

General Board guidance on examinations data and scripts

In the light of national legislation, including the Data Protection Act 1998, and in consultation with the University's Information Compliance Office, the Student Registry and the General Board's Education Committee, the University has reviewed its guidance relating to the retention of marks, comments and other materials relating to the examinations of taught courses (including undergraduate courses and certain postgraduate courses).

The guidance notes included here replace any previous guidance or code of practice issued by the Education Committee or the General Board. Where Faculty Boards or Examiners wish to depart from the guidance outlined below, they are requested to inform the General Board's Education Committee of their intentions, stating their reasons. They should do this by contacting Educational and Student Policy, Academic Division, which may also be consulted for further advice on the implementation of the guidance supplied.

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A. Retention of examinations data and scripts

1. What do the terms "examinations data" and "scripts" mean?

1.1 For the purposes of this guidance, a wide definition of "examinations data" should be adopted.

1.2 **Examinations data** would include, but would not necessarily be limited to:

- marks, classes and/or overall result(s) awarded to individual candidates agreed by the Examiners relating to any written examination, practical assessment or any piece of work submitted for assessment;
- interim, provisional or transitional marks allocated by individual Examiners and Assessors for those same pieces of work;
- any comments (either written or recorded in some other format) made by individual Examiners or Assessors on any piece of work submitted for assessment – this includes comments and other information recorded on the examination scripts or other pieces of submitted work (but see paragraph 1.5 below);

- notes or remarks made about individual candidates in minutes of Examiners' meetings.
- 1.3 In essence, all examinations data is considered to be “personal data” of the individuals concerned under the Data Protection Act 1998. As such, individual students by law may request copies of this information if it is held by the University. The Data Protection Act, however, makes particular provision for data relating to assessment and examinations. Upon receipt of a formal request under the Act, the deadlines for provision of such information are:
- if the examination results **have been** announced, within **forty calendar days** of the request;
 - if the examination results **have not yet been** announced:
either forty days after the announcement of the examination results,
or within five months of the request,
whichever date is the earlier.

It is a criminal offence to destroy examinations data relating to a particular student if a formal request under the Data Protection Act 1998 has been received from that student.

- 1.4 If data is to be retained for long periods (e.g. for use for statistical purposes), it can be made exempt from such requests by the removal of any identifiers to individual candidates (including names, candidate numbers or any local anonymisers).
- 1.5 **Examination scripts** are specifically exempted from the Data Protection Act. This does not include any comments, annotations or marks made on the scripts by Examiners or Assessors, which are included in the definition of “personal data”. Further guidance on examination scripts is provided in paragraphs 3.5 and 5.5.
- 1.6 Other modes of assessment often involve the production of material to be submitted for assessment. Common practice is for this work to be returned to students and it should be made clear in course literature how and when this occurs. If the work is not to be returned, course literature should advise students of this. For the purposes of this guidance, such material should be considered as analogous to examination scripts.

2. Main responsibilities of Faculty Boards and of Examiners

- 2.1 **Examiners** are responsible for the production and short-term retention of data for the examinations in the year for which they are appointed; they are required to retain the data (including examination scripts) for at least one month after the publication of the results (i.e. to allow time for any formal appeals from a student or College representative to be registered). At the end of this period, all examinations data and scripts not relating to an examination appeal should be transmitted to the Faculty Board (or to personnel specified by it), who will retain it for a minimum of six months. Examiners should not retain personal copies of examinations data and scripts.
- 2.2 The General Board expects Boards of Examiners, in the interests of transparency, to provide candidates routinely with any data which are meaningful or helpful indicators of examination performance. The General Board also expects Boards of Examiners to adhere to any guidance notes provided to them by the appropriate Faculty Board. Failure to do so could provide grounds for examination reviews, appeals and/or complaints.
- 2.3 **Faculty Boards** are responsible for local policy on examinations for their students, within the policies set out by the General Board, the Student Registry and the Board of Examinations (and which can be found in the Guide to Quality Assurance -

<http://www.admin.cam.ac.uk/offices/education/>). They are responsible for defining the data to be released routinely to students and for the retention of any data for at least six months. Each Faculty Board (or equivalent body) should draw up, for the examinations associated with their Faculty, an Examinations Data Retention Policy. Faculty Boards may choose to delegate this responsibility to Departments, where appropriate, but should retain oversight to ensure that candidates for the same examination are treated equitably.

- 2.4 The General Board expects Faculty Boards to review regularly their Examinations Data Retention Policies, to ensure that data is being kept in line with them, and to ensure that data is not being kept unnecessarily. Where Faculty Boards wish to retain such data for long-term use (e.g. for statistical analyses and comparisons), they are advised to remove all personal identifiers. Faculty Boards are advised that data refers to electronic copies, as well as hard copies, and should take this into consideration when managing their retention policies.

