

Implement a 2 week holiday-lockdown for schools before 24th December & enable family time for all.

Y Pwyllgor Deisebau | 15 Rhagfyr 2020
Petitions Committee | 15 December 2020

Reference: RS20/14805-1

Petition Number: P-05-1095

Petition title: Implement a 2 week holiday-lockdown for schools before 24th December & enable family time for all.

Text of petition: School are still having issues with COVID cases with whole year groups being sent home in some cases even after the recent 2 week fire break lockdown. A break of 14 days will enable some families to have that all important time over Christmas and New year to revive those family ties and gain some important mental health issues in the young and old.



1. Legal background

1.1. Closing schools

Local authorities have powers to close schools by virtue of [the Control of School Premises Regulations 2008](#) and section 29(5) of the [Education Act 2002](#). Authorities may direct schools (except foundation, foundation special schools and voluntary aided schools) to close on safety grounds. However, local authorities cannot require any schools to stay open or to open. Local authorities are not allowed to direct foundation, foundation special schools or voluntary aided schools to close. Local authorities must, however, comply with and implement the governing body's policies on health and safety.

[The Coronavirus Act 2020](#) makes provision enabling the Welsh Ministers to give directions for the restriction of attendance at premises used for the provision of education or childcare.

1.2. Setting school term dates

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

Responsibility for fixing term and holiday dates in Wales

(1)A local authority in Wales must determine the term dates for each community, voluntary controlled or community special school or maintained nursery school in its area.

(2)A governing body of a foundation or voluntary aided school in Wales (a "relevant governing body") must determine the term dates for its school.

(3)In exercising its functions under subsection (1), a local authority must co-operate and co-ordinate with—

(a)each relevant governing body in its area, and

(b)every other local authority in Wales,

to ensure that the term dates determined are the same (or as similar as can be) for every maintained school in Wales.

(4) In exercising its functions under subsection (2), a relevant governing body must co-operate and co-ordinate with—

(a) the local authority, and

(b) every other relevant governing body in the local authority's area,

to ensure that the term dates determined are the same (or as similar as can be) for every maintained school in Wales.

2. Calls for schools to close early

On 25 November 2020, the teaching union, UCAC wrote to Kirsty Williams, the Minister for Education asking her to consider the options available to reduce the risk of pupils and staff having to self-isolate over Christmas. They suggested that one option would be to close schools and further education college sites on Friday 11 December with distance learning put in place for the last week of term.

In her response to UCAC, the Minister states that:

my position remains clear that schools should remain open until the end of term. Schools are a controlled and regulated setting, therefore consideration needs to be given to the possible wider health harms that could be caused by them not being in school i.e. wider community mixing and more time spent with older relatives i.e. grandparents (especially in multi-generational households).

She also said that If schools were to close earlier, consideration would need to be given to what happens to pupils whose parents or carers work and the possibility of more vulnerable grandparents providing childcare, and the implications for children of critical works and vulnerable children who would be required to be supported potentially via a hub approach as they were when schools closed in March.

3. Local authorities' position

It has been reported that local authorities and the Welsh Government had agreed that schools would stay open for face to face teaching,. On 4 December 2020, Blaenau Gwent County Borough Council announced that schools in its area were to move to remote learning for all pupils from Thursday 10 December. On 7

December, Rhondda Cynon Taf County Borough Council confirmed that schools in their area will only be open to high priority vulnerable learners and staff on 17 and 18 December. All other learners will be provided with digital or distance learning opportunities on December 17 and 18..

St Martin's School in Caerphilly has decided to close to pupils one week early. The headteacher of the school stated that a number of parents had advised that they would be keeping their children at home for the last week of term. The school will close a week early by moving next summer's inset days to the end of the this term

4. Position in the rest of the UK

On 30 November 2020, Northern Ireland's Education Minister Peter Weir confirmed that schools would not be closing early for Christmas.

On 3 December 2020, in a letter to the Scottish Parliament's Education and Skills Committee, John Swinney, Deputy First Minister and Cabinet Secretary for Education and Skills confirmed that there would be no changes to the dates of schools' Christmas holiday period.

In England, the Government has published guidance that states:

You should continue to attend your school or college until the last day of normal term time. Schools and colleges should not change their Christmas holidays or close early this term. Parents should continue to send their children to school during term time and students should continue to attend college right up until the end of term – our senior clinicians continue to advise that the best place for children and young people is in education. The time-limited change to social restrictions over Christmas does not require any children to be taken out of school prematurely.

5. Petition in England

The UK Parliament's Petitions Committee is considering a petition, Implement a two week school lockdown before 24 December to save Christmas, which called for schools should move to online learning from 9 December. The Petition has attracted 120,707 signatures at the time of writing. The UK Government has responded to the Petition re-iterating that schools should not close early or

change their Christmas holidays and that it remains a national priority to avoid further disruption to education. Parliament debated the petition on 7 December 2020.

Every effort is made to ensure that the information contained in this briefing is correct at the time of publication. Readers should be aware that these briefings are not necessarily updated or otherwise amended to reflect subsequent changes.