

22. The School Year and Session Times

This chapter deals with the responsibility for setting school term dates and session times.

Background

1. [The Education \(School Day and School Year\) \(Wales\) Regulations 2003](#) apply to schools maintained by LAs and to special schools (whether or not so maintained). They make provision (among other things) for a school day which is ordinarily to be divided into two sessions (with a break in the middle), and for schools (other than nursery schools) to meet for at least 380 sessions, which equates to 190 days, during any school year.
2. The standard terms and conditions for teachers provide for 195 working days, of which 190 are teaching days. The remaining 5 days requires them to be available for other duties, such as training.
3. [The Education \(School Day and School Year\) \(Wales\) \(Amendment\) Regulations 2006](#) amended the 2003 Regulations to allow for up to four sessions in each of the 2006/7 and 2007/8 school years to count as sessions on which the school met if they were devoted to the provision of certain forms of training.
4. [The Education \(School Day and School Year\) \(Wales\) \(Amendment\) Regulations 2008](#) substituted a new regulation 5 in the 2003 Regulations which, in broad terms, provided for up to four sessions in each of the 2008/9 and 2009/10 school years to count as sessions on which the school met if they are devoted to the provision of training, or preparation and planning, for the following:
 - the introduction of the foundation stage;
 - the preparation and implementation of plans aimed at facilitating the transition of pupils from the foundation stage and from one key stage to another, and between primary school and secondary school (including, in the latter case, the statutory plans required to be drawn up under section 198 of the Education Act 2002);
 - forthcoming changes in the National Curriculum; and
 - the Welsh Ministers' plans for extending learning options for 14-19 year-olds.

These sessions are optional and in addition to the 5 days referred to in paragraph 2. Altogether, in practice the combined effect of these provisions is that a school must be open for pupils for at least **188** days in an academic year.

Schools Prevented from Meeting

5. Where a school is prevented from meeting it must make up lost sessions where that is reasonably practicable. Loss of sessions resulting from planned closures of a school due to building work or relocation do not constitute a school being “prevented” from meeting. If such projects risk a lack of access to the school premises for learning purposes, then governing bodies should do their best to ensure that alternative arrangements are made for the school to meet elsewhere or at another time in agreement with staff, pupils and parents.

Setting the School Day and Term

6. Section 32 of the [Education Act 2002](#) states that:

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- In the case of community, voluntary controlled or community special schools or a maintained nursery school:
 - i. the LA shall determine the dates when the school terms and holidays are to begin and end;
 - ii. subject to paragraphs 7 and 8 below, the governing body determine the times of the school sessions.

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- In the case of foundation, voluntary aided or foundation special schools the governing body determines the dates when the school terms and holidays are to begin and end, subject to paragraphs 7 and 8 below, and the times of the school sessions.

7. Following the coming into force of the [Learner Travel \(Wales\) Measure 2008](#), every LA in Wales has a responsibility to promote sustainable modes of travel and to improve the effectiveness of travel arrangements made, or to be made, under the Measure. Further information on the Measure is given in this Guide at Chapter 15 on Behaviour and Attendance and Chapter 25 on Health, Safety and Welfare.

8. Section 21 of the [Learner Travel \(Wales\) Measure 2008](#) amends Section 32 of the [Education Act 2002](#) to allow that, where a LA is satisfied that changing a school’s session time at the beginning or end of a school day, would promote sustainable modes of travel or would improve the efficiency and effectiveness of travel arrangements, it can change those times.

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9. The power of a governing body of a foundation, voluntary aided or foundation special school to fix the dates of terms and holidays is unchanged by section 21.

Changing of School Session Times

10. [The Changing of School Session Times \(Wales\) Regulations 2009](#) came into force on 1 April 2009 (and revoked the Changing of School Session Times (Wales) Regulations 2000).

Procedure for Changing School Session Times by a LA

11. The new regulations introduce procedures to be followed by a LA, where it considers that a change in the session times for the start or end of a school day at any maintained school is necessary, as outlined in paragraph 8 above.

12. Where a LA propose to issue a notice to the governing body of a school to amend the school session times as outlined in paragraph 11 above, it must:

- a. consult the governing body, the head teacher and all the other staff of the school;
- b. prepare a statement:
 - i. indicating that it proposes to make a change in the school's session times;
 - ii. specifying the proposed change and when it is proposed that it should take effect;
 - iii. giving details of the date, time and place of the meeting and explaining that those unable to attend the meeting may submit written comments on the proposed change before the meeting takes place;
- c. produce that statement and any annex in such language or languages (in addition to Welsh or English), if any, as it considers appropriate;
- d. take such steps as are reasonably practicable to secure:
 - i. that the parents of all registered pupils at the school are given (free of charge) a copy of the statement not less than two weeks before the meeting; and
 - ii. that copies of the statement are available for inspection (at all reasonable times and free of charge) at the school during the two week period immediately preceding that meeting;
- e. provide an opportunity for discussion of the proposal at a meeting which is open to:
 - i. all parents of registered pupils at the school;
 - ii. the head teacher and all the other staff of the school;
 - iii. members of the governing body;
 - iv. such other persons as the LA may invite;
- f. consider any written comments submitted in accordance with paragraph (b)iii. and any comments made at the meeting on the proposal before determining whether any change in those times should be made and (if so) whether the proposal should be implemented with or without any modification.

