

2020 No. 622 (W. 142)

EDUCATION, WALES

**The Education (Notification of
School Term Dates) (Wales)
(Amendment) (Coronavirus)
Regulations 2020**

EXPLANATORY NOTE

(This note is not part of the Regulations)

Section 32A of the Education Act 2002 requires a local authority to determine the term dates for each community, voluntary controlled or community special school or maintained nursery school in its area. In doing so, local authorities must co-operate and co-ordinate with each other and with relevant governing bodies in their area to ensure that school terms dates for maintained schools are the same (or as similar as can be).

The Education (Notification of School Term Dates) (Wales) Regulations 2014 (S.I. 2014/1249 (W. 130)) (“the 2014 Regulations”) provide that local authorities must notify the Welsh Ministers of the school dates determined at least two years in advance (i.e. by the final working day in August two years before the school year in question).

These Regulations, which are made under section 32A and 210 of the Education Act 2002, amend the 2014 Regulations so that the notice for the school year 2022-23 must be sent to the Welsh Ministers by 31 December 2020. Schools and local authorities are likely to be under increased pressure over the summer due to spread of severe acute respiratory syndrome coronavirus 2 (SARS-CoV-2) in Wales. The requirement to notify Welsh Ministers of term dates by 31 August 2020 is likely to place a disproportionate administrative burden on local authorities. Extending the notification deadline to 31 December 2020 will ease the burden whilst ensuring that other statutory requirements relating to the co-ordination of school term dates can be met.

The Welsh Ministers' Code of Practice on the carrying out of Regulatory Impact Assessments was considered in relation to these Regulations. As a result, it was not considered necessary to carry out a regulatory impact assessment as to the likely costs and benefits of complying with these Regulations.

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<i>Made</i>	<i>19 June 2020</i>
<i>Laid before Senedd Cymru</i>	<i>23 June 2020</i>
<i>Coming into force</i>	<i>16 July 2020</i>

The Welsh Ministers, in exercise of the powers conferred on them by sections 32A and 210 of the Education Act 2002⁽¹⁾, make the following Regulations:

Title and commencement

1. The title of these Regulations is the Education (Notification of School Term Dates) (Wales) (Amendment) (Coronavirus) Regulations 2020 and they come into force on 16 July 2020.

Amendment of the Education (Notification of School Term Dates) (Wales) Regulations 2014

2. Regulation 4 of the Education (Notification of School Term Dates) (Wales) Regulations 2014⁽²⁾ is amended as follows—

- (a) the existing provision becomes paragraph (1);
- (b) at the beginning of paragraph (1) insert “Subject to paragraph (2),”;
- (c) after paragraph (1) insert—

⁽¹⁾ 2002 c. 32. Section 32A was inserted by section 42 of the Education (Wales) Act 2014 (anaw 5). Section 210(7) was amended by section 21(3)(c)(i) and (ii) of the Learner Travel (Wales) Measure 2008 (nawm 2). The function of the National Assembly for Wales under section 210 was transferred to the Welsh Ministers by paragraph 30 of Schedule 11 to the Government of Wales Act 2006 (c. 32).

⁽²⁾ S.I. 2014/1249 (W. 130).

“(2) For the school year 2022-2023, a local authority must notify the Welsh Ministers of all term dates which have been determined for the maintained schools in its area for that school year no later than 31 December 2020.”

Kirsty Williams

Minister for Education, one of the Welsh Ministers
19 June 2020