

Marking Scripts in the context of Freedom of Information Act

Background

Under the Freedom of Information Act 1997, a student has a right to request access to records (Ss. 6 and 7). Such records would include the examination script and assessments which have been marked and annotated by the internal and external examiners. Students have the right to information relating to why decisions taken by the University affecting that individual were taken. Such decisions would include examination/assessment marks (S. 18).

Examination scripts should at all times remain in the possession of the University and, except in the cases of students on off-campus programmes, eg Open Education programmes, will not be scanned or photocopied. Students may make appointments to view these scripts or discuss their performance by telephone. Scripts may not be reviewed by a third party.

Guidelines

In order to assist you in complying with the Act, the following guidelines are suggested:

- Remember that any comments, markings or other annotations you write on the examination script and any notes you make relating to the examination/assessment other than on the script, may be subject to a FOI request.
- You should indicate, in some appropriate way, that you have read all of the script/assessment. This can be achieved by ticking the end of each page, drawing a line through each page or initialling each page as you finish reading it.
- You should show the mark awarded for each question separately. If appropriate, depending on how the marking scheme is structured show the mark awarded for each section of each question.
- The Act will lead to very little change to most examiners in the practice they have adopted for many years, but you may find it useful to record or highlight significant lacunae, errors, good points and penumbral areas on the script to help you if there is a S. 18 request.
- If requested, under S.18, to give the reasons for your mark/decision, you must be able to give satisfactory reasons - even if you have written nothing on the script. A marking scheme is always helpful in explaining the spread of marks to an enquirer. However, the nature of some subjects lends better to a detailed marking scheme than others. The Information Commissioner would never dispute the substance of your reasons, but may require that you give better reasons.
- You do not have to deal with a group request on examination/assessment under S.18 of FOI. Students can only ask about their own marks. So, for example, you do not have to justify how a student got less than another member of the class, only why s/he got the mark awarded.
- If you are going to be uncontactable after the promulgation of the examination results, it would be important for you colleagues who will have to deal with the FOI request, to have access to a well-annotated script.
- If you get a FOI request, please pass it immediately to Joe Maxwell, the FOI Officer.