



Education Reform Act 1988

1988 CHAPTER 40

PART I

SCHOOLS

CHAPTER V

MISCELLANEOUS

Miscellaneous

115 Power to determine times of school sessions, etc

The following section shall be substituted for section 21 of the 1986 Act—

“21 Terms, holidays and sessions

- (1) The articles of government for every county, controlled and maintained special school shall provide for it to be the duty of the local education authority to determine the dates at which the school terms and holidays are to begin and end.
- (2) The articles of government for every such school shall provide for it to be the duty of the governing body to determine the times at which the school session or, if there is more than one, each school session is to begin and end on any day and, where the governing body propose to make any change in those times, for it to be their duty—
 - (a) to consult the local education authority and the head teacher before taking any of the actions mentioned in paragraphs (b) to (g) below;
 - (b) to include a statement in the report they are required to prepare by virtue of section 30 of this Act—
 - (i) indicating that they propose to make a change in those times;

Status: This is the original version (as it was originally enacted).

- (ii) specifying the proposed change and when they propose that it should take effect; and
 - (iii) drawing attention to any comment on the proposal included as an annex to the report by virtue of paragraph (c) below and including such response to the comment as they may consider appropriate;
 - (c) if so required by the local education authority, to include as an annex to that report such written comment on the proposal as the authority may provide for that purpose;
 - (d) to provide an opportunity for discussion of the proposal at a parents' meeting held by virtue of section 31 of this Act;
 - (e) to consider 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;
 - (f) not to effect any change in those times except at the beginning of a school year; and
 - (g) not less than three months before any change in those times is to take effect—
 - (i) to inform the local education authority; and
 - (ii) to take such steps as are reasonably practicable to secure that the parents of all registered pupils at the school are informed; of the change and of when it is to take effect.
- (3) For the purposes of any provision included in the articles of government for any such school by virtue of subsection (2) above, the times determined by the local education authority immediately before the coming into force of section 115 of the Education Reform Act 1988 as the times at which the school session or, if there is more than one, each school session is to begin and end on any day shall be taken to have been determined by the governing body.
- (4) The articles of government for every aided and special agreement school shall provide for it to be the duty of the governing body to determine—
- (a) the dates and times at which the school terms and holidays are to begin and end; and
 - (b) the times at which the school session or, if there is more than one, each school session is to begin and end on any day.
- (5) The articles of government for every county, voluntary and maintained special school shall provide for the governing body to have power to require pupils in attendance at the school to attend at any place outside the school premises for the purpose of receiving any instruction or training included in the secular curriculum for the school.”