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STATUTORY INSTRUMENTS

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**2021 No. 541**

**EDUCATION, ENGLAND**

**The Education (School Day and School Year) (England)  
(Coronavirus) (Amendment) Regulations 2021**

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| <i>Made</i>                   | - - - - | <i>29th April 2021</i> |
| <i>Laid before Parliament</i> |         | <i>4th May 2021</i>    |
| <i>Coming into force</i>      | - -     | <i>1st June 2021</i>   |

The Secretary of State makes the following Regulations in exercise of the powers conferred by sections 551 and 569(4) of the Education Act 1996(1):

**Citation and commencement**

1. These Regulations may be cited as the Education (School Day and School Year) (England) (Coronavirus) (Amendment) Regulations 2021 and come into force on 1st June 2021.

**Extent and application**

- 2.—(1) These Regulations extend to England and Wales.  
(2) These Regulations apply in relation to England only.

**Amendment of the Education (School Day and School Year) (England) Regulations 1999**

3.—(1) The Education (School Day and School Year) (England) Regulations 1999(2) are amended as follows.

- (2) In regulation 3—
- (a) in paragraph (6) for the words “2010-2011 school year and the 2011-2012 school year” substitute “school years mentioned in paragraph (7)”; and
  - (b) after paragraph (6) insert—  
“(7) The school years are:

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(1) 1996 c. 56. For the definition of “regulations” see section 579(1) of that Act. Section 551(1A) was inserted by paragraph 39 of Schedule 7 to the Education Act 1997 (c. 44). Section 551(2) was amended by paragraph 166 of Schedule 30 and by Schedule 31 to the School Standards and Framework Act 1998 (c. 31) and by S.I. 2010/1158. There are amendments to section 569 that are not relevant.

(2) S.I. 1999/3181, amended by S.I. 2001/1429, 2007/3071, 2010/604, and 2011/154. Other amending instruments are not relevant.

- (a) the 2010-2011 school year;
  - (b) the 2011-2012 school year;
  - (c) the 2021-2022 school year.”.
- (3) In regulation 4—
- (a) in paragraph (1) after “2010-2011” insert “or 2020-2021”; and
  - (b) for paragraph (3) substitute—
    - “(3) Paragraph (1) applies—
    - (a) in relation to the 2010-2011 school year, to the training of teachers who teach pupils in the first or second key stages (as defined in section 82 of the Education Act 2002(3));
    - (b) in relation to the 2020-2021 school year, to the training of teachers in connection with arrangements for pupils to undergo, on the school premises, lateral flow tests capable of detecting the presence of severe acute respiratory syndrome coronavirus 2 (SARS-CoV-2).”.

29th April 2021

*Nick Gibb*  
Minister of State  
Department for Education

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## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations amend the Education (School Day and School Year) (England) Regulations 1999 (“the 1999 Regulations”), which set out the minimum number of school sessions that must be held during a school year in every school maintained by a local authority and every special school not maintained by a local authority.

Regulation 3(2) of these Regulations amends regulation 3(6) of the 1999 Regulations and inserts a new paragraph (7). The effect is to reduce the minimum number of sessions which must be held in the school year 2021-2022 from 380 to 378. This is to enable relevant schools to close for the additional bank holiday announced on 12th November 2020 to take place on 3rd June 2022 to celebrate the Platinum Jubilee of Her Majesty the Queen. This amendment also preserves similar reductions that were made in previous regulations for the school years 2010-2011 and 2011-2012.

Regulation 3(3) of these Regulations amends regulation 4 of the 1999 Regulations. The effect is that up to two sessions in the school year 2020-2021 can be counted towards the minimum number of sessions held during that year even if they are devoted wholly or mainly to the training of teachers rather than the teaching of pupils. This is so that where a relevant school held an additional “inset” day on 4th January 2021 to help teachers train and prepare for coronavirus testing in schools this is counted as a session for which the school met.

A full impact assessment has not been produced for this instrument as no, or no significant, impact on the private, voluntary or public sector is foreseen.

An Explanatory Memorandum is published alongside this instrument on [www.legislation.gov.uk](http://www.legislation.gov.uk).