3. Recording of Examiners' marks and comments

- 3.1 Examiners and Assessors are likely to record marks and comments for two main reasons. The first would be those marks and comments made in order to aid in the determination (or perhaps defend or explain) the academic judgements made on the work **for themselves or for other Examiners and Assessors**. These recorded marks and comments are a part of the examination process. The second reason may be to provide **feedback to the candidate** concerned about their examination performance in order to enable or assist them in improving or developing their knowledge or academic skills.
- 3.2 Examiners and Assessors should be clear to themselves, and to their colleagues, about the nature of any marks and comments and take heed that, irrespective of the purpose of the recorded marks and comments, all retained information could be made available to the individual candidates. If Examiners and Assessors do record information for feedback to students, they should consider the mechanisms by which this information should be efficiently transmitted: these may be different to the formal markbooks produced at the end of the examination.
- 3.3 In order to comply with the Data Protection Act 1998, care must be taken to ensure that all data is "processed" in a rigorous manner. This means that:
- the ways in which examination marks are combined and calculated ("marking schemes") should be clearly defined and articulated to all Examiners and Assessors, and made available to students by publication on appropriate websites;
 - where other staff are employed in the manipulation or handling of examination marks, there should be manual checking by the Examiners to ensure they have been transposed and processed correctly;
 - where marks are calculated or arrived at through automatic processing (e.g. machine-marked papers; spreadsheet formulae), Examiners should ensure that the outcomes of such processing are formally considered and checked.
- 3.4 **Any data retained must be communicated to students on request by law** (see 1.3). In recording their marks and comments (in any format) on work submitted by examination candidates, Examiners should be aware that:
- their comments may not necessarily be private, and will be provided to individual students at their request;
 - minutes of Examiners' meetings and Examiners' reports may also be disclosed on request.

3.5 The General Board's Education Committee has considered whether Examiners and Assessors should include marks and comments on examination scripts (and other submitted work). It recommends the following practices:

- **wherever possible, marks and comments on student's work should be recorded separately from the examination scripts.** Such marks and comments should be recorded clearly in a way that will aid reference to the original work;
- in examination questions where it is sensible and prudent for marks and comments to be made on the scripts (e.g. in mathematical or diagrammatical answers), Examiners should be aware that mechanisms may be needed to transcribe or otherwise retrieve this information for students on request: the General Board advises against providing photocopies of the scripts themselves;
- in all cases, Examiners and Assessors should ensure that some indication (i.e. a tick or other identifier) is made on each page of the script to indicate that it has been read and reviewed.

3.6 Consequently, Faculty Boards or Boards of Examiners should make it clear to students (in course handbooks or on websites) whether any comments or annotations will be made on their examination scripts. The General Board also advise that students should be informed about whether or not those comments or annotations would provide useful or appropriate feedback on their examination performance.

4. University transcripts and College markbooks

4.1 The University is required to provide all graduating students with a formal transcript of their examination performance. This is created from data that is held within CamSIS (the Student Information System). All candidates should be provided with their class (if appropriate), total mark for the examination and, unless it has been deemed inappropriate or misleading by the Faculty Board or equivalent authority, a mark for each element of the examination (papers, portfolios of work, dissertations, etc.). Their rank-in-class may also be provided if deemed appropriate by the Faculty Board. Faculty Boards are advised to liaise with the Records and Exams team in the Student Registry over their decisions to exclude any of this information from University transcripts.

4.2 Examiners are expected to provide the information to the Records and Exams team on the electronic templates provided by them.

4.3 In addition, students should receive feedback on their examination performance through their advisers in College. Faculty Boards or comparable authorities are responsible for determining the nature and detail of the marks and other information to be disclosed. This information may be the same as that provided for University transcripts, but may include additional contextual information, or more detailed marks as appropriate.

4.4 Faculty Boards should communicate in writing to the Examiners the minimum amount of data which they expect to be disseminated to students in the form of a final markbook, and any further data the Faculty office would wish to retain. They should also alert students to the data and further information that they should expect to receive through their Directors of Studies.

4.5 Examiners are expected to provide this information (usually referred to as the College markbook) to all Colleges that had candidates for that examination. The final markbook should include a statement along the lines of:

"The marks presented here are those that the Faculty Board has determined as being meaningful or helpful as indicators of examination performance. Other data relating to examinations if kept may be obtained by requests in writing to..."

5. Retention of examinations data and scripts

5.1 Any data retained must be communicated to students on request by law (see 1.3). This includes data retained in any format (electronic or hardcopies). A request from students for additional examination data should normally come in written form (either directly from the student or from their College advisers); the data subsequently supplied to students could be in the form of either a photocopy or a transcription and may be provided while retaining the anonymity of Examiners.

5.2 Candidates who wish to make an appeal may request a review of their examination results up to **one month after the publication of the class list**. In exceptional circumstances the Registry may allow a short extension of this deadline.

