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STATUTORY INSTRUMENTS

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**1999 No. 2733**

**EDUCATION, ENGLAND**

**The Changing of School Session  
Times (England) Regulations 1999**

*Made - - - - 30th September 1999*  
*Laid before Parliament 8th October 1999*  
*Coming into force - - 1st November 1999*

In exercise of the powers conferred on the Secretary of State by sections 41(3) and 138(7) and (8) of the School Standards and Framework Act 1998<sup>(1)</sup> and all other enabling powers, the Secretary of State for Education and Employment hereby makes the following Regulations:

**Citation, commencement and application**

1.—(1) These Regulations may be cited as the Changing of School Session Times (England) Regulations 1999 and shall come into force on 1st November 1999.

(2) These Regulations apply only in relation to England.

**Procedure for changing school session times**

2.—(1) Where the governing body of a community, voluntary controlled or community special school propose to make any change in the times of the school sessions (or, if there is only one, the school session), they shall—

- (a) before taking any of the actions mentioned in sub-paragraphs (b) to (h) below, consult the local education authority, the head teacher and all persons employed in any teaching or non-teaching post at the school;
- (b) prepare a statement—
  - (i) indicating that they propose to make a change in those times,
  - (ii) specifying the proposed change and when they propose that it should take effect,
  - (iii) drawing attention to any comment on the proposal included as an annex to the statement by virtue of sub-paragraph (c) below and including such response to the comment as they may consider appropriate, and

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(1) 1998 c. 31; by virtue of S.I. 1999/672, the powers conferred by these provisions are exercisable by the Secretary of State only in relation to England. For the meaning of “regulations” see section 142(1).

- (iv) giving details of the date, time and place of the meeting which they are required to hold by virtue of sub-paragraph (f) below;
- (c) if so required by the local education authority, include as an annex to that statement such written comment on the proposal as the authority may provide for that purpose;
- (d) produce that statement and any annex in such language or languages (in addition to English), if any, as they consider appropriate or as the local education authority may direct;
- (e) take such steps as are reasonably practicable to secure—
  - (i) that the parents<sup>(2)</sup> 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 which the governing body are required to hold by virtue of sub-paragraph (f) below, and
  - (ii) that 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
  - (iii) such other persons as the governing body may invite;
- (g) 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;
- (h) except where paragraph (2) below applies, not less than six weeks before any change in those times is to take effect—
  - (i) inform the local education authority of the change and of when it is to take effect, and
  - (ii) take such steps as are reasonably practicable to secure that the parents of all registered pupils at the school are so informed.

(2) Where the proposal concerns the times at which a school session is to begin in the morning or end in the afternoon (or both, as the case may be) the period referred to in paragraph (1)(h) above shall not be less than three months.

### **Taking effect of changed school session times**

3. No change in the times of a school session shall be made so as to take effect—
  - (a) where regulation 2(2) applies, otherwise than at the beginning of a school year;
  - (b) in all other cases, otherwise than at the beginning of a school term.

### **Control of meetings**

4. The proceedings of any meeting required to be held by virtue of regulation 2(1)(f) shall be under the control of the governing body.

### **Determination of whether person to be treated as parent**

5. Any question whether any person is to be treated for the purposes of these Regulations as the parent of a registered pupil at the school shall be determined by the local education authority.

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(2) See section 576 of the Education Act 1996 (c. 56) for the meaning of “parent”.

30th September 1999

*Estelle Morris*  
Minister of State,  
Department for Education and Employment

**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

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## **EXPLANATORY NOTE**

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

Under section 41(1)(b) of the School Standards and Framework Act 1998 the governing body of a community, voluntary controlled or community special school are responsible for determining the times of the school sessions. That is to say, the times at which each of the school sessions (or, if there is only one, the school session) is to begin and end on any day. These Regulations set out the procedures to be taken by the governing body of such a school before making any change in its session times. They do not apply in relation to foundation, voluntary aided or foundation special schools.