process **special category data**, such as information concerning a candidate's health or disability where this falls within the definition of special category data, or other particularly sensitive information, they are aware that an appropriate condition for processing must also be identified in accordance with applicable legislation.

This policy applies to personal data processed as part of the management and administration of examinations and assessments, regardless of whether the information is held electronically, in paper records or in another format.

Colmers School & Sixth Form College will also apply appropriate confidentiality and information-security measures to examination-related information that may not itself constitute personal data, particularly where disclosure, loss, alteration or unauthorised access could compromise the security or integrity of examinations and assessments.

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)
- Higher/further educational providers
- BEP (Birmingham Education Partnership)
- Oakes Collegiate

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; Cambridge OCR Interchange; Pearson Edexcel Online; WJEC Portal; etc.
- MIS provided by SIMS
- Sending/receiving information via electronic data interchange (EDI) using A2C the data transport application or by integrated data transfer (www.jcq.org.uk/exams-office/data-transport-application/) 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

Colmers School and Sixth Form Centre ensures that candidates are fully aware of the information and data held.

All candidates are:

- informed via the centre newsletter, electronic communication and candidate declaration/ confirmation form
- Data Processing Agreement
- given access to this policy via our centre website, written request.

Candidates are made aware of the above at the start of a course leading to a vocational qualification or, when the entries are submitted to awarding bodies for processing. Candidates are provided with an Exam Candidate Handbook, which provides information regarding how their information is held.

Materials which are submitted by candidates for assessment may include any form of written work, audio and visual materials, computer programs 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.

Candidates eligible for access arrangements/reasonable adjustments which require awarding body approval will be informed that an application for access arrangements will be processed using Access arrangements online, complying with the UK GDPR and the Data Protection Act 2018.

Candidates involved in suspected or alleged malpractice will be informed that their personal data will be provided to the awarding body (or bodies) whose examinations/assessments are involved, and that personal data about them may also be shared with other awarding bodies, the qualifications regulator or professional bodies, in accordance with the JCQ document Suspected Malpractice – Policies and Procedures.

Candidates will be informed:

- that awarding bodies may be required to provide a candidate's personal data to educational agencies, such as DfE, Welsh Government, Department of Education (Northern Ireland), ESFA, regulators, HESA, UCAS, Local Authorities and the Learning Records Service (LRS)
- that their personal data may be provided to a central record of qualifications approved by the awarding bodies for statistical and policy development purposes
- of the processing that the centre undertakes, for example, that the centre will provide relevant personal data, including name, date of birth and gender, to the awarding bodies for the purpose of examining and awarding qualifications

Candidates may obtain access to their personal data, such as examination results by applying to the appropriate awarding body's data protection officer.

Candidates are also referred to the centre's privacy notice which explains:

- why Colmers School and Sixth Form needs to collect personal data
- what it plans to do with it
- how long it will keep it
- whether it will be sharing it with any other organisation

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	Warranty expiry
Desktop Computer	Purchase: August 2024 Install: August 2024 Checked: Ashley Cole / IT Teams yearly maintenance in August	5 Year August 2029
Laptop	Purchase: September 2019 Install: November 2020 Ashley Cole / IT Teams yearly maintenance in August	Expired
SIMs Server	Purchase: July 2020 Install: November 2020 Checked: Ashley Cole This is patched or upgraded in line with software releases from SIMs	July 2023

Software/online system	Protection measure(s)
SIMS.net	protected usernames and passwords; rules for regularity of password changing; centre administrator has to approve the creation of new user accounts and determine access rights; regular checks to Firewall/Antivirus software; one centralised backup; two offsite online backups through Redstor

Awarding body secure extranet site(s)	centre administrator has to approve the creation of new user accounts and determine access rights; protected usernames and passwords; rules for password setting (use of a mix of upper/lower cases letters and numbers);
A2C	Access limited to one desktop/user combination

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 that holds it
- cyber-attacks involving ransomware infections

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

1. **Containment and recovery**

Ian Arkell will lead the investigation of 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 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.

The table below details the type of candidate exam-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 as required

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 Archiving Policy.