5.3 Under the Data Protection Act there is no statutory limitation on making a request for copies of examination data, and any request received must be answered within forty calendar days if the results have been announced, or **either forty days** after the announcement of the examination results, or within **five months** of the request. These timescales help to inform the lengths of time for which examinations data should be retained. The Education Committee makes the following general recommendations for the retention of data by Faculty Boards:

Data type	Retention time
Classes awarded	indefinitely ¹
Total marks and marks for each element of the examination	indefinitely ¹ – reformat
Rank-in-class (where recorded)	indefinitely ¹
minutes of Examiners' meetings	indefinitely ²
marks for individual questions	at least six months after publication of results ³
Examiners' comments relating to procedural or rubric infringements or other practical points	at least six months after publication of results ³
Examiners' comments relating to academic judgement	at the final Examiners' meeting or at the discretion of individual Faculty Boards ⁴
Examination scripts	six months ⁵
<p>1 also retained centrally for University transcripts</p> <p>2 advice on the format of minutes is provided by the Board of Examinations</p> <p>3 all data retaining to appeals should be kept until advised otherwise by the central bodies.</p> <p>4 taking into account local policies on feedback to students and the handling of examination reviews</p> <p>5 on the advice of the Board of Examinations</p>	

5.4 Examiners shall be responsible for managing examination data until after the deadline for appeals has passed (one month after the signing of the class-list). After that time,

Examiners shall pass over ALL records of data relating to examinations to the Faculty office. Examiners should not keep personal copies of records.

- 5.5 Candidates are not legally entitled to receive their original examination scripts, or copies of them. Faculty Boards and Examiners are advised to deny any such requests from students or their advisers in College. See the General Board's guidance notes on examination scripts and coursework for further information.

6. Action to be taken following a request from a candidate or their representative

- 6.1 The Information Compliance Office of the University considers that, at least in the first instance, requests from candidates for data relating to examination performance should be considered distinct from formal "subject access requests" under section 7 of the Data Protection Act 1998 (see <http://www.admin.cam.ac.uk/univ/information/dpa/request.html>). Candidates may make such requests directly to the University Data Protection Officer, but administration is minimised if such requests are considered and handled through local mechanisms wherever possible.

- 6.2 **If a request is received within one month of the publication of the results**, the Chair of Examiners should determine whether the request is simply for information, or whether it is part of a request for a review of the examination results. If it is the latter, the student or their college advisor should be advised to contact the Secretary to the Board of Examinations. The Chair of Examiners should take no further action until advised to do so by the Secretary to the Board of Examiners.

- 6.3 If the request is for information only, Examiners are required to communicate data to students on request (see 1.3). Any requests for data not normally released in line with a Departmental or Faculty Examinations Data Retention Policy should be referred to the University Data Protection Officer. Examiners should devise a system whereby examinations data can be communicated to students on request; this may most effectively be implemented by directing all requests to the Chair of Examiners or a single nominated alternative (who may or may not be an Examiner).

- 6.4 **If a request is received later than one month after the publication of the results** (i.e. after the deadline for appeals has passed), all requests for data should be passed to the nominated contact in the Faculty or Department. Examiners should not retain any personal records of the data.

Contacting the University Data Protection Officer The University Data Protection Officer Registry's Office The Old Schools Trinity Lane CB2 1TN Tel: 01223 764142 Fax: 01223 332332 Email: data.protection@admin.cam.ac.uk
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7. Action to be taken in the event of a review of the examination results being requested

7.1 All requests for a review of the examination results should come from the Secretary to the Board of Examinations. If Examiners are approached directly by students or their College advisers with such a request, they should be referred to the Secretary to the Board of Examinations in the first instance.

7.2 If it is clear that the request for examinations data is part of a request for a review of the examination results, the Chair of Examiners (or a delegated representative) will be informed by the relevant officers of the Academic Division. He or she immediately should make copies of all relevant data and information, including:

- all examination scripts relating to the candidate(s) involved;
- all marksheets and markbooks relating to the candidate(s) involved;
- the marking and classing criteria and schemes used by the Examiners and Assessors;
- minutes of the Examiners' meetings.

7.3 Copies should be retained by the Chair of Examiners and by the Secretary to the Board of Examinations, and should be kept until they are informed that the review procedures have been concluded. (Please note that it may take over a year for students to complete fully the review procedures.) Any scripts or data relating to a review of examination results should NOT be subject to the normal retention times outlined in any Examinations Data Retention Policy.

Full details of the examination review procedures for examinations can be found in Statutes and Ordinances.

8. Drafting an Examinations Data Retention Policy

8.1 Faculty Boards should draw up and communicate to students and Examiners an Examinations Data Retention Policy. The Policy should state clearly which data are retained and where students can apply to receive copies. For each type of data, the retention period should also be made clear; thought should also be given to the script retention policy, especially in cases where Examiners' marks are made on the scripts.

