

Status: Point in time view as at 18/01/2010.

Changes to legislation: Data Protection Act 1998, Cross Heading: England and Wales is up to date with all changes known to be in force on or before 13 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

SCHEDULES

SCHEDULE 11

EDUCATIONAL RECORDS

England and Wales

- 2 This paragraph applies to any record of information which—
- (a) is processed by or on behalf of the governing body of, or a teacher at, any school in England and Wales 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 school maintained by a local education authority, and
 - (b) a special school, as defined by section 6(2) of the ^{M1}Education Act 1996, which is not so maintained.

Marginal Citations

M1 1996 c. 56.

- 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 (within the meaning of the School Standards and Framework Act 1998), 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, as defined by section 576(1) of the Education Act 1996, of that pupil.

[^{F1}4A In paragraphs 3 and 4 “local authority” has the meaning given by section 579(1) of the Education Act 1996.]

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Textual Amendments

- F1** Sch. 11 para. 4A inserted (5.5.2010) by The Local Education Authorities and Children's Services Authorities (Integration of Functions) Order 2010 (S.I. 2010/1158), arts. 1, 5(1), **Sch. 2 para. 42(3)**

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