

Request for reasons for mark awarded for university honours paper

Legislation	Official Information Act 1982, s 23
Agency	University
Ombudsman	Anand Satyanand
Case number(s)	A5622
Date	December 1996

Request for reasons for mark awarded for university honours paper—refused on grounds information did not exist in documentary form and was not readily retrievable—obligation to provide statement under section 23—statement provided

An honours student at a University was dissatisfied with the marks received in respect of two papers and sought the reasons for the marks awarded. He received an adequate response in respect of one paper, but the University declined to provide an explanation in respect of the second on the grounds that the information was not in documentary form and was not readily retrievable. The University was also concerned that serious administrative difficulties would arise if every student sought statements of reasons under section 23 of the OIA in respect of marks awarded for papers.

The University's attention was drawn to the obligation to provide a statement of reasons under section 23 and to the limited scope for refusing to provide such a statement. There is an obligation to provide a statement '*on request made within a reasonable time of the making of the decision*', even if one did not exist at the time the request was received. In most cases where a statement of reasons is requested under section 23, the organisation concerned has to create a statement based on the relevant information held. While an examiner may have difficulty recalling immediately why a particular paper received a specific mark, by looking at the paper again, it ought to be possible to summarise the reasons for the grade given.

It was pointed out that the University's concerns about the administrative ramifications did not provide grounds for refusing a section 23 request. In this respect it was noted that there were many other areas outside the tertiary institution context where it might be said that if all affected persons exercised their rights in good faith under the OIA, administrative difficulties would occur. On the basis of experience to date, this happens rarely, if at all. Furthermore, in respect of tertiary and other educational institutions, the majority of students accept the marks they receive, particularly once they have seen their scripts.

In this case, the University agreed to provide the requester with a statement of reasons for the mark awarded for the paper at issue.

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