
W E L S H S T A T U T O R Y
I N S T R U M E N T S

2021 No. 1476 (W. 378)

EDUCATION, WALES

**The Education (School Day and
School Year) (Wales) (Amendment)
(Coronavirus) Regulations 2021**

EXPLANATORY NOTE

(This note is not part of the Regulations)

The Education (School Day and School Year) (Wales) Regulations 2003 (“the 2003 Regulations”) apply to schools maintained by local authorities and to special schools whether or not so maintained. They make provision, among other things, for a school day which is ordinarily to be divided into two sessions with a break in the middle, and for schools (other than nursery schools) to meet for at least 380 sessions during any school year.

These Regulations amend the 2003 Regulations to allow for up to four sessions to count as sessions on which the school met if they were devoted to the preparation of schools and planning by teachers as a result of the incidence and transmission of Coronavirus during the 2021-2022 school year. These sessions can be held in the first two days of the second term of the 2021-2022 school year.

The Welsh Ministers’ Code of Practice on the carrying out of Regulatory Impact Assessments was considered in relation to these Regulations. As a result, a regulatory impact assessment has been prepared as to the likely costs and benefits of complying with these Regulations. A copy can be obtained from the School Governance, School Organisation and Admissions Branch, the Schools Effectiveness Division, Welsh Government, Cathays Park, Cardiff, CF10 3NQ.

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**The Education (School Day and
School Year) (Wales) (Amendment)
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Made 21 December 2021

Laid before Senedd Cymru 22 December 2021

Coming into force 1 January 2022

The Welsh Ministers, in exercise of the powers conferred on the Secretary of State by sections 551 and 569(4) and (5) of the Education Act 1996⁽¹⁾, and now vested in them⁽²⁾ make the following Regulations.

Title and commencement

1. The title of these Regulations is the Education (School Day and School Year) (Wales) (Amendment) (Coronavirus) Regulations 2021 and they come into force on 1 January 2022.

Amendment of the Education (School Day and School Year) (Wales) Regulations 2003

2. The Education (School Day and School Year) (Wales) Regulations 2003⁽³⁾ are amended as follows.

(1) 1996 c. 56. Section 551(1A) was inserted by paragraph 39 of Schedule 7 to the Education Act 1997 (c. 44), and section 551(2) was amended by paragraph 166 of Schedule 30 and Schedule 31 to the School Standards and Framework Act 1998 (c. 31). For the meaning of “regulations” and “prescribed” see section 579(1).

(2) The functions of the Secretary of State were transferred to the National Assembly for Wales by the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I. 1999/672) and then to the Welsh Ministers by paragraph 30 of Schedule 11 to the Government of Wales Act 2006 (c. 32).

(3) S.I. 2003/3231 (W. 311), amended by S.I. 2006/1262 (W. 119), S.I. 2008/1739 (W. 171), S.I. 2011/149 (W. 33), S.I. 2012/248 (W. 41), S.I. 2019/1131 (W. 196) and S.I. 2020/848 (W. 187).

3. After regulation 6 insert—

“7.—(1) This paragraph applies to any school session falling within the school year 2021-2022 which is devoted (wholly or mainly) to the preparation of schools and planning by teachers due to circumstances relating to the incidence or transmission of severe acute respiratory syndrome coronavirus 2 (SARS-CoV-2).

(2) Paragraph (1) is to have effect in relation to no more than four school sessions in the first two days of the second term of that school year.

(3) Where paragraph (1) applies, that session is to be regarded for the purposes of regulation 4 as a session on which the school has met.”

Jeremy Miles

Minister for Education and Welsh Language, one of the Welsh Ministers

21 December 2021