

General Board guide on examinations data, records, and scripts

In the light of data protection legislation, 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 guide relating to the retention of marks, comments and other exam materials for taught courses (including undergraduate courses and certain postgraduate courses). The maintenance of accurate records of exams assessments and associated procedures provides an important record to prove exams and assessment have been appropriately conducted.

This guide replaces any previous guide or code of practice issued by the Education Committee or the General Board. Where Faculty Boards or Examiners wish to depart from the guide outlined below, they are required to inform the General Board's Education Committee in writing of their intentions, stating their reasons. They should do this by contacting Education Quality and Policy Office of Education Services, which can also provide further advice on this guide¹.

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1. What do the terms "examinations data" and "scripts" mean? What are the relevant legislative provisions?

1.1 For the purposes of this guide, 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);

¹ <https://www.educationalpolicy.admin.cam.ac.uk/contact-us>

- notes or remarks made about individual candidates in minutes of Examiners' meetings.
- 1.3 All examinations data is considered to be the “personal data” of the individuals concerned under data protection legislation (i.e. the General Data Protection Regulation and associated legislation). As such, individual students have the right to access this information if it is held by the University. However, data protection legislation makes particular provision for data relating to assessment and examinations to ensure that information need not be disclosed prematurely. Upon receipt of a formal request, the deadlines for provision of such information are:
- if the examination results **have been** announced, within **one month** 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 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 identifiers).
- 1.5 **Examination scripts** are specifically exempted from data protection access rights. 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 guide, 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/Office (or to personnel specified by it), who will retain it for a minimum of one year. 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 guide 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 maintaining local policy on examinations for their students, within the policies set out by the General Board, the Student Registry and the General Board's Education Committee (and which can be found in the Guide to Quality Assurance - <http://www.educationalpolicy.admin.cam.ac.uk/>). They are responsible for

defining the data to be released routinely to students and for the management and retention of any data for at least one year.

- 2.4 Faculty Boards are responsible for the maintenance of accurate records of exams assessments *and associated procedures* which become an important record to prove exams and assessment have been appropriately conducted. For the avoidance of doubt, transcripts and markbook are not sufficient as evidence of the process, rather they are the *outcome* of the process.
- 2.5 Each Faculty Board (or equivalent body) should draw up, for the examinations associated with their Faculty, an Examinations Data Retention Policy. The Policy should state clearly which data are retained and how 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. Faculty Boards should publish their Examinations Data Retention Policy to students and to Examiners on an accessible website. 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.
- 2.6 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 expected 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 and should provide contemporaneous evidence of marking. 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 data protection legislation, the Chair of Examiners must 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 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 will need to 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 are not ‘private’, and will be provided to individual students on request;
 - minutes of Examiners’ meetings and Examiners’ reports, insofar as they relate to an individual candidate, may also be disclosed to that candidate on request.
- 3.5 The General Board’s Education Committee has considered whether Examiners and Assessors should include marks and comments on examination scripts (including digital examination scripts) and other submitted work). It expects the following practices:
- **Wherever possible, there should be contemporaneous evidence of marking.** Examples of such evidence include: marks recorded on the examination scripts or on a mark sheet;
 - **wherever possible, comments on student’s work should be recorded separately from the examination scripts.** Such 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;
 - in all cases, Examiners and Assessors should ensure that where possible 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, or other records that provide evidence that scripts have 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 28 days **after the publication of the class list**. In exceptional circumstances the Office of Student Conduct, Complaints and Appeals may allow a short extension of this deadline.
- 5.3 Under data protection legislation there is no statutory time limit on when a request for copies of examination data may be submitted, and any request received must be answered within one month if the results have been announced. These timescales should be borne in mind when determining 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
Rank-in-class (where recorded)	indefinitely ¹
Minutes of Examiners' meetings	indefinitely ²
Marks for individual questions	at least one year after publication of results ³

Examiners' comments or notes relating to procedural or rubric infringements or other practical points	at least one year after publication of results ³
Examiner coversheets	at least one year after publication of results ³
Marking forms	at least one year after publication of results ³
Examination scripts	one year
<p>1 also retained centrally for University transcripts</p> <p>2 advice on the format of minutes is provided by at the Student Registry²</p> <p>3 all data retaining to appeals should be kept for 6 years dated from the last action on appeal.</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 Board/Office which will become responsible for them. 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.
- 5.6 The Education Committee strongly advises the central storage of examination data at an agreed Faculty or Departmental location to allow efficient retrieval of data.

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

- 6.1 The Information Compliance Office of the University (<https://www.information-compliance.admin.cam.ac.uk/contact-us>) 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 data protection legislation (see <https://www.information-compliance.admin.cam.ac.uk/data-protection/subject-access-request>). Candidates are entitled make such requests directly to the Information Compliance Office, 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 Office of Student Conduct, Complaints and Appeals (OSCCA). The Chair of Examiners should take no further action until advised to do so by OSCCA.
- 6.3 If a request received within one month of the publication of the results 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

² https://www.student-registry.admin.cam.ac.uk/files/examiners_meetings.pdf

Examinations Data Retention Policy should be referred to the Information Compliance Office. 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. 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 OSCCA. If Examiners are approached directly by students or their College advisers with such a request, they should be referred to OSCCA 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 OSCCA. They 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;
- any comments or notes the examiner(s) made regarding the candidate(s)' examination
- minutes of the Examiners' meetings.

7.3 Copies should be shared with OSCCA and retained by the Chair of Examiners and by OSCCA, and should be kept for 6 years dated from the last action on Review. Please note that it may take over a year for students to complete fully the review procedures, which may include taking their complaint to the ombudsman (the OIA). 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.

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

8. Example

Faculties are advised to prepare their policies using this template, and guided by the types of data/suggested retention periods set out in the table in section 5.3 of this document.

FACULTY OF XX

Examination 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]:

Data routinely available on request:		
<i>Data</i>	<i>Retention period</i>	<i>Accessible through:</i>
<i>[E.g....]</i>		
Mark from the Final Mark Book	Indefinitely	College DoS or Tutor Faculty Contact
Classes awarded	indefinitely	e.g. Camsis
Total marks and marks for each element of the examination	indefinitely ¹	e.g. Faculty Contact or CamSIS
Rank-in-class (where recorded)	indefinitely	
Minutes of Examiners' meetings	indefinitely	
Examiner coversheets	at least one year after publication of results	
Marking forms	at least one year after publication of results	
Examiners' comments or notes relating to academic judgement	A period of at least 3 months. In the case of an exam review, the records would continue to be retained until advised otherwise	
Examination scripts	one year	

The routinely supplied data comprise information that the Faculty Board and/or Degree Committee have determined as being meaningful or helpful as indicators of examination performance.

Additional data available on request (where available):		
<i>Data</i>	<i>Retention period</i>	<i>Accessible through:</i>

[E.g....]		
Examiners' comments or notes relating to procedural or rubric infringements or other practical points	at least one year after publication of results	Chair of Examiners
Marks for individual questions	at least one year after publication of results	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 one year but are not released to students.

Please request data in writing from:

<i>Faculty Contact</i>	<i>Chair 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 formal subject access request under data protection legislation. Formal requests for access to all other personal data should be directed to the University's Information Compliance Office (<https://www.information-compliance.admin.cam.ac.uk/data-protection/subject-access-request>).*