Section 7 – Access to information

(With reference to ICO information https://ico.org.uk/for-the-public/schools/exam-results)

The UK 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 Manger/officer in writing. Candidates must provide their full legal name, DOB and year they left school in order for a search of results to be conducted. 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 the school 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 Parental responsibility: guide for schools and local authorities (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: guide for headteachers

Publishing exam results

When considering publishing exam results, the school 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?

The school 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
- Act fairly when publishing results, and where people have concerns about their or their child's information being published, taking those concerns seriously
- 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 the school 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 the head of centre, 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.

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	What personal/sensitive data is/may be contained in the information	Where information is stored	How information is protected	Retention period
Access arrangements information	Candidate name Candidate DOB Gender Diagnostic testing outcome(s) Specialist report(s) (may also include candidate address) Evidence of normal way of working	Access Arrangements Online MIS Lockable metal filing cabinet	MFA; Secure username and password In secure office Archive room (secure)	25 years
Attendance registers copies	Candidate name Candidate exam number Candidates attendance	SIMS (electronic) Class Charts (electronic) Paper copy handed to attendance office Paper copy held with exam checklists	In a folder, locked in Exam Officer's office Photocopies given to Attendance team	Until the deadline for results enquiries for that season has passed, or for six months after the outcome of any enquiries or subsequent appeal.
Candidates' scripts	Date of examination Title of examination Paper code	In Secure room In a box within a box – lockable (2 locks) metal cabinet Stored in chronological date order	Only 2 key holders Sign in and out record sheets maintained Secure movement record sheets maintained Always 2nd pair of eyes when scripts are being moved.	Kept in line with Awarding Body and JCQ regulations
Candidates' work	Candidate name Candidate DOB	If collection of completed exam is the following day, papers are stored in Secure room	Only 3 key holders	Kept in line with Awarding Body and JCQ regulations

Information type	What personal/sensitive data is/may be contained in the information	Where information is stored	How information is protected	Retention period
	Candidate exam number Candidates completed exam paper answers	In a box within a box – lockable (2 locks) metal cabinet Stored in chronological date order Parcel Force recorded collection (yellow label service) organised for the day of completion of the exam of the day after Completed exam papers placed in alphabetical order along with completed register and placed within secure plastic envelope.	Sign in and out record sheets maintained Secure movement record sheets maintained Always 2nd pair of eyes when scripts are being moved.	
Certificates	Candidate name Candidate DOB Gender Candidates grade and achievements	In a lockable metal filing cabinet, stored in alphabetical and chronological order	Locked filing cabinet is stored in locked room.	12 months
Certificate issue information	Candidate name Candidate DOB Gender Candidates grade and achievements	Letter sent via SIMs mail merge Collection information signed for and kept indefinitely	n/a	n/a
Conflict of interest records	Staff name Staff job title Subjects taught	In a folder, locked in Exam Officer's office Information recorded on DOI tracker and saved in Exam Officers area	In a folder, locked in Exam Officer's office	Until the deadline for results enquiries for that season has passed, or for six months after the outcome of any

Information type	What personal/sensitive data is/may be contained in the information	Where information is stored	How information is protected	Retention period
	Statement that applies to staff member declaring conflict of interest			enquiries or subsequent appeal.
Entry information	Candidate name Candidate DOB Gender Entry code Start and end date	Original paper entry lists stored in a folder, locked in Exam Officer's office Information stored on SIMS Information held on awarding body website	Secure username and password	Until the deadline for results enquiries for that season has passed, or for six months after the outcome of any enquiries or subsequent appeal.
Exam room incident logs	Day Date Session Exam Room Paper Code Awarding body and Subject title Time of incident Incident description and any actions taken. Names of candidate including in the incident Incident recorded by	In a folder, locked in Exam Officer's office	In a folder, locked in Exam Officer's office	Until the deadline for results enquiries for that season has passed, or for six months after the outcome of any enquiries or subsequent appeal.
Invigilator and facilitator training records	Invigilator Name Invigilator DOB Invigilator training completion/progress of each unit	The Exams Office website	Only Exams Officer has password for the online portal of The Exams Office (Secure username and password)	Until the deadline for results enquiries for that season has passed, or for six months after the outcome of any enquiries or subsequent appeal.
Post-results services: confirmation of candidate consent information	Candidate name Candidate number	Folder in locked Exams office – paper consent form	In a folder, locked in Exam Officer's office	Until the deadline for results enquiries for that season has passed,

