

# SL(6)140 – The Education (School Day and School Year) (Wales) (Amendment and Revocation) Regulations 2022

## Background and Purpose

The Education (School Day and School Year) (Wales) Regulations 2003 ("[the 2003 Regulations](#)") make provision, among other things, for a school day which is ordinarily to be divided into two sessions with a break in the middle, and for schools (other than nursery schools) to meet for at least 380 sessions during any school year.

These Regulations amend the 2003 Regulations to reduce the minimum number of school sessions which must be held in the 2021–2022 school year from 380 to 378. The reduction in the minimum number of school sessions is to allow for the additional bank holiday taking place during the half term holiday on 3 June 2022 to celebrate the Platinum Jubilee of Her Majesty the Queen. Schools may choose, in agreement with their local authority, when to close for an extra day because the additional bank holiday is scheduled during the Whitsun half term break.

These Regulations also revoke the Education (School Day and School Year) (Wales) (Amendment) (Coronavirus) Regulations 2020 which made amendments to the 2003 Regulations in relation to the 2020-2021 school year.

## Procedure

Negative.

The Regulations made by the Welsh Ministers before they were laid before the Senedd. The Senedd can annul the Regulations within 40 days (excluding any days when the Senedd is: (i) dissolved, or (ii) in recess for more than four days) of the date they were laid before the Senedd.

## Technical Scrutiny

No points are identified for reporting under Standing Order 21.2 in respect of this instrument.

## Merits Scrutiny

The following point is identified for reporting under Standing Order 21.3 in respect of this instrument.

**1. Standing Order 21.3 (ii)– that it is of political or legal importance or gives rise to issues of public policy likely to be of interest to the Senedd.**



The Welsh Government has undertaken an Equality Impact Assessment in respect of these Regulations. The potential negative impact on families, especially those in poverty (which may arise where additional childcare is needed for the reduced school time), is noted in paragraphs 7.7 of the Explanatory Memorandum which accompanies the Regulations. Paragraphs 7.8 and 7.9 explain the steps the Welsh Government has taken with regard to equalities:

*7.7 Disadvantaged and vulnerable groups could be adversely affected by a day's loss of schooling. Families who live in poverty or those whose income is reliant on actual hours worked may struggle with childcare for this extra day.*

*7.8 The Welsh Government asked local authorities and school to provide early notification to the change of term dates to give parents the time to plan for any additional childcare needs for the additional day.*

*7.9 Welsh Government has taken steps to comply with regulation 8(1)(d) of the Equality Act 2010 (Statutory Duties) (Wales) Regulations 2011 by conducting impact assessments and ensuring local authorities are aware of their statutory responsibilities, in providing the required number of school sessions.*

## Welsh Government response

**A Welsh Government response is not required.**

**Legal Advisers**

**Legislation, Justice and Constitution Committee**

**2 February 2022**



Senedd Cymru

**Pwyllgor Deddfwriaeth, Cyfiawnder a'r Cyfansoddiad**

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Welsh Parliament

**Legislation, Justice and Constitution Committee**