

# Examiner Comments Policy

## Table of Contents

Introduction .....	3
Standard of our qualifications .....	3
About candidates' rights under General Data Protection Regulation (GDPR).....	3
Process .....	4
Useful references .....	5
Policy updating and reviewing .....	5
Policy version and owner .....	5

## Introduction

Candidates may be disappointed at their exam results and want to find out more about the comments made about their performance during the marking process.

CIOL Qualifications (CIOLQ) offers an Examiner Comments service, in line with the guidelines specified by the Information Commissioner's Office (ICO). This service is only provided on request and is not part of our Review of Marking and Independent Review Appeals service, which is available for a limited period after each exam session.

We always encourage candidates to appeal against their results rather than ask for Examiner Comments, as comments can be brief, general and - when reviewed out of context - not necessarily useful.

If candidates are confident that they have prepared sufficiently for the exam but have failed, careful consideration should be given as to whether making an application for Examiner Comments is the right approach, as it will not change the mark or grade achieved. **In such instances, CIOLQ does not recommend applying for Examiner Comments.**

If candidates are considering applying for the Review of Marking and Independent Review Appeals service, this must be done by the published application deadline within the relevant session's Key Dates document. The Examiner Comments service can be applied for at any stage within the three-year Qualification Completion Timeframe.

## Standard of our qualifications

Our qualifications across Level 3, Level 6 and Level 7 are demanding, nationally and internationally recognised, and set against the UK's Regulated Qualifications Framework (RQF) at the respective level. At Level 6 and Level 7 they are equivalent in level to degree level qualifications, and this is further detailed in the respective Qualification Specifications. We recommend that candidates complete a course of study before registering for any of our exams.

Candidates should be aware that within the specifications there is an indication of the length of time that a successful candidate might be expected to have prepared for, before sitting one of our exams. It is also indicated that, without sufficient preparation, study and revision, a candidate may not achieve a successful outcome.

## About candidates' rights under the General Data Protection Regulation (GDPR)

The term 'personal data' is the entryway to the application of the GDPR. Personal data is information that relates to an identified or identifiable individual. Only if the processing of data concerns 'personal data' does the GDPR apply.

However, the information recorded by the person marking the exam is not exempt from the above provisions. The provision of this information means that CIOLQ needs to operate time-intensive staff processing to extract Examiner Comments from the marksheet(s).

For this reason, we need to charge a small administrative fee to provide the personal data since it is operationally excessive and time-consuming.

Exempt from the Information Commissioner's Office (ICO):

*'The GDPR gives candidates the right to see information held about them. In terms of exams, they can request information about them and their exam performance, including:*

- *Mark*
- *Comments written by the examiner; and*
- *Minutes of any exam appeals panels.*

*But it does not give them the right to copies of their answers to exam questions.'*

In summary, the GDPR provisions do not apply to data consisting of information produced by candidates during an exam. Under no circumstances do we return exam evidence to candidates as these are exempt from the Data Protection Act 2018.

Please note, we will never comment on the achievement of other candidates.

## Process

The candidate's submission is retrieved, and the Examiner Comments made at the point of marking are collated by unit, redacted for sensitive information, and transferred onto a single document for each requested unit.

This option enables candidates to view Examiner Comments set against the relevant Assessment Marking Criteria framework as laid out in the Qualification Specification. Candidates need to be aware that these comments are short and, in many cases, will lack the detail they may expect.

If candidates wish to apply for Examiner Comments, they must email the completed Application for Release of Examiner Comments, enclosing the relevant payment to:

[qualifications@ciol.org.uk](mailto:qualifications@ciol.org.uk)

Without payment we will not be able to proceed with the request.

The processing time is 28 days from receipt by CIOLQ of both a payment and a correctly completed application form.

### **Important note:**

All new applicants for our qualifications are required to complete the qualification within a three-year Qualification Completion Timeframe. The three-year completion timeframe applies from the first year when a candidate receives a unit certificate.

Therefore, applications for Examiner Comments will not be accepted nor processed if they fall outside of the three-year Qualification Completion Timeframe for a candidate completing any of our qualifications.

## Useful references

### Clause 25

<http://www.legislation.gov.uk/ukpga/2018/12/schedule/2/part/4/crossheading/exam-scripts-and-exam-marks>

### Exam results

<https://ico.org.uk/for-the-public/schools/exam-results/>

### Exam scripts and exam marks

<https://ico.org.uk/for-organisations/uk-gdpr-guidance-and-resources/exemptions/exam-script-exemption-guidance-for-teachers-and-schools/>

### Exemptions

<https://ico.org.uk/for-organisations/intelligence-services-processing/exemptions/>

## Policy updating and reviewing

All policies relating to CIOLQ will be updated on an 18-month cycle or sooner as required.

## Policy version and owner

Policy review date	October 2027
Policy owner	Responsible Officer