

School Term dates 2023/24 and Standardise school Year Public Consultation

FAQ

Schools

Who is responsible for setting term dates?

Term dates and holidays in England are set:

- for community and voluntary controlled schools, community special schools and maintained nursery schools, by the local authority (LA)
- for foundation and voluntary aided schools, by the governing body
- for free schools and academies, by the academy trust

How many days should the school be open for teaching?

The Education (School Day and School Year) (England) Regulations 1999 (SI 1999 No.3181) requires schools to have at least 380 half-day sessions (190 days) in each school year, beginning with the first term to start after July. This is consistent with the 195 days a year required by a teacher's statutory conditions of service: the additional five days are for in-service training (INSET days).

Under the School Teachers Pay and Conditions Document (STPCD), all teachers are required to work for 195 days, based 190 days where they are required to teach and 5 days which the teacher is required to perform other duties. These 195 days must be specified by the employer, or if not by the employer, then by the headteacher.

The STPCD describes the school year as 'being a period of 12 months commencing on 1 September, and additionally, the Burgundy Book (Teachers) details that the 3 terms should be constituted on the following dates:

Autumn Term	1 September until 31 December
Spring Term	1 January until 30 April
Summer Term	1 May until 31 August

If a school is prevented from meeting for one or more sessions because of an unavoidable event, it should find a practical way of holding extra sessions. If it cannot find a practical way of doing this then it is not required to make up the lost sessions.

If schools want to reduce the number of days they have to meet, they can make an application to the Secretary of State asking for a temporary exemption from the requirements of the legislation using the power to innovate.

The law regulating the school day and school year applies only to schools maintained by the local authority and special schools not maintained by a local authority. This law does not apply to academies and free schools.

Who sets a school's INSET days?

The governing body of a school is responsible for setting five INSET days out of the school calendar. The school should communicate this information to parents using channels such as: a letter and/or school newsletter and also publish it on the school website. This information should be provided to their local authority.

What are the principles of Cheshire West's Standardised school year?

Following a request from Cheshire West Secondary Heads, the Cheshire West standardised school year is currently under review via consultation. Feedback from schools, parents and carers, school staff, neighbouring LA's, residents and pupils will formalise the revision of the standardised school year. The consultation is taking place 15 February – 3 May 2023 for 11 weeks.

Why are Cheshire West different to some other Local Authorities?

The government believes that decisions regarding term dates are best taken locally by those affected. Cheshire West and Chester Council used to be part of the Learn Together Partnership (LTP)(now disbanded). The LTP consisted of the Cheshire and Merseyside local authorities, namely: Cheshire West and Chester Council (CW&C), Cheshire East Council, Wirral Council, Liverpool City Council, Sefton Council, Knowsley Council, St Helen's Council, Warrington Borough Council and Halton Borough Council. The LTP originally worked together to have the same standardised school year across all their authorities.

However, the council is aware that by following the standardised school year recommended by the LTP, this may mean that CW&C dates differ from those of other neighbouring authorities, such as Flintshire, Shropshire and Staffordshire.

What happens when a community or voluntary controlled school does not follow the dates set by the local authority?

CW&C sets the school term and holiday dates for all community and voluntary controlled schools, community special schools and maintained nursery schools. In the interests of consistency for all parents across the borough, it recommends that all CW&C schools follow the same dates. Where the governing body of a community or voluntary controlled school selects dates that are different to those of the local authority, they will need to obtain prior permission from the Head of Education and Inclusion. Only in exceptional circumstances will a school be allowed to set different dates to those recommended.

Due to the request from secondary heads to vary the standardised school year, term dates for academic year 2023/2024 may slightly vary across the Borough.

Secondary Heads in Cheshire West and Chester want the change to take place from 2023; however legal advised the need for a public consultation to vary the standardised school year, due to the current standardised school year being formalised via a prior public consultation. Furthermore, due to the school term dates already being published we felt it was best to remain with current 2023 term dates

and hold a public consultation for term dates 2024 and onwards. We asked all schools to support this decision. However this has resulted in secondary schools who are able to set their own dates varying from LA set dates, and leaving many feeder primaries in difficult positions. This has had a knock on effect for some teaching staff who work in CW&C schools but have children in other CW&C schools with unaligned term dates; and will likely impact parents who have children in both primary and secondary schools which have different term dates.

If I receive a complaint, where do I direct it?

If the complaint is regarding LA set term dates, then the complaint can be resolved via Education School Organisation Team. Please direct these complaints to:

schoolplanningandpolicy@cheshirewestandchester.gov.uk

If the complaint is regarding dates that have been varied away from LA set term dates then the complaint should be resolved via the school.

What happens after the consultation?

Feedback gathered will assist in formulating the standardised school year. The final decision will be made by cabinet in July and published on the Council's website.

A member of teaching staff has children in another CW&C school, however term dates are not aligned. What options does the member of staff have regarding childcare/leave?

Whilst it is inconvenient for staff who have children attending schools who's dates do not marry up, with reasonable notice childcare could be arranged.

Statutory Leave provisions apply for employees whom' are required to take leave due to dependants in emergency situations, however this is defined as for a 'reasonable' duration and is unpaid.

Given due notice of term dates would apply in this situation, it would unlikely apply that this is deemed an 'emergency' situation, unless the planned childcare arrangements had fallen through. Either way, the provisions apply that leave for childcare purposes, is still unpaid.

Dependant on the schools' own leave policy, there may be other discretions that are applicable, but this would be an individual Headteacher/Governing Body decision.

Do schools who wish to vary away from LA set term dates have to consult with parents/staff?

If the school is an academy, free school, foundation or Voluntary aided school, then the Governing Body/Academy trust is responsible for setting term dates which do not have to be consulted with parents or staff.

Do Free Schools, Academies, Voluntary Aided and Foundation schools have to adhere to the outcome of the consultation?

The Council will expect that all schools will adopt the Council's published dates as an outcome of the consultation, to ensure consistency for parents and carers, to promote aligned attendance and to reflect feedback on what residents want from schools in the Borough. However these schools are entitled to set their own dates and therefore the Council cannot insist that the published dates are followed. We will still be advising that parents should always check with their school before making any holiday commitments.