

**Subject:**

# Disclosure of Educational Records: Assessment Units

**Circular Number:**  
**1999/4**

**Date of Issue:**  
20 January 1999

**Target Audience:**

- Principals and Boards of Governors of all grant-aided primary schools, special schools and grammar schools with preparatory departments;
- Education and Library Boards;
- Council for Catholic Maintained Schools;
- Council for the Curriculum, Examinations and Assessment; and
- Teachers' Unions.

**Summary of Contents:**

This Circular explains the position of Assessment Units in relation to the requirements for the disclosure of educational records.

**Enquiries:**

Any enquiries about the contents of this Circular should be addressed to:

Mrs Patricia Thomson  
Assessment and Examinations Branch  
Department of Education  
Rathgael House  
43 Balloo Road  
BANGOR  
BT19 7PR

**Governor Awareness:**  
Essential

**Status of Contents:**  
Advice  
Information for schools

**Related Documents:**  
Circular 1998/3 Recording and  
Reporting Individual Pupils'  
Achievements.  
The Education (Pupil Records)  
Regulations 1998.

**Superseded Documents:**  
None

**Expiry Date:**  
Not applicable

**DENI Website:**  
<http://www.deni.gov.uk>

Tel: 01247 279496  
Fax: 01247 279100

**Additional copies:**

Tel: 01247 279533

## **DISCLOSURE OF EDUCATIONAL RECORDS: ASSESSMENT UNITS**

1. The Education (Pupil Records) Regulations (Northern Ireland) 1998 place duties on Boards of Governors of grant-aided schools in relation to the keeping, disclosure and transfer of pupil records. Under the Regulations, parents have the right to see the contents of their child's educational record, on request, although certain types of information are exempted from disclosure, for example information provided by persons other than the pupil, his/her parent, a teacher at the school or an education and library board officer, or where the disclosure of the information would be likely to cause serious harm to the pupil or another person.

2. A case has recently arisen where the parents of a pupil have requested that they be allowed to see the Assessment Units (AUs) which their child completed in class as part of the statutory end-of-key-stage assessment: the school concerned has sought clarification from the Department about whether or not the AUs should be disclosed. Having taken advice from the Department's legal adviser and from CCEA, the Minister has decided that AUs should be regarded as forming part of a pupil's educational records and should, consequently, be open to disclosure. This decision would apply to any AU completed by a pupil, whether as part of the statutory assessment process or otherwise. There is no requirement upon a school to retain AUs completed by pupils other than those completed as part of the statutory assessment: the statutory assessment arrangements require that a school should retain until the end of May those AUs used with pupils for the purpose of statutory assessment, in case a sample is requested by CCEA. In all cases, however, while a school retains an AU completed by a pupil, that AU forms part of the pupil's educational records and is liable to disclosure.

3. The Pupil Records Regulations also require Boards of Governors to make arrangements to give parents the opportunity to ask to have a record corrected if they think it is inaccurate: the Regulations define "inaccurate" as "inaccurate or misleading as to any matter of fact". If a parent who receives his/her child's formative record of progress and achievement or other educational record gives notice in writing to the holder of the record (the school) that he/she regards any part of the record as inaccurate then, if the holder of the record is satisfied that the record is inaccurate, the record is amended by the removal or correction of the part which is regarded as inaccurate. If the holder of the record is not satisfied that the record is inaccurate, the request for amendment must be attached to the record and subsequently treated as forming part of it. It should be noted, however, that this provision is **not** intended to allow for a challenge to the professional judgement of a teacher in relation to the results of an assessment or an examination.

**JUNE INGRAM (MRS)**  
**Assessment and Examinations Branch**