

5 May, 2009



To: ISPA Members

URGENT

Qualifications and
Curriculum Authority
83 Piccadilly
London W1J 8QA

Telephone: 020 7509 5555
Minicom: 020 7509 6546
Email: info@qca.org.uk
www.qca.org.uk

Dear ISPA Member

REQUEST FOR EMERGENCY CONTACT - PUBLICATION OF NATIONAL CURRICULUM TEST QUESTIONS

The Qualifications and Curriculum Authority (QCA) is an Executive Non-Departmental Public Body of the Department for Children, Schools and Families and QCA has, amongst other things, specific responsibility for developing and carrying out the national curriculum tests. We are writing to you with the agreement of Ofqual, the regulator of qualifications, exams and tests in England.

Maintaining secrecy and confidentiality in relation to national curriculum test questions, especially in the period prior to the test, is a matter of critical importance to QCA and a matter of public interest. QCA and its suppliers review security risks and response procedures on an on-going basis and as a result of these reviews QCA is considering what further actions can be taken to address in the event of a security breach leading to the publication of a test questions or information on an internet site.

While QCA does have contingency plans in place to address security breaches, the potential distress to students, teachers and all of those involved in administering tests, the considerable increased costs and negative impact on public confidence in the national curriculum test system have led us to consider how QCA could better co-operate with internet services providers in connection with the take down of unlawfully published information.

Previous instances of unlawful publication of QCA copyright material have demonstrated that the usual public routes for the notification of a copyright breach (which may be sufficient for dealing with post-exam publication of papers) may not react swiftly enough to limit the damage in an emergency pre-test publication.

QCA is, therefore, requesting each ISPA member to provide details of emergency representatives or a hotline available to receive reports of unlawful publication from QCA within and outside of normal working hours and which representatives or hotline are authorised to arrange an emergency take down.

We consider that this request to allow QCA to process personal information is justified for QCA's legitimate business purposes and any personal information provided will be processed and stored in accordance with the Data Protection Act. QCA will restrict access



to these contact details to a restricted group of personnel in QCA's Legal & Corporate Affairs and Security Departments and the regulator, Ofqual.

We would further like to reassure you of our intention contact this representative or hotline only in genuine emergency situations, typically in relation to pre-test publication, or in the case of non-emergency situations where QCA has exhausted the usual public notification process without reasonable satisfaction.

QCA acknowledges that any report made would need to give adequate detail of the location of the unlawfully published information.

We hope that you will support this public interest initiative and we would like to thank you in advance of your co-operation.

Bearing in mind that we are currently in a pre-test period, with the NCT test taking place between 11th and 15th May 2009, we would very much appreciate it if you could return the completed form (see attached) to legal@qca.org.uk as quickly as possible.

Yours faithfully,

A. Todd

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Carol Copland

Director of Legal & Corporate Affairs

Please return the following information to legal@qcva.org.uk

Organisation Name	
First line contact name and position in organisation / job title	
First line contact email address	
First line contact telephone number (working hours)	
First line contact telephone number (out of working hours)	
Second line contact name and position in organisation / job title	
Second line contact email address	
Second line contact telephone number (working hours)	
First line contact telephone number (out of working hours)	