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WELSH STATUTORY INSTRUMENTS

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**2001 No. 832**

**The Education (Pupil Records) (Wales) Regulations 2001**

**Meaning of educational records**

3.—(1) In these Regulations “educational record” (“*cofnod addysgol*”) means any record of information which —

- (a) is processed by or on behalf of the governing body of, or a teacher at, any school specified in paragraph (2);
- (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 (3),

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

(2) The schools referred to in paragraph (1)(a) are —

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

(3) The persons referred to in paragraph (1)(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<sup>(1)</sup>.

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