

Publication of exam results by schools

Data Protection Act

Introduction

The Data Protection Act 1998 (the DPA) is based around eight principles of 'good information handling'. These give people specific rights in relation to their personal information and place certain obligations on those organisations that are responsible for processing it.

An overview of the main provisions of the DPA can be found in [The Guide to Data Protection](#).

This is part of a series of guidance, which goes into more detail than the Guide, to help organisations to fully understand their obligations and to promote good practice.

This guidance explains to boards of governors, head teachers and school data protection officers how the DPA affects the publishing of examination results. The Information Commissioner's Office regularly receives enquiries from schools about this. Publication can be done in a variety of ways, including posting lists of results on publicly accessible noticeboards, or providing examination results to the media.

Overview

- The DPA does not stop the publishing of examination results by schools, eg in the local press.
- But schools have to act fairly when publishing results and must take seriously any concerns raised.

Fairness

Information should be collected in a fair and open manner. This means that pupils and their parents or guardians (people) should be told about:

- how the information about them will be used; and
- who will be allowed to see it.

Schools should make sure that people are aware as early as possible whether:

- examination results will be made public; and
- how this will be done.

This information should be repeated at regular intervals, for example at:

- the start of each school year; or
- each examination term.

Regularly providing this information is particularly important in schools with a high turnover of pupils. Schools should not assume that all people will know about this.

Schools should also explain how the information will be published. For example, will results be listed:

- alphabetically; or
- in grade order?

Please note that some people might object if results are published in grade order.

Objections

In general, schools do not need peoples' consent to publish examination results. But publication may sometimes cause distress or harm.

Schools should always:

- consider any objections before deciding to publish; and
- have a justifiable reason to reject someone's objection.

Pupils or parents?

The DPA does not specify an age when a child can independently request that their examination results are not published. When a child makes a request, schools should take into account whether:

- the child wants their parent or guardian to be involved; and
- the child properly understands what is involved.

The ability of children to understand and exercise their rights is likely to develop as they get older. As a general guide, a child of 12 or older is expected to be mature enough to understand the request they are making.

However, please note that a child may be mature enough at an earlier age or may lack sufficient maturity until a later age - so requests should be considered on a case-by-case basis.

Timing

Sometimes there will be rules in place about the timing of the release of examination results. It is good practice for schools to make sure they have the latest information and guidance on the release of results.

Other considerations

Additional guidance is available if you need further information on:

- giving pupils access to examination records
⇒ see the [Subject access code of practice](#)

More information

Additional guidance is also available on [our guidance pages](#) if you need further information on other parts of the DPA.

This guidance has been developed drawing on ICO experience. Because of this it may provide more detail on issues that are often referred to the Information Commissioner than on those we rarely

see. The guidance will be reviewed and considered from time to time in line with new decisions of the Information Commissioner, Tribunals and courts.

It is a guide to our general recommended approach, although individual cases will always be decided on the basis of their particular circumstances.

If you need any more information about this or any other aspect of data protection, please [contact us](#), or visit our website at www.ico.org.uk.