Information type	What personal/sensitive data is/may be contained in the information	Where information is stored	How information is protected	Retention period
	Candidate email Awarding body Qualification level and subject title Paper code Candidate consent confirmation and signature	Awarding body PRS section of website	Secure username and password	or for six months after the outcome of any enquiries or subsequent appeal.
Post-results services: requests/outcome information	Candidate name Candidate number Candidate email Awarding body Qualification level and subject title Paper code Candidate consent confirmation and signature	Awarding body PRS section of website SIMS	Secure username and password Secure username and password	Until the deadline for results enquiries for that season has passed, or for six months after the outcome of any enquiries or subsequent appeal.
Post-results services: scripts provided by ATS service	Candidate name Candidate number Candidate email Awarding body Qualification level and subject title Paper code Candidate consent confirmation and signature	Awarding body PRS section of website SIMS	Secure username and password Secure username and password	Until the deadline for results enquiries for that season has passed, or for six months after the outcome of any enquiries or subsequent appeal.
Post-results services: tracking logs	Candidate name Candidate number	Awarding body PRS section of website	Secure username and password	Until the deadline for results enquiries for that season has passed,

Information type	What personal/sensitive data is/may be contained in the information	Where information is stored	How information is protected	Retention period
	Candidate email Awarding body Qualification level and subject title Paper code Candidate consent confirmation and signature	SIMS	Secure username and password	or for six months after the outcome of any enquiries or subsequent appeal.
Resilience arrangements: Evidence of candidate performance	Candidate name Candidate number Candidate email Awarding body Qualification level and subject title Paper code	SIMS – Grades recorded on results marksheets and stored in SIMS Hard copy of internal exam papers stored by subject teacher	Secure username and password	Until the deadline for results enquiries for that season has passed, or for six months after the outcome of any enquiries or subsequent appeal.
Resolving timetable clashes information	Candidate name Candidate DOB Gender Candidate entry information	SIMS	Secure username and password	Until the deadline for results enquiries for that season has passed, or for six months after the outcome of any enquiries or subsequent appeal.
Results information	Candidate name Candidate DOB Gender	SIMS Awarding body extranets	Secure username and password	Indefinitely
Seating plans	Candidate name Candidate exam number Candidate seat number Date of Exam	SIMS	Secure username and password	Until the deadline for results enquiries for that season has passed, or for six months after the outcome of any

Information type	What personal/sensitive data is/may be contained in the information	Where information is stored	How information is protected	Retention period
	Title of Exam Access Arrangement entitlement			enquiries or subsequent appeal.
Special consideration information	Candidate name Candidate DOB	Digitally within individual secure areas or on Awarding Body intranets	Secure username and password	Until the deadline for results enquiries for that season has passed, or for six months after the outcome of any enquiries or subsequent appeal.
Suspected malpractice reports/outcomes	Candidate name Candidate DOB	Digitally within individual secure areas Awarding Body intranets	Secure username and password	Until the deadline for results enquiries for that season has passed, or for six months after the outcome of any enquiries or subsequent appeal.
Transferred candidate arrangements	Candidate name Candidate DOB Gender Date of transfer start date Confirmation of transfer placement name and address Confirmation of current subject grades	SIMS Awarding Body intranets	Secure username and password	Until the deadline for results enquiries for that season has passed, or for six months after the outcome of any enquiries or subsequent appeal.
Very late arrival reports/outcomes	Candidate name Candidate DOB Gender Reason for lateness Measures taken to support candidate to school	CAP – JCQ website Electronic copy is kept in Exam Officers files on staff computer	Secure username and password Only Exam Officer has password and access to these files (secure username and password)	Until the deadline for results enquiries for that season has passed, or for six months after the outcome of any enquiries or subsequent appeal.

Information type	What personal/sensitive data is/may be contained in the information	Where information is stored	How information is protected	Retention period
	Names of staffing involved in maintaining the integrity of exam and preventing malpractice			