

2020 (WG20-68)

CORONAVIRUS ACT 2020

**Disapplication of Changing School
Session Times Requirements
(Wales) (No. 5) Notice 2020**

The Welsh Ministers, in exercise of the powers conferred by section 38(1)(b) of, and paragraph 7 of Schedule 17 to, the Coronavirus Act 2020(1), issue the following notice.

Specified period

1. In this notice, “specified period” means the period of 31 days beginning with 1 December 2020.

Disapplication of changing school session times requirements

2. Regulations 3 and 4 of the Changing of School Session Times (Wales) Regulations 2009(2) (“the 2009 Regulations”) are disapplied for the specified period.

Reasons for issuing the notice

3.—(1) The Welsh Ministers consider that the issuing of this notice is an appropriate and proportionate action in all the circumstances relating to the incidence or transmission of coronavirus for the following reasons.

(2) Since 1 September 2020, schools have been further increasing their operations with all learners returning to school. During this time it has become beneficial for some schools to stagger their start, finish and break times to help maintain social distancing among learners and parents at school gates.

(1) 2020 c. 7. Paragraph 7 of Schedule 17 was amended by S.I. 2020/640 (W. 147) to include regulations 3 and 4 of the Changing of School Session Times (Wales) Regulations 2009 (S.I. 2009/572 (W. 54)) in the list in paragraph 7(5). There are other amendments not relevant to this notice.

(2) S.I. 2009/572 (W. 54).

(3) School sessions times for maintained schools are usually determined by the governing body and may in some circumstances be determined by a local authority under section 32C of the Education Act 2002⁽¹⁾. Regulation 3 of the 2009 Regulations sets out a procedure for the changing of school session times by a local authority and regulation 4 sets out a procedure for the changing of school session times by the governing body of a maintained school.

(4) As a consequence of the continued need to take disease control measures, including possible limits on the numbers of pupils who may arrive and leave school at the same time, school session times may need to remain flexible further into the autumn term. It will not be possible for governing bodies and local authorities to comply with the requirements of regulations 3 and 4 of the 2009 Regulations in the time available before 1 December 2020 and further adjustments to school session times may be desirable later in the light of the experience of operating schools under current circumstances.

Kirsty Williams

Minister for Education, one of the Welsh Ministers
24 November 2020

(1) 2002 c. 32. Section 32C was inserted by section 42 of the Education (Wales) Act 2014 (anaw 5).