
WELSH STATUTORY INSTRUMENTS

2004 No. 1026

The Education (Pupil Information) (Wales) Regulations 2004

Meanings of curricular record and educational record

3.—(1) In these Regulations “curricular record” (“*cofnod cwricwlaidd*”) means a formal record of a pupil’s academic achievements, the pupil’s other skills and abilities and his or her progress in school, as detailed in Schedule 2.

(2) In these Regulations “educational record” (“*cofnod addysgol*”) means any record of information, including a pupil’s curricular record, which—

- (a) is processed by or on behalf of the governing body of, or a teacher at, any school specified in paragraph (3);
- (b) relates to any person who is or has been a pupil at the school; and
- (c) originated from or was supplied by or on behalf of any of the persons specified in paragraph (4),

other than information which is processed by a teacher solely for the teacher’s own use.

(3) The schools referred to in paragraph (2)(a) are—

- (a) a maintained school; and
- (b) a special school which is not maintained by a local education authority.

(4) The persons referred to in paragraph (2)(c) are—

- (a) an employee of the local education authority which maintains the school;
- (b) in the case of—
 - (i) a voluntary aided, foundation or foundation special school; or
 - (ii) a special school which is not maintained by a local education authority,a teacher or other employee at the school (including an educational psychologist engaged by the governing body under a contract for services);
- (c) the pupil to whom the record relates; and
- (d) a parent of that pupil⁽¹⁾.

⁽¹⁾ This definition of “educational record” is the same as the one contained in Schedule 11 to the Data Protection Act 1998 (c. 29).