- a. Review the data currently produced by Examiners and Assessors and designate them to the appropriate categories below (note that this may differ between examinations):

DATA	Description and examples
Type A	<p>Data considered by the Examiners that will enable or assist students in improving or developing their knowledge or academic skills.</p> <p>Data considered by the Faculty Board (or by the Examiners) to be meaningful or helpful as indicators of examination performance, and so should be released to students by the Examiners through a College markbook or other mechanism.</p> <p>This should include (but not necessarily be limited to) overall marks and class (where relevant), marks for each element of the examination (paper, oral, practical, dissertation etc.) and may include an indication of the</p>

	candidates' positions within the cohort.
Type B	<p>Data to be retained by the Examiners for at least six months after the publication of the examination results, in order that the data may be retained for any queries or appeals over the procedure of the examination, or for other purposes defined by the Faculty Board.</p> <p>This may include minutes of Examiners' meetings, comments made on scripts, original marks for individual questions and other interim marks or comments which would not be routinely released to students.</p>
Type C	<p>Data which should be destroyed after the final marks and class have been agreed and would not be used in defence of a query or appeal.</p> <p>This would include all other data sets not designated as Type A or Type B. Examiners are reminded that, under the appeals process, they may have to defend the procedure of the examination, but would not be called upon to defend their academic judgement of the candidates' work.</p>

- b. For each identified data set, consider how long the data should be retained for, with reference to the general data retention guidelines. Type A data would normally be retained indefinitely. (Please note that if other data are to be retained for statistical purposes, it will normally be appropriate to remove all identifiers to individual candidates.)
- c. Identify personnel to whom requests for data can be directed. (Please note that Boards of Examiners are expected to retain all data for up to one month after the publication of results in order to consider any requests for a review of examination results, following this the data should be passed to the appropriate Faculty contact.) The Education Committee strongly advises the central storage of examination data at an agreed Faculty or Departmental location to allow efficient retrieval of data.
- d. Copies of markbooks need not be restricted to the Faculty office but a copy should be held with nominated personnel. Other data relating to examinations should be held by the same personnel or destroyed in line with the Faculty's retention policy. The personnel identified to hold examinations data should be made known to the Faculty Data Protection Officer, the Chair of Examiners and to students.
- e. Publish the Examinations Data Retention Policy to students and to Examiners, ideally on an accessible website.
- f. Outline to Examiners and Assessors the data that the Faculty Board may wish to retain for long-term use and arrange for its collection and distribution to the appropriate people. Examiners and Assessors should not retain personal copies of examinations data.
- g. Along with the Examinations Data Retention Policy, Faculty Boards should alert the Chair of Examiners to any other local guidance on examinations practice, including any agreed marking and classing criteria and schemes.

9. Example

FACULTY OF XX

EXAMINATIONS DATA RETENTION POLICY

The following policy applies to examinations taken in the following University Examinations:

xx Tripos, Part(s) n

MPhil in xxxxx

The following data are retained at [Faculty Office location]:

Routinely available data:		
<i>Data</i>	<i>Retention period</i>	<i>Accessible through:</i>
Final Mark Book	Indefinitely	College DoS or Tutor Faculty Contact
marks per paper	Indefinitely	Faculty Contact or CamSIS
[other...]		

The marks contained in the final mark book and routinely released are those that the Faculty Board and/or Degree Committee have determined as being meaningful or helpful as indicators of examination performance.

Data available on request (where available):		
<i>Data</i>	<i>Retention period</i>	<i>Accessible through:</i>
Interim marks held by Examiners	1 month from publication of class list	Chairman of Examiners
[Examiners' comments]	6 months from publication of class list	Chairman of Examiners
[Marks for individual questions]	6 months	Faculty Contact
[other...]		

At the end of the retention period, data are either destroyed or anonymised and used for statistical analysis. Examination scripts are retained for six months but are not released to students.

Please request data in writing from:

<i>Faculty Contact</i>	<i>Chairman of Examiners</i>
Fred Smith	Freda Smith
[address]	[address]
e-mail: fs1@cam.ac.uk	e-mail: fs2@cam.ac.uk

Release of data under this policy does not constitute a subject access request under the Data Protection Act 1998. Requests for access to all other personal data should be directed to the University Data Protection Officer - e-mail: data.protection@admin.cam.ac.uk.

B. Release of examinations scripts

The release of examination scripts to students can be permitted, at the request of an individual Faculty Board, in the case of Preliminary Examinations, where assessment is intended to be formative. In the case of other examinations, a Faculty Board seeking permission to release scripts to candidates would have to make a case to Educational and Student Policy that a piece of assessment has a formative element.

Requests from individual students to receive copies of their examination scripts should continue to be denied.