

2021 (WG21-18)

CORONAVIRUS ACT 2020

**Disapplication of Changing School
Session Times Requirements
(Wales) Notice (No. 2) 2021**

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 March 2021.

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) From 5 January 2021 school premises have remained open for vulnerable children and children of critical workers. From 22 February 2021 school premises have also been open to pupils in the foundation phase. It is beneficial for some schools to stagger their start, finish and break times to help

(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).

maintain social distancing among learners and parents at school gates.

(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 spring 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 the start of the specified period 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
25 February 2021

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