**NATIONAL ASSEMBLY**

**WRITTEN REPLY**

**QUESTION 497**

**DATE OF PUBLICATION OF INTERNAL QUESTION PAPER: 10/03/2017**

**INTERNAL QUESTION PAPER: 09/2017**

**497. Mr C H H Hunsinger (DA) to ask the Minister of Basic Education:**

On which statutory grounds were (a) the subject mark adjustment data and (b) the standardisation meeting of 23 December 2016 at which mark adjustments were decided upon designated as confidential? NW554E

**RESPONSE:**

1. Subject mark adjustments and the proceedings of the annual standardisation meetings are classified as confidential because:

The data that Umalusi standardises during the standardisation process belongs to the assessment body not to Umalusi. Umalusi needs to adhere to what is stipulated in the General and Further Education and Training Act No. 58 of 2001, Section 18(a) under the heading the **Functions of provider or assessment body with regard to external assessment**, which states that:

“In respect of external assessment and subject policy determined in terms of section 3(4) of the National Policy Act No. 27 of 1996, an assessment body -

1. must take adequate measures to combat irregularities at assessment and marking centres and ***must take adequate security measures to ensure the confidentiality and integrity of the assessments.”***

To fulfil its duties as stated above the DBE Regulations Pertaining to the Conduct, Administration and Management of the National Senior Certificate Examination in chapter 8 under the heading **Release of the results and confidentiality, Section 42 (5)** states that:

“The examination results data of public schools and those independent schools that wrote the public National Senior Certificate examination will remain the property of the Department of Basic Education and is given solely for informing candidates of their achieved examination results.”

Furthermore, Section 42(6) states that:

“Researchers, individuals and non-governmental organisations may receive information regarding examination results, subject to the approval of the Director-General Basic Education.

1. Each recipient of examination result data must comply with the following:
2. Keeping of confidentiality of all information (written, electronic format and oral) regarding the content thereof,
3. Not disclosing without the Department of Basic Education’s written consent, any information in whole or in part to any person.”