
WELSH STATUTORY INSTRUMENTS

2007 No. 3562

The Education (Information About Individual Pupils) (Wales) Regulations 2007

Interpretation

3. In these Regulations—

“the 1996 Act” (“*Deddf 1996*”) means the Education Act 1996;

“the 2002 Act” (“*Deddf 2002*”) means the Education Act 2002(1);

“child looked after by a local authority” (*plentyn sy'n derbyn gofal gan awdurdod lleol*) has the meaning assigned to it by section 22(1) of the Children Act 1989(2);

“GCE “A” level examinations” (“*arholiadau TAG Safon Uwch*”) and “GCE “AS” examinations” (“*arholiadau Uwch Gyfrannol*”) mean General Certificate of Education Advanced Level examinations and General Certificate of Education Advanced Subsidiary examinations respectively;

“GCSE” (“*TGAU*”) means General Certificate of Secondary Education;

“GNVQ” (“*GNVQ*”) means General National Vocational Qualification;

“individual pupil information” (“*gwybodaeth am ddisgyblion unigol*”) means information within the meaning of section 537A(9) of the 1996 Act, namely information relating to and identifying individual pupils or former pupils (at schools in Wales), whether obtained under section 537A(1) of the 1996 Act or otherwise;

“information collator” (“*cydlynnydd gwybodaeth*”) means an information collator within section 537A(9) of the 1996 Act, namely any body which, for the purposes of or in connection with the functions of the Welsh Ministers relating to education, is responsible for collating or checking information relating to pupils;

“key stage” (“*cyfnod allweddol*”) means any of the periods set out in paragraphs (a) to (d) respectively of section 103(1) of the 2002 Act and a reference to the first, second or third key stage is a reference to the periods set out respectively in paragraphs (a), (b) and (c) of the said section 103(1);

“learning activity reference” (“*cyfeirnod gweithgaredd dysgu*”) means a combination of numbers which together with a letter are allocated to a course of study or other learning activity and are particular to that course or learning activity, and are determined by the Welsh Ministers;

“learning difficulty” (“*anhawster dysgu*”) has the meaning given to it in section 312(2) of the 1996 Act(3);

“permanently excluded” (“*wedi ei wahardd yn barhaol*”) in relation to a pupil means a pupil who has been permanently excluded from a school on disciplinary grounds;

(1) 2002 c. 32.

(2) 1989 c. 41. Section 22(1)(b) was amended by paragraph 19 of Schedule 5 to the Local Government Act 2000 (c. 22), and by section 2(1) and (2) of the Children (Leaving Care) Act 2000 (c. 35), and by section 116(2) of the Adoption and Children Act 2002 (c. 38).

(3) As amended by paragraphs 1 and 56 of Schedule 9 to the Learning and Skills Act 2000 (c. 21) and by paragraphs 2 and 3 of Schedule 1 to the Education and Inspections Act 2006 (c. 40). Sub-section (2)(c) was amended by paragraphs 23(a) and (b) of Schedule 7 and Schedule 8 to the Education Act 1997 (c. 44).

“permanent exclusion date” (“*dyddiad gwahardd parhaol*”) means the date on which the name of a permanently excluded pupil is deleted from the register;

“register” (“*cofrestr*”) means the register of pupils kept under section 434(4) of the 1996 Act and in accordance with the Education (Pupil Registration) Regulations 1995(5);

“school” (“*ysgol*”) means a school maintained by a local education authority, but does not include a pupil referral unit;

“school sessions” (“*sesiynau ysgol*”) is to be interpreted in accordance with regulation 4 of the Education (School Day and School Year) (Wales) Regulations 2003(6);

“school year” (“*blwyddyn ysgol*”) means the period beginning with the first school term to begin after July and ending with the beginning of the first such term to begin after the following July;

“sixth form pupil” (“*disgybl chweched dosbarth*”) means a pupil at a school, which is not a special school, who is in receipt of education suitable to the requirements of pupils above compulsory school age;

“special school” (“*ysgol arbennig*”) has the meaning given by section 337 of the 1996 Act(7);

“special educational needs” (“*anghenion addysgol arbennig*”) has the meaning given to it by section 312 of the 1996 Act;

“unauthorised absence” (“*absenoldeb nas awdurdodwyd*”) means an occasion on which a pupil is recorded as absent without authority pursuant to the Education (Pupil Registration) Regulations 1995 and “authorised absence” (“*absenoldeb a awdurdodwyd*”) is to be construed accordingly; and

“unique pupil number” (“*Rhif unigryw disgybl*”) means a combination of numbers which together with a letter or letters are allocated to a pupil and are particular to that pupil, by use of a formula determined by the Welsh Ministers.

(4) Sub-section (4)(c)(i) was amended by paragraph 111(a) of Schedule 30 to the School Standards and Framework Act 1998 (c. 31). Sub-section (4)(c)(ii) was repealed by paragraph 111(b) of Schedule 31 to the School Standards and Framework Act 1998.

(5) S.I.1995/2089.

(6) S.I. 2003/3231 (W.311).

(7) Section 337 was substituted by paragraph 80 of Schedule 30 to the School Standards and Framework Act 1998.