
STATUTORY INSTRUMENTS

2005 No. 1437

The Education (Pupil Information) (England) Regulations 2005

Disclosure of curricular and educational records

5.—(1) This regulation applies to the governing body of any school maintained by a local education authority (other than a nursery school) and any special school not so maintained.

(2) Subject to paragraph (4), the governing body shall make a pupil's educational record available for inspection by the parent, free of charge, within fifteen school days of receipt of the parent's written request for access to that record.

(3) Subject to paragraph (4), the governing body shall provide a copy of a pupil's educational record to the parent, on payment of such fee (not exceeding the cost of supply), if any, as the governing body may prescribe, within fifteen school days of receipt of the parent's written request for a copy of that record.

(4) When complying with a request under paragraph (2) or paragraph (3), a governing body shall not make available for inspection or provide a copy of any information—

- (a) which they could not lawfully disclose to the pupil himself under the Data Protection Act 1998; or
- (b) in relation to which the pupil himself would have no right of access under that Act or by virtue of any order made under section 30(2) or section 38(1) of the Act.

(5) Subject to paragraph (6), where the pupil is under consideration for admission to another school (including an independent school) or to a further education institution or higher education institution, the governing body shall transfer the pupil's curricular record to the responsible person, free of charge, within fifteen school days of receipt of the responsible person's written request for that record.

(6) The record supplied under paragraph (5) shall not include the results of any assessment of the pupil's achievements.