13. If the LA determines to implement the proposed change (with or without modification), it must, not less than three months before any change is to take effect:

- inform the governing body and head teacher of the change and of when it is to take effect; and
- take such steps as are reasonably practicable to secure that the parents of all registered pupils at the school are so informed.

14. A change in the times of a school session must only be made so as to take effect at the beginning of a school year.

15. The proceedings of any meeting held under this part of the regulations are to be under the control of the LA.

Procedure for Changing School Session Times by a Governing Body

16. Part 4 of the new regulations prescribe the procedure to be followed by a governing body of a community, voluntary controlled or community special school or a maintained nursery school when it proposes to make any change in the times of school sessions (or, if there is only one, the school session). In such a case, the governing body must:

- a. consult the LA, the head teacher and all the other staff of the school; and
- b. prepare a statement:
 - i. indicating that it proposes to make a change in the times;
 - ii. specifying the proposed change and when it is proposed that it should take effect;
 - iii. drawing attention to any comment on the proposal included as an annex to the statement by virtue of paragraph c. and including such response to the comment as it may consider appropriate; and
 - iv. giving details of the date, time and place of the meeting which it is required to hold and explaining that those unable to attend the meeting may submit written comments on the proposed change before the meeting takes place;
- c. if so required by the LA, include as an annex to that statement such written comment on the proposal as the authority may provide for that purpose;
- d. produce the statement and any annex in such language or languages (in addition to Welsh or English), if any, as it considers appropriate or as the LA may direct;
- e. take such steps as are reasonably practicable to secure:
 - i. parents of all registered pupils at the school are given (free of charge) a copy of the statement and any annex, not less than two weeks before the meeting, and

- ii. copies of the statement and any annex are available for inspection (at all reasonable times and free of charge) at the school during the two week period immediately preceding that meeting;
- f. provide an opportunity for discussion of the proposal at a meeting which is open to:
 - i. all parents of registered pupils at the school;
 - ii. the head teacher and all the other staff of the school; and
 - iii. such other persons as the governing body may invite;
- g. consider any written comments submitted in accordance with paragraph (b)iv. and any comments made at the meeting on the proposal, before determining whether any change in the times should be made and (if so) whether the proposal should be implemented with or without any modification.

17. If the governing body determine to implement the proposed change (with or without modification), it must, not less than six weeks before any change in those times is to take effect:

- inform the LA of the change and of when it is to take effect; and
- take such steps as are reasonably practicable to secure that the parents of all registered pupils at the school are so informed.

18. Where the change concerns the start or end of the school day the period referred to in paragraph 17 must not be less than three months.

19. A change in the times of a school session must only be made so as to take effect:

- where it affects the start or end of the school day, at the beginning of a school year; and
- in all other cases, at the beginning of a school term.

20. The proceedings of any meeting held under this part of the regulations are to be under the control of the governing body.

Length of School Sessions

21. Sessions must allow sufficient lesson time to deliver a broad and balanced curriculum that includes the national curriculum and religious education. Schools are free to decide the length of each lesson but current recommendations per week are as follows:

| Age | Suggested minimum weekly lesson time (hours) |
|------------|---|
| 5-7 | 21.0 |
| 8-11 | 23.5 |
| 12-16 | 25.0 |

22. The suggested minimum weekly lesson times relate to the hours during which pupils are being taught. The recommended lesson hours above include religious education but do not include the act of collective worship, nor do they include registration or breaks. Enough time should be allowed within school sessions for all these activities.

23. For special schools the timings may be more flexible. They will need to allocate time for activities particular to the requirements of their pupils, such as training in mobility, signing or the use of Braille and for any medical treatments required. They also need to take into account the length of time that pupils spend each day travelling to and from school. However, in general, special schools should regard the guidance in paragraphs 21 and 22, above, as representing a level of provision to which they should aspire where practicable and where it is in the educational interests of the individual pupil. When determining hours of taught lessons, special schools should bear in mind the range and level of work being undertaken by pupils as well as their chronological age.

24. The head teacher must make information available to parents and others about the starting and finishing times of the school sessions.

The Law

[The Education Act 2002, Section 32](#)

[The Education \(School Day and School Year\) \(Wales\) Regulations 2003](#)

[The Education \(School Day and School Year\) \(Wales\) \(Amendment\) Regulations 2006](#)

[The Education \(School Day and School Year\) \(Wales\) \(Amendment\) Regulations 2008](#)

[The Learner Travel \(Wales\) Measure 2008](#)

[The Changing of School Session Times \(Wales\) Regulations 2009](#)