

## STATEMENT OF INFORMATION

### APPLICATION FOR POWER TO INNOVATE BY CHANGING SCHOOL SESSION TIMES DURING A SCHOOL YEAR

1. Kirsty Williams MS, Minister for Education, one of the Welsh Ministers, is required to consider the application received from the governing body of Welshpool Church in Wales Primary School to adjust its school session times from 5 January 2021. Proposals to innovate require the approval of Welsh Ministers where the proposal would require exemption, relaxation or modification of legislation.

### POWERS

2. Chapter 1 (Powers to facilitate innovation) of Part 1 of the Education Act 2002 was commenced in Wales on 27 February 2015. Under this legislation Welsh Ministers have the power by order to suspend or modify requirements of education legislation relating to applications to implement innovations, for a fixed period of time, which may contribute to raising standards. Specifically, an order may:
  - (a) Exempt the applicant from an education legislative requirement;
  - (b) Relax the application of an education legislative requirement in relation to the applicant;
  - (c) Allow the applicant to exercise a function placed by education legislation on another body, either instead of that other body, or as well as;
  - (d) Make other modifications of education legislation in relation to the applicant or another body, which are consequential on any of the above provisions.
3. The powers cannot be used to gain exemption from other types of legislation, for example, health and safety legislation or employment law<sup>1</sup>.
4. The order allows the trial of an innovative project to take place for up to three years, with possible one-off extension of up to a further three years. Following this time the applicant must comply with the general education law (as it applies), although the law might be changed at some point to adopt the modification (or similar one) more widely and permanently.
5. Guidance provided has made it clear that there are no preconceptions as to the type of proposals that applicants may put forward. However, if the proposal relates to the provision of the Education Act 2002 on teacher's pay and conditions (sections 119 – 129) then an order may only be made with the consent of the Secretary of State.

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<sup>1</sup> Education legislation is the Education Acts (defined in section 578 of the Education Act 1996), the Learning and Skills Act 2000 and any subordinate legislation (for example, regulations) made under any of those Acts.

## BACKGROUND

### Welshpool Church in Wales Primary School

Welshpool CiW Primary School in Welshpool, Powys is a voluntary controlled (VC) English medium school. It has 306 pupils on roll and was last categorised in 2019 as being in the Yellow support category with improvement capacity of B.

### Statement of Case

#### The applicant

The governing body of Welshpool Church in Wales Primary School.

#### The proposed innovative project (“the proposal”)

To exempt the governing body from the education legislative requirement provided in Regulation 4 (3) of The Changing of School Session Times (Wales) Regulations 2009 which gives the power for governing bodies to alter school session times only at the start of the school year.

#### Proposed change to session times from 5 January 2021

CURRENT SESSION TIMES	
Foundation Phase Sites	Junior Site
Start of the school day <b>8.50am</b>	Start of the school day <b>8.50am</b>
End of the school day <b>3.00pm</b>	End of the school day <b>3.25pm</b>
PROPOSED SESSION TIMES	
Foundation Phase classes	Junior classes
Start of the school day <b>8.45am</b>	Start of the school day <b>8.45am</b>
End of the school day <b>3.00pm</b>	End of the school day <b>3.00pm</b>

The change would start on 5 January 2021 and the trial would last for the spring and summer terms 2021. The reasons for the proposal are as follows:

- The school is currently on three separate geographical sites across the town of Welshpool (one junior and two foundation phase).
- The junior site has different session times to the foundation phase sites in order to allow parents/carers to collect children across the town.
- The construction of a new building to cater for all pupils started three years ago and was due for completion by September 2019. Unfortunately, the construction company went into administration causing a delay.
- A new construction company began again in January 2020, and the building was due for completion in September 2020. Due to the pandemic, the construction ceased during lockdown causing further delay.
- The new occupancy date is now January 2021.

The need to change session times is two-fold:

- i) to unify the session times for all pupils; and
- ii) to avoid the start and finish of the high school day which is in close proximity to the new school building and which could cause health and safety issues for Welshpool Primary pupils walking to school.

### **Raising educational standards in Wales**

Changing the session times when in the new building would allow all pupils to arrive and leave at a time that ensures their health and safety. As the new school building is in close proximity to the local high school, and the principle walking route to school crosses the main entrance to the high school, Welshpool Primary pupils could be at considerable risk. Welshpool High School has approximately 800 pupils, many of whom arrive by bus and car.

Pupils with additional learning needs will not be affected adversely by altering the session times. Any pupils accessing Specialist Units, and who have mobility issues (such as wheelchair use, or sight and hearing impairment) will also benefit from a safer walking route to school.

### **Consultation**

67 responses to the consultation on the proposed new session times were received from parents and staff of both Welshpool Church in Wales Primary School and Welshpool High School.

59 (88%) of those who responded supported the proposals, and nine (12%) were opposed. The majority of respondents agreed that an alteration to session times was needed for health and safety and the avoidance of the nearby High School's start and end times.

One concern raised was about perceived lost teaching and learning time. The school will assure parents that the amended session times will continue to meet the recommended learning time for both Foundation Phase and Key Stage 2 learners.

Another concern was about safe routes to the new site. The school continues to liaise with the local authority and Highways, looking at a possible change to bus routes, as well as path widening and renewed railings alongside the road.

The Diocese of St Asaph, the local authority and the headteacher of Welshpool High Schools have confirmed they support this application to alter legislation.

### **Perceived benefits from the proposal**

The proposal would allow all staff to have the same working pattern in the same building. Staff would be able to arrive and leave the premises safely.

Differing session times between Welshpool Church in Wales Primary and the neighbouring Welshpool High School should impact positively for all pupils and students concerned.

There should be a positive impact on parents/carers, as bringing session times in line for all pupils will avoid them waiting around for siblings. In addition, having

different session times to avoid the high school start and finish times will make access to the primary school safer and easier.

### **Resourcing**

No costs or resource savings will be incurred.

### **Monitoring**

The school plans to monitor the effect of the session changes through its usual school monitoring procedures, using questionnaires, class activities and feedback from Estyn.

The potential risks are associated with safer routes to school and will be monitored through the school's health and safety risk assessments.

### **Evaluation**

The school plans to issue termly questionnaires to parents/carers, pupils and staff about the effectiveness of the change to session times.

### **Exit strategy**

In September 2021 the school would legally be able to alter session times. If the session times are successfully changed in January 2021, and prove effective to all concerned, they would be implemented at the start of the 2021-22 academic year, following the processes stipulated in The Changing of School Session Times (Wales) Regulations 2009.