

Executive Summary of Investigation Report on the Handling of Examination Scripts under Marking

Background

Competition for employment has always been keen in Hong Kong; so, too, for university education. Local students desirous of pursuing further studies or seeking employment need to prove their academic attainment in the Hong Kong Certificate of Education Examination (HKCEE) or Hong Kong Advanced Level Examination (HKALE).

2. The Hong Kong Examinations and Assessment Authority (HKEAA) is an independent statutory body established in 1977 under the Hong Kong Examinations and Assessment Authority Ordinance, Cap. 261. Its primary function is to administer HKCEE and HKALE. Some 150,000 candidates take part in these two examinations each year.

3. We noted media reports on the recurrent loss of examination scripts in the course of marking. As this could adversely affect some young people's future and even undermine public confidence in our examinations system, The Ombudsman decided to conduct a direct investigation under Section 7(1)(a)(ii) of The Ombudsman Ordinance, Cap. 397. The Secretary General of HKEAA welcomed the investigation and pledged full cooperation, for which we are grateful. In a press conference held on 14 November 2003, The Ombudsman declared this direct investigation.

The Investigation

4. This direct investigation examines:

- (a) the measures for the safe custody of examination scripts during the marking process;
- (b) the adequacy and effectiveness of such measures;
- (c) remedial action on loss of scripts;
- (d) the appropriateness of such action; and
- (e) scope for review and improvement.

Appointment of Markers

5. Some two million scripts have to be marked every year. With the principals not

raising objection to their undertaking outside work, HKEAA appoints teachers as markers and pay them for each script or question marked. Such remuneration ranges from \$22 for papers lasting one-and-a-half hours to \$55 for three-hour papers. Some 5,000 markers are appointed each year and on average, a marker would process some 400 scripts.

6. On appointment, markers are given an instruction guide and a briefing on such details as the collection and checking of scripts, the marking and check marking procedures. However, apart from reminding markers not to mark scripts in public places, the instructions do not contain any specific guidelines or cautionary advice on the safe custody of scripts.

7. A record of lost scripts will normally not affect the subsequent appointment of the marker. Only when negligence is admitted will the marker be barred from appointment for the following three years.

Checking of Scripts

8. On receipt of the scripts contained in sealed envelopes, markers are required to check the number against the attendance records and report any missing scripts. HKEAA will also conduct another check for any missing scripts.

9. To confirm a loss, the marker concerned is asked to search the location where the marking was conducted. To eliminate mistakes about the attendance record, HKEAA will telephone the candidate concerned to probe for evidence of his/her attendance at the examination.

10. In the last five years, 77 scripts were lost:

Year	No. of missing scripts		
	HKALE	HKCEE	Total
1999	5	7	12
2000	3	18	21
2001	6	16	22
2002	9	8	17
2003	3	2	5
Total	26	51	77

Source: HKEAA

HKEAA's view is that with the collection and transfer of a large volume of scripts, loss of some is inevitable.

Remedial Measures

11. On confirmation of a loss, HKEAA will not inform the candidate but will award an assessed mark. Neither will HKEAA disclose the basis for awarding the assessed mark.

12. To our surprise, HKEAA keeps no proper investigation report on its investigation process and findings. We were, therefore, unable to study how scripts were lost, and what further steps HKEAA took to prevent such loss.

Observations and Opinions

13. It may be true that over the past five years, “only 77” out of ten million scripts were lost, representing an “insignificant” 0.00077%. Statistically, this is an extremely low occurrence rate and may explain HKEAA's view (para. 10) and the lack of any proper investigation reports.

14. However, to individual candidates, the loss of any script is extremely significant. Years of hard work culminates in these public examinations. Accreditation of their academic attainment has far-reaching implications on their future fortune – be it studies or employment. As the loss is through no fault of the candidate, it raises the question whether HKEAA has sufficiently focussed on the rights of candidates to be informed and have a say on possible remedy.

15. HKEAA's lack of transparency (i.e. not informing the affected candidates) is out of step with present-day accountable governance. Some may even see this as an indictment on its dereliction of duty to the candidates. On a broader front, it is a breach of the public faith in HKEAA's administration of the public examinations system in Hong Kong.

Follow-up Action on Loss

16. The loss of even one single script is one too many. We are astounded, and puzzled, why HKEAA does not conduct proper investigation into reported loss and maintain a record on the investigation processes and findings. The total absence of proper investigation to ascertain responsibility from among those concerned and a penalty system to accord with the level of responsibility thus ascertained is incredible. It could encourage dishonesty, or at least evasion, on

the part of the markers concerned, by not admitting negligence or revealing in full the circumstances of the loss.

Prevention of Loss

17. Examination scripts are confidential documents and should be handled with utmost care. It is not satisfactory that HKEAA does not have guidelines to markers on prevention of loss or on due caution. Markers are left to their own devices as to what they consider to be the best precautions.

18. On the other hand, it is amazing that markers responsible for the loss should be so casual, so cavalier. Common sense dictates the need to safe keep scripts in their care. Markers are experienced teachers who understand the far-reaching implications of a lost script and are remunerated for marking, they should not expect to be exonerated simply because HKEAA has not issued reminders or guidelines.

