

Education Overview and Scrutiny Committee
Meeting to be held on Tuesday 21 October 2014

Electoral Division affected:
All

Lancashire School Term and Holiday Arrangements from 2016/17
(Appendix A refers)

Contact for further information:

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Executive Summary

The report provides the background and presents a summary of the responses received from key groups regarding the future arrangements for the Lancashire School Term and Holidays.

Recommendation

The Education Overview and Scrutiny Committee is asked to confirm that the Authority continues with the practise that Lancashire County Council negotiates and agrees a framework with the recognised Teacher Associations and Diocesan/Church Authorities based on the principles of the Standard School Year.

This would be commended to all Lancashire schools.

Background

Since the 2006/07 academic year Lancashire County Council has adopted a school term and holiday pattern known as the 'Standard School Year'. The Standard School Year was commended to all local education authorities (LEAs) by the Local Government Association (LGA) several years ago following proposals put forward by the Independent Commission on the Organisation of the School Year. The LGA believed that a standardised school year which had terms of roughly equal length, was predictable from one year to the next, and was consistent across LEA boundaries produced a better environment for both pupils and teachers. The LGA also believed that the Standard School Year provided a clearer pattern for parents/carers who would no longer need to face the problems of sporadic holidays and clashes caused by children attending schools with different holiday patterns.

Following consultation with schools and other relevant partners (which included the recognised Trade Unions, Diocesan/Church Authorities, Lancashire Association of School Governing Bodies) in June 2005, the Cabinet Member decided to adopt the Standard School Year recommended by the LGA and this was introduced for the 2006/07 school year and this has been followed by Lancashire ever since.

Each year the recognised Teachers Associations and Diocesan/Church Authorities are consulted on the pattern before it is published to all schools. Under the previous legal framework all community and voluntary controlled schools have been required to follow the pattern. The Standard School Year pattern was commended to voluntary aided and foundation schools and, in the main, the pattern has been followed. In recent years a number of schools have academised and again most of these establishments have followed the Lancashire pattern.

Future Arrangements

A De-Regulation Bill (Bill 162 2013/14) to reduce the legislative burdens on businesses and public authorities is currently moving through the Parliamentary Stages. It is currently in the in the Committee Stage of the House of Lords, but the line by line examination of the Bill is yet to be scheduled. An enquiry was sent to the Department for Education (DfE) to clarify the effective date if the Bill becomes law. The response from the DfE was:

'In September 2015 the School Review meeting will take place. Following this meeting, we have been advised that community schools may have the opportunity to set their own term dates, should they wish to.

Until then, it is the local authority who determines the term dates in community schools and voluntary aided schools which are managed by the governing body.'

In summary, the Local Authority will determine the dates when the school terms and holidays are to begin and end for community and voluntary controlled schools until:

- a) the De-Regulation Bill becomes law;
- b) the School Review meeting takes place and
- c) Section 32 of the Education Act 2002 is repealed, in relation.

In the case of foundation and voluntary aided schools, the Governing Body are responsible for determining when the school term and holidays are to begin and end.

It is emphasised that whatever the outcome of the Bill the following legal requirement will remain for all schools:

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

It was agreed by the Children and Young People Directorate Leadership Team that for 2014/15 and 2015/16 Lancashire will continue to determine the School Term and Holiday pattern based on the Standard School Year principles for community and voluntary controlled schools. The patterns would be commended to voluntary aided and foundation schools. The Standard School Year principles are to:

- start the school year on a date as near as possible to the 1 September;
- equalise teaching and learning blocks (roughly 2 x 7 and 4 x 6 weeks);
- establish a two-week spring break in early April irrespective of the incidence of the Easter bank holiday;
- maintain a summer holiday of at least six weeks;
- identify and agree annually designated periods of holiday, including the summer holiday, where head teachers are recommended not to arrange teacher days.

This approach was supported by the Diocesan/Church Authorities and the teacher associations following consultation.

