WELSH STATUTORY INSTRUMENTS

# 2003 No. 3231 (W.311)

# EDUCATION, WALES

## The Education (School Day and School Year) (Wales) Regulations 2003

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| *Made - - - -* | *9th December 2003* |
| *Coming into force - -* | *31st December 2003* |

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 the National Assembly for Wales(**2**), the National Assembly for Wales makes the following Regulations:

### Name, commencement and application

**1.**—(1) These Regulations are called the Education (School Day and School Year) (Wales) Regulations 2003 and come into force on 31st December 2003.

(2) These Regulations apply only to Wales.

### Revocation

**2.** These Regulations revoke the following regulations —

(a) the Education (School Day and School Year) (Wales) Regulations 2000(**3**);

(b) the Education (School Day and School Year) (Amendment) (Wales) Regulations 2001(**4**);

(c) the Education (School Day and School Year) (Amendment) (Wales) Regulations 2002(**5**); and

(d) the Education (School Day and School Year) (Amendment) (No.2) (Wales) Regulations 2002(**6**).

(**1**) 1996 c. 56; section 551(1A) was inserted by paragraph 39 of schedule 7 to the Education Act 1997 (c. 44), section 551(2) was amended by paragraph 166 of Schedule 30 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).

(**3**) S.I. 2000/1323 (W.101).

(**4**) S.I. 2001/2499 (W.202).

(**5**) S.I. 2002/107 (W.12).

(**6**) S.I. 2002/1556 (W.153).

### Interpretation

**3.** In these Regulations —

"nursery class" ("*dosbarth meithrin*") means a class predominantly engaged in the provision of full-time or part-time education suitable for children who have not attained compulsory school age;

"school" ("*ysgol*") means a school maintained by a local education authority, or a special school not maintained by a local education authority; and

"school year" ("*y flwyddyn ysgol*") means the period beginning with the first school term to begin after July and ending with the beginning of the first such term to begin after the following July.

### School sessions

**4.**—(1) Subject to paragraph (6), every day on which a school meets is to be divided into two sessions which are to be separated by a break in the middle of the day unless exceptional circumstances make this undesirable.

(2) At least 380 sessions must be held at a school during any school year save that nothing in this paragraph is to require a nursery class to meet for that number of sessions.

(3) Where at any time a school is prevented from meeting for one or more sessions for which it was intended that it should meet, and it is not reasonably practicable for arrangements to be made for it to meet at an alternative time for those sessions, the school is to be treated for the purposes of paragraph (2) as if it had met as intended.

(4) Subject to paragraph (5), on every day on which a nursery school or nursery class meets there must be provided at least three hours of suitable activities.

(5) On a day on which a pupil —

(a) attends a nursery school or nursery class which meets for only a single session; or

(b) attends a nursery school or nursery class for one only of two sessions, it is sufficient to provide the pupil with one and a half hours of suitable activities.

(6) In a school which meets on six days a week there may on two of those days be only a single session.

**5.**—(1) Where a school session in the 2003—2004 school year is devoted wholly or mainly to the provision to teachers employed at that school of training to which this paragraph applies, that session is to be regarded for the purposes of regulation 4 as a session on which that school has met.

(2) Where a school session in the 2004—2005 school year is devoted wholly or mainly to the provision to teachers employed at that school of training to which this paragraph applies, that session is to be regarded for the purposes of regulation 4 as a session on which that school has met.

(3) Where a school session in the 2005—2006 school year is devoted wholly or mainly to the provision to teachers employed at that school of training to which this paragraph applies, that session is to be regarded for the purposes of regulation 4 as a session on which that school has met.

(4) Paragraph (1) is only to apply in relation to sessions on or after 1st January 2004 and none of paragraphs (1), (2) and (3) is to have effect in relation to more than two school sessions in each school year.

(5) Paragraph (1) applies to training relating to the development of arrangements for entry of pupils into the first key stage and transition between the key stages and for the planning and delivery of the curriculum.