Malpractice Policy (Exams) 2025/26

These procedures are reviewed annually to ensure compliance with current regulations

Approved/reviewed by	
Nichola Smith	
Date of next review	Sept 2026

Key staff involved in the complaints and appeals procedure

Role	Name(s)
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Exams officer line manager (ALT)	Mark Clempson
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Purpose of the policy

This policy details how Oasis Academy Don Valley, 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).

> At the date of reviewing these regulations, although the UK has left the European Union the General Data
> Protection Regulation still has a direct effect within the UK (JCQ's General Regulations for Approved Centres (GR, 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
- 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 (JCQ)
- Department for Education
- Local Authority
- Multi Academy Trust

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

- hard copy
- email
- secure extranet site(s) – AQA, OCR, Pearson, WJEC
- Management Information System (MIS) provided by Bromcom 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 nonexamination assessments, special consideration requests and exam results/postresults/certificate information.

Section 2 – Informing candidates of the information held

Oasis Academy Don Valley ensures that candidates are fully aware of the information and data held.

All candidates are:

- informed via centre newsletter, electronic communication, school assemblies
- given access to this policy via the school's website, written request

Candidates are made aware of the above

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 GDPR.

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	Warranty expiry
Desktop computer; Laptop/tablet	Password protected	Maintained by IT Support

Software / online system	Protection measure(s)
Bromcom	Access controlled by usernames and passwords Accounts have specific access rights
Classcharts	Access controlled by usernames and passwords Accounts have specific access rights
SISRA Analytics	Access controlled by usernames and passwords set up by Data Manager Accounts have specific access rights
Google Chrome	All internet browsing takes place on a controlled connection, based on rules set for education

Awarding body secure extranet site(s): AQA, OCR, Pearson, WJEC	Access controlled by username and passwords Accounts have specified access rights
Microsoft Internet Explorer	Access controlled by username and passwords Accounts have specified access rights

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

Data Manager / 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 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 regularly by IT Support

Section 6 – Data retention periods

Details of retention periods, the actions taken at the end of the retention period and method of disposal are as follows: exams-related information that is held in the exams office is retained at the very least until after the deadline for reviews of results (RoRs) or other results enquiries

(or the resolution of any outstanding reviews/appeals or malpractice investigations) for the relevant exams series). After which time paper records are securely disposed of –shredding

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 results, 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

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 to beverley.eaton@oasisacademy.org

ID will need to be confirmed if a former candidate is unknown to current staff by providing date of birth, contact details such as address whilst a student.

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.

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 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 results have been announced, 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), 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-parentalresponsibility

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, Oasis Academy don Valley will make reference to the ICO (Information Commissioner's Office) Schools, universities and colleges information https://ico.org.uk/your-data-matters/schools/ on Publishing exam results. Oasis Academy Don Valley 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 Oasis Academy Don Valley will have a legitimate reason for publishing examination results, consent is not required from students or their parents or guardians for publication. However, if a student or their parents or guardians have a specific concern about publication of their results, they have the right to object. This objection must be made in writing to Mr Pape (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.

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 formation**)
For further details of how long information is held, refer to section 6 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 arrangements information		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	Access Arrangements Online MIS Lockable metal filing cabinet	Secure user name and password In secure office (SENCo)	**DOB of pupil + 22 years**
		Candidate name	Access		

Alternative site arrangements	Any hard copy information generated on an alternative site arrangement. Notifications submitted online via CAP.	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	Arrangements Online MIS Lockable metal filing cabinet	Secure user name and password In secure office (SENCo)	

Attendance registers copies		Candidate name Candidate number	Lockable metal filing cabinet	Access limited – key in secure office (exams)	According to JCQ ICE booklet – Until appeal, malpractice or

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

					other results enquiry has been completed
Candidates' scripts		Candidate name Candidate number	Secure exam storage until collected by Parcel force	Limited access-secure office (exams)	
Candidates' work		Candidate name Candidate DOB Gender	NEA- stored safely within subject departments	Locked office/rooms limited access	According to JCQ NEA booklet – Until appeal, malpractice or other results enquiry has been completed
Centre consortium arrangements for centre assessed work	Any hard copy information generated or relating to consortium arrangements for centre assessed work. Applications submitted online via CAP.	Candidate name Candidate number	MIS Lockable metal filing cabinet	Secure user name and password Secure office (exams)	
		Candidate name			

Certificates		Candidate DOB Gender	Lockable metal filing cabinet	Secure office (exams)	

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.	As above	Lockable metal filing cabinet	Secure office (exams)	
Certificate issue information	A record of certificates that have been issued.	As Above	Lockable metal filing cabinet	Secure office (exams)	
Conflicts of Interest records	Records demonstrating the management of Conflicts of Interest kept online only	As Above	MIS	Secure user name and password	
Entry information		As Above	MIS	Secure user name and password	
		Candidate number			

Exam room incident logs			Lockable metal filing cabinet	Secure lockable cabinet	Until appeal, malpractice or other results enquiry has been completed
Invigilator and facilitator training records			MIS The Exams Office system	Secure password required	
Overnight supervision information		Candidate name/number DOB Address /contact details Parental/carer information	MIS	Secure Password required	Until appeal, malpractice or other results enquiry has been completed

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		Candidate name/number	Form held in file MIS	Locked exams office Secure password required	As above

Post-results services:		As above	As above	As above	As Above

requests/outcome information					
Post-results services: scripts provided by ATS service		As above	As above	As above	As above
Post-results services: tracking logs		As above	As above	As above	As above
Private candidate information		Candidate name/number DOB Address /contact details Parental/carer information	MIS	Secure password required	As above
Resolving timetable clashes information		Candidate name/number	MIS Form in file	Secure user name and password Locked Exams office	Until appeal, malpractice or other results enquiry has been completed

Results information		Candidate name Candidate Number Candidate DOB Gender Candidate	MIS Paperwork held in file	As above	Current academic year + 6 y
Seating plans		Candidate name Candidate Number	MIS	As above	Until appeal, malpractice or
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	Paperwork in exams office files		other results enquiry has been completed
Special consideration information		Candidate name Candidate Number	As above	As above	As above
Suspected malpractice reports/outcomes		As above	As above	As above	Until end of malpractice investigation or end of outcome

Transferred candidate arrangements		As above	As above	As above	Until appeal, malpractice or other results enquiry has been completed
Very late arrival reports/outcomes		As above	As above	As above	As above