Appendix A highlights the implications should Lancashire County Council not negotiate and agree the School Term and Holiday framework from September 2016.

Responses to the Soundings Taken from Representative Groups

At the Education Overview and Scrutiny Committee held on 11 March 2014, it was agreed that soundings would be taken from key representative groups. During the summer term the representative bodies, listed below, were contacted and responses were requested by the start of the new term:

- County Union Secretaries
- Diocesan/Church Authorities
- Schools' Forum
- LASGB (Lancashire Association of School Governing Bodies)
- LASSH (Lancashire Association of Secondary School Headteachers)
- PHiL (Primary Heads in Lancashire)
- LaSSHTA (Lancashire Special School Headteachers Association) and PRUs/Short Stay Schools
- Nursery Federation
- Academy Principals

The representative groups were given two options should the Deregulation Bill become law and the Secretary of State/School Review meeting determine the start date of the new arrangements.

1. To continue with the practise that Lancashire County Council negotiates and agrees a framework with the recognised Teacher Associations based on the principles of the Standard School Year. This would be commended to Lancashire schools. However, should a school decide not to adopt the pattern, the school could be liable for any additional charges as set out in the Scheme for Financing Schools Section 6.2.10.

Under Section 6.2.10 of the 'Scheme for Financing Schools' the school budget may be liable to meet Additional transport costs and other costs e.g. in connection with contracts for the provision of meals, incurred by the authority arising from decisions by the Governing Body on the length of the school day, where applicable term dates and failure to notify the authority of non-pupil days, resulting in unnecessary transport costs and other costs.

2. That schools negotiate their own school term and holiday dates ensuring that they meet the requirements of The Education (School Day and School Year) (England) Regulations 1999 (SI 1999 No. 3181). This requires all schools to have at least 380 half-day sessions (190 days) in each school year. This is consistent with the 195 days a year required by a teacher's statutory conditions of service: the additional five days being for in-service training.

There have been no responses received from:

- LASGB (Lancashire Association of School Governing Bodies)
- LASSH (Lancashire Association of Secondary School Headteachers)
- Academy Principals

All other representative groups have asked the Education Overview Scrutiny Committee to continue with the practise that Lancashire County Council negotiates and agrees a framework with the recognised Teacher Associations based on the principles of the Standard School Year. However, it was requested that all attempts should be made during the consultations with the Unions to avoid 'part weeks' for the beginning and end of the academic year.

Consultations

- 10 May 2012 - proposed patterns for 2014/15 and 2015/16 shared with Diocesan/Church Authorities representatives;
- 21 June 2012 - proposed patterns for 2014/15 and 2015/16 shared with County Union Secretaries. An agreement that schools be asked to comment on the proposed patterns, via their Diocesan/Union representatives;
- 4 July 2012 – posting on the Schools' Portal requested that schools advise their Union/Diocesan representatives of any issues/concerns they had in respect of the proposed patterns for 2014/15 and 2015/16;
- 19 July 2012 – the Diocesan/Church Authority representatives were advised of the posting to schools on the 4 July 2012 requesting that if schools had any concerns regarding the proposed 2014/15 and 2015/16 patterns they should contact their Diocesan/Union representative;
- 20 September 2012 – the County Union Secretaries reported a nil response to the Schools' Portal consultation regarding the proposed patterns;
- 27 September 2012 - the Diocesan/Church Authorities reported a nil response to the Schools' Portal consultation regarding the proposed patterns;
- 18 October 2012 – the proposed patterns for 2014/15 and 2015/16 were approved by the Director of Universal and Early Support Services;

- 6 November 2012 – the agreed patterns for 2014/15 and 2015/16 were published on the Schools' Portal and the Lancashire County Council website.

Implications:

The implications are shown in Appendix A.

Risk management

N/A

Local Government (Access to Information) Act 1985

List of Background Papers

Paper	Date	Contact/Directorate/Tel
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N/A

Reason for inclusion in Part II, if appropriate

N/A