19. In the absence of any reports on the investigation process, we could not identify and analyse how scripts came to be missing or lost. However, HKEAA has outlined the following possibilities:

- (a) examination centre supervisors or invigilators may have made a mistake in counting the scripts or recording the attendance. They may not have noticed that a candidate leaving early has taken his/her script out of the centre;
- (b) it is not realistic for HKEAA to “mandate” where markers can work. They may mark scripts in school or at home. Scripts may thus be lost in transit; and
- (c) some markers may be less conscientious over the need for safe custody of the scripts and may leave them unattended and not properly locked. They can thus be removed by any passer-by or someone with malicious intent.

In addition, we believe that loss may also occur in one of the following processes:

- (a) markers still have to handle their students’ homework or attend classes during the entire period of marking HKEAA scripts. Scripts may, therefore, be misplaced and mixed up with their students’ day-to-day homework or other teaching materials; and
- (b) markers with their myriad duties may have difficulties conducting the necessary thorough search for the missing script or even recalling where and how the script went missing. This may be compounded by HKEAA’s generally lax attitude towards such loss and the lack of proper deterrent measures.

Marker Ethics

20. In a case reported by the media, students saw their teacher marking scripts in class. This would constitute dereliction of duty, both to the class and to HKEAA, and via HKEAA to the candidate(s) concerned.

Remedial Measures

21. Candidates affected have a right to be informed of the loss of their scripts and to decide on remedy in view of the impact of the loss on their future, and because of their payment for the marking of their scripts as well as their trust in the system and HKEAA.

22. We appreciate that there are financial and technical difficulties involved in re-examination and recognise that the current arrangements follow international best practices. However, we consider that HKEAA could and should endeavour to overcome these difficulties.

Recent Development

23. At the end of January 2004, HKEAA announced new arrangements of informing candidates of the loss on the day examination results are released. Candidates can then choose between accepting the marks as assessed or rejecting them for a refund of the examination fees. However, HKEAA maintains that there would be no re-examination.

24. We applaud HKEAA's realisation of the need for improvement and commend its initiative in this direction. While this is a start, it is not good enough.

25. The only material difference from the previous practice is *to give candidates a choice*: accepting an assessed mark or receiving a refund of fees. Timing of this "choice", on the day examination results are released, is also too late. Students cannot afford to wrangle with HKEAA as most of them require the examination results on that day to facilitate their enrolment for further studies.

Recommendations

26. The loss of scripts may have far-reaching implications on the candidates' subsequent career, or even life. There is, therefore, no room whatsoever for complacency -- and certainly, no place for negligence or casual approach -- no matter how "insignificant" the percentage of scripts

lost.

27. In undertaking this direct investigation, our prime concern is precautions for prevention of loss and provision of equitable treatment for candidates concerned. Accordingly, The Ombudsman makes the following recommendations to HKEAA:

(a) General

i) both HKEAA and markers, adopt a more responsible and transparent attitude towards loss of scripts.

(b) Follow-up Action on Loss

Investigation

i) maintain a file for each case -- for documentation of the investigation process, for record of all deliberations and any other data;

ii) properly investigate each and every report of loss (requiring from the marker and/or invigilators a full account of the circumstances surrounding the loss), analyse causes for the loss and consider remedial measures; and

iii) arrange for each and every case to be discussed by members of the Authority at a proper forum convened for the purpose of apportioning responsibility, awarding penalties, analysing causes for the loss and determining precautionary measures.

Penalty System

i) devise a system of deterrent and penalty for loss of scripts.

(c) Prevention of Loss

i) include in the instruction guide to markers a firm reminder of the importance of safe custody for scripts and appropriate advice against risk of loss in transit and marking;

ii) circulate extracts of reports on the investigation of loss among markers to promote and enhance their awareness;

iii) appeal for school principals' cooperation in providing markers with safe storage for scripts, say, in the teachers' offices; and

iv) review the invigilation process, in the context of the procedures for collection of scripts from candidates on departure from the examination centre. Strengthen the guidelines for centre supervisors and invigilators in this respect.

(d) Marker Ethics

i) impress upon markers their duty to their classes and candidates.

(e) Remedial Measures

i) notify candidates affected soonest possible, on availability of assessed score;

ii) consider offering candidates the option of re-sitting for an examination or accepting the assessed marks. On this, it may be useful for HKEAA to consult such interest groups as parent-teacher associations; and

iii) set up proper mechanism for appeal against remedial measures taken.

Comments from HKEAA

28. HKEAA has indicated that it does recognise the significance of lost scripts and the need for any remedial measures to be fair. It considers that most markers are conscientious and the incidents of lost scripts relatively few. It has agreed that there is a need for the investigation to be more thorough and the processes documented.

29. HKEAA has generally accepted the recommendations. Implementation of some is underway. However, on recommendation 24(e)(ii), it has reiterated that the current arrangements follow international best practices, and is concerned over the technical difficulties and cost-effectiveness of re-examination.

Final Remarks

30. On recommendation 24(e)(ii), The Ombudsman believes that with HKEAA's established procedures and experience, the technical difficulties can, and should, be overcome. As regards cost-effectiveness, we consider that the interests and rights of the candidates and the public interest in maintaining a fair and credible public examination and assessment system in Hong Kong should not be ignored.

31. In conclusion, The Ombudsman thanks the Chairman, members, Secretary General and staff of HKEAA for assistance throughout this investigation.

Office of The Ombudsman

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