

SL(6)632 – The Education (School Day and School Year) (Wales) (Amendment) Regulations 2025

Background and Purpose

The Education (School Day and School Year) (Wales) Regulations 2003 (“the 2003 Regulations”) make provision about the length of the school day, which is ordinarily divided into two sessions, and for schools to meet for at least 380 sessions during any school year.

The Education (School Day and School Year) (Wales) (Amendment) Regulations 2025 (“these Regulations”) make provision for schools to have an additional in-service training (INSET) day in the 2025-2026 school year for the purpose of training or preparation and planning in relation to key education reforms, namely:

- reducing the impact of poverty on the progression and attainment of pupils at the school;
- the operation of the Additional Learning Needs and Education Tribunal (Wales) Act 2018 for pupils at the school;
- the curriculum to be provided at the school under Parts 2 and 3 of the Curriculum and Assessment (Wales) Act 2021;
- the assessment arrangements to be made under Part 4 of the Curriculum and Assessment (Wales) Act 2021.

The Explanatory Memorandum provides that this will enable schools to engage appropriately with these matters and to address school and staff development needs accordingly.

Procedure

Negative.

The Regulations were 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.

Paragraph 7.8 of the Regulatory Impact Assessment contained within the Explanatory Memorandum notes the potential impact of an additional INSET day on children and families:

“We believe the main impact would be upon children and families, particularly those on lower incomes. In considering the options, we have been conscious of the current economic context, with rising living costs. The impact on children as a group would be short term as there would be a collective missed day of school for children and young people. However, in the long term this additional INSET day would enable the successful delivery of the new curriculum and other reforms, improving the standard and breadth of education they receive.”

Paragraphs 7.9 to 7.15 provide that there will be a cost for working families, where either childcare or annual leave is used to cover the time for an additional INSET day. In addition, an additional INSET day means that a primary school aged child may not be able to access a healthy, nutritious free school meal on that day. Paragraph 7.16 concludes:

Therefore, on balance, the impact on learners of not being able to access food provision on 1 of 190 school days (in addition to the existing 5 INSET days) is outweighed by the benefits to their education from introducing the additional INSET day.

Welsh Government response

A Welsh Government response is not required.

Legal Advisers

Legislation, Justice and Constitution Committee

4 July 2025

