

# EXECUTIVE BOARD DECISION



**REPORT OF:** Executive Member for Children, Young People and Education

**LEAD OFFICERS:** Strategic Director of Children's & Education (DCS)

**DATE:** Thursday, 10 June 2021

**PORTFOLIO(S) AFFECTED:** Children, Young People and Education

**WARD/S AFFECTED:** (All Wards);

**KEY DECISION:** Y

## SUBJECT:

Amendment to the published school holiday pattern for Community and Controlled schools 2021/2022

School holiday pattern for Community and Controlled schools 2022/2023

## 1. EXECUTIVE SUMMARY

The Local Authority (LA) has responsibility for setting the school holiday pattern for Community and Controlled schools. It does this in consultation with neighbouring LAs, schools and teacher associations. For other maintained schools (Voluntary Aided and Foundation) the governing board sets the holiday pattern. Trustees of free schools and academies (schools independent of the LA) have responsibility for setting their term and holiday dates.

The school holiday pattern for 2021/2022 was agreed by the Executive Board in June 2020 and the dates were agreed and circulated to schools. In November 2020 the government announced that the Spring Bank Holiday in 2022 will be moved to Thursday 2 June and an additional Bank Holiday on Friday 3 June will see a four-day weekend to celebrate Her Majesty The Queen's Platinum Jubilee. Since these dates fall within the previously determined published dates for the 2022 Summer Half Term break, the Community and Controlled schools will already be closed for half-term during that whole week, so no amendment is required to the already agreed school holiday pattern. However, the DfE has confirmed its firm intention to reduce both the number of days that children are required to be in attendance during the 2021-22 academic year (from 190 to 189) and the number of days teachers are required to work (from 195 to 194). Accordingly, Executive Board is asked to agree that once the necessary legislative amendments have been made, the Governing Board of each Community and Voluntary Controlled School will be required to select an additional day (within the existing term dates) which will be a holiday for all their pupils and staff in lieu of the additional bank holiday, to ensure that their school community receives their full holiday entitlement like everyone else. Likewise, the Governing Bodies of any other schools within BwD which follow the holiday pattern determined by the LA will need to also select an additional holiday date for their own schools.

## 2. RECOMMENDATIONS

That the Executive Board:

- Notes the anticipated changes to normal attendance requirements for both pupils and staff in the 2021/2022 academic year, as a result of the additional bank holiday which will result in children attending for 189 days and teachers being available for work for 194 days in that academic year;

- Agrees that once the necessary legislation has been published, the Governing Board of each Community and Voluntary controlled school will select a date within the previously determined term dates for the 2021-22 School year (based on their school priorities) which will then be taken as a holiday by the staff and pupils of that school in lieu of the additional bank holiday;
- Agrees the school term and holiday pattern for Community and Controlled schools for 2022/2023 (as set out in Appendix 1 ' Draft School Term and Holiday Pattern 2022/2023)

### **3. BACKGROUND**

The LA is required to set the school holiday pattern for its Community and Controlled schools. The dates are agreed at least 12 months in advance of schools beginning the new academic year. In March the dates were circulated for consultation with all schools settings. In addition the dates were sent to Teacher Association representatives for their comments.

### **4. KEY ISSUES & RISKS**

Schools have a preference for the LA to set a pattern that is aligned with Lancashire County Council. In this way there is less disruption for families and employees.

Due to the composition of the maintained school sector in the Borough agreeing a uniform set of dates is not possible as all of the secondary schools and over a half of primary schools can set their own holiday patterns.

### **5. POLICY IMPLICATIONS**

Schools, Governors and Teacher Associations were all asked for comments in relation to the proposed holiday pattern. In recent years the LA has received only a very limited number of comments and these have been consistent with comments received in previous years wanting the pattern to be aligned with Lancashire's holiday pattern, to avoid problems with members of staff who have children attending schools in Lancashire. Only 2 responses have been received this year, one from a Headteacher of a Community school supporting the pattern and the other from a Headteacher of a Voluntary Aided school suggesting that the break at the end of the Autumn term was too early and recommending a later finish during the week commencing 19<sup>th</sup> December.

It is important to note that once agreed by the LA and published, the holiday pattern is binding on all community and voluntary controlled schools in Blackburn with Darwen. Voluntary Aided and Foundation governing boards are requested to give consideration to the advice from the LA when determining their school calendars.

### **6. FINANCIAL IMPLICATIONS**

There are no financial implications arising from this report.

### **7. LEGAL IMPLICATIONS**

The Education (School Day and School Year) (England) Regulations 1999 stipulate that maintained schools must be open for 190 days during any school year to educate their pupils. Under the annual School Teachers' Pay and Conditions Document (STPCD), all teachers are required to be available to work for 190 (+5 inset) days in each academic year. The DfE has confirmed that they plan to amend the legislation and STPCD to reduce the number of required days in relation to the 2021/2022 academic year from 190 to 189, in order to account for the additional agreed bank holiday to celebrate the Queen's Platinum Jubilee. As community and voluntary controlled schools will already be on their half-term holiday break on the June bank holiday dates, there is no need to amend the Council's published holiday pattern for 2021/2022 to

comply with that change. However, once the amending legislation comes into force, the Governing Board of each school that is already closed for half-term on the additional bank holiday will need to select a different additional day to be a holiday for staff and pupils (in lieu of the additional bank holiday) in order to comply with the reduced attendance requirements which will then be in place for pupils and staff in the 2021-22 academic year.

Attendance requirements will revert to normal in the 2022-2023 academic year, when all maintained schools will need to be open for the education of their pupils for the usual 190 days and teachers will be required to be available for work for the standard 190 (+ 5 inset) days. The 2022-2023 School Term and Holiday pattern that Executive Board has been asked to approve for Community and Voluntary Controlled schools in this borough (as set out in Appendix 1) will satisfy those legal requirements.

The LA remain responsible for setting the school holiday pattern for Community and Controlled schools

## 8. RESOURCE IMPLICATIONS

There are no resource implications arising from this report.

## 9. EQUALITY AND HEALTH IMPLICATIONS

Please select one of the options below.

Option 1  Equality Impact Assessment (EIA) not required – the EIA checklist has been completed.

Option 2  In determining this matter the Executive Member needs to consider the EIA associated with this item in advance of making the decision.

Option 3  In determining this matter the Executive Board Members need to consider the EIA associated with this item in advance of making the decision.

## 10. CONSULTATIONS

Schools, governors and Teacher Associations were all asked for comments in relation to the proposed holiday pattern. The LA has received 2 responses from Headteachers as outlined above.

## 11. STATEMENT OF COMPLIANCE

The recommendations are made further to advice from the Monitoring Officer and the Section 151 Officer has confirmed that they do not incur unlawful expenditure. They are also compliant with equality legislation and an equality analysis and impact assessment has been considered. The recommendations reflect the core principles of good governance set out in the Council's Code of Corporate Governance.

## 12. DECLARATION OF INTEREST

All Declarations of Interest of any Executive Member consulted and note of any dispensation granted by the Chief Executive will be recorded in the Summary of Decisions published on the day following the meeting.

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<b>DATE:</b>	

**BACKGROUND  
PAPER:**