

WELSH STATUTORY INSTRUMENTS

2011 No. 1942

The Pupil Information (Wales) Regulations 2011

Duties of head teacher — educational records

5.—(1) Within fifteen school days of receiving a written request by a parent for disclosure of a pupil's educational record, the head teacher of a maintained school and of a special school not maintained by a local authority must make it available for inspection, free of charge, to the parent.

(2) Within fifteen school days of receiving a written request by a parent for a copy of a pupil's educational record, the head teacher of such a school must give the parent a copy of it on payment of such fee (not exceeding the cost of supply), if any, as the governing body may prescribe.

(3) In every case where the pupil is under consideration for admission to another school (including an independent school) or to an institution of further education or any other place of education or training, the head teacher must transfer the pupil's educational record to the responsible person, free of charge, if that person so requests, within fifteen school days of receiving the request.

(4) The record supplied under paragraph (3) must not include the results of any assessment of the pupil's achievements.

(5) When complying with a request for disclosure or a copy of a pupil's educational record under paragraphs (1), (2) or (3) of this regulation, a head teacher must not disclose any ^[F1]information—

- (a) which the head teacher could not lawfully disclose to the pupil under the ^[F2]UK GDPR], or
- (b) to which the pupil would have no right of access under the ^[F3]UK GDPR].]

^[F4](6) In this regulation, “the UK GDPR” (“*GDPR y DU*”) has the same meaning as in Parts 5 to 7 of the Data Protection Act 2018 (see section 3(10) and (14) of that Act).]

Textual Amendments

- F1** Words in [reg. 5\(5\)](#) substituted (25.5.2018) by [Data Protection Act 2018 \(c. 12\)](#), s. 212(1), [Sch. 19 para. 365\(2\)\(a\)](#) (with [ss. 117, 209, 210](#)); [S.I. 2018/625](#), [reg. 2\(1\)\(g\)](#)
- F2** Words in [reg. 5\(5\)\(a\)](#) substituted (31.12.2020) by [The Retained EU Law \(Miscellaneous Amendments\) \(Wales\) \(EU Exit\) Regulations 2019 \(S.I. 2019/1281\)](#), [regs. 1\(2\), 8\(2\)](#); 2020 c. 1, [Sch. 5 para. 1\(1\)](#)
- F3** Words in [reg. 5\(5\)\(b\)](#) substituted (31.12.2020) by [The Retained EU Law \(Miscellaneous Amendments\) \(Wales\) \(EU Exit\) Regulations 2019 \(S.I. 2019/1281\)](#), [regs. 1\(2\), 8\(2\)](#); 2020 c. 1, [Sch. 5 para. 1\(1\)](#)
- F4** [Reg. 5\(6\)](#) substituted (31.12.2020) by [The Retained EU Law \(Miscellaneous Amendments\) \(Wales\) \(EU Exit\) Regulations 2019 \(S.I. 2019/1281\)](#), [regs. 1\(2\), 8\(3\)](#); 2020 c. 1, [Sch. 5 para. 1\(1\)](#)

Commencement Information

- I1** [Reg. 5](#) in force at 1.9.2011, see [reg. 1\(1\)](#)

Changes to legislation:

There are currently no known outstanding effects for the The Pupil Information (Wales) Regulations 2011, Section 5.