
STATUTORY INSTRUMENTS

1999 No. 3181

EDUCATION, ENGLAND

The Education (School Day and School Year) (England) Regulations 1999

Made - - - - 26th November 1999
Laid before Parliament 29th November 1999
Coming into force - - 23rd December 1999

In exercise of the powers conferred upon the Secretary of State by sections 551 and 569(4) and (5) of the Education Act 1996⁽¹⁾, the Secretary of State for Education and Employment hereby makes the following Regulations:

1.—(1) These Regulations may be cited as the Education (School Day and School Year) (England) Regulations 1999 and shall come into force on 23rd December 1999.

(2) These Regulations shall apply only in relation to England.

(3) Regulation 10 of the Education (Schools and Further Education) Regulations 1981⁽²⁾ is hereby revoked.

2. In these Regulations—

“school” means a school maintained by a local education authority, or a special school not maintained by a local education authority; and

“school year” 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.

3.—(1) Subject to paragraph (5), every day on which a school meets shall be divided into two sessions which shall be separated by a break in the middle of the day unless exceptional circumstances make this undesirable.

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

(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 to the School Standards and Framework Act 1998 (c. 31). The Secretary of State can exercise the power under section 551 only in relation to England: see article 2 of and Schedule 1 to the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I.1999/672).

(2) S.I. 1981/1086; the relevant amending instruments are S.I. 1987/879, 1990/2259 and 1998/2792.

(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 shall 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 shall be provided at least three hours of suitable activities:

Provided that on a day on which a pupil—

- (a) attends a nursery class which meets for only a single session; or
- (b) attends a nursery school or class for one only of two sessions,

it shall be sufficient to provide him with one and a half hours of suitable activities.

(5) In a school which meets on six days a week there may on two of those days be only a single session and, in relation to a day on which there is only a single session, paragraph (4) shall have effect as if the period of three hours there mentioned were a period of one and a half hours.

4.—(1) Where a school session in the 1999—2000 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 shall be regarded for the purposes of regulation 3 as a session on which that school has met.

(2) Where a school session in the 2000—2001 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 shall be regarded for the purposes of regulation 3 as a session on which that school has met.

(3) Paragraph (1) shall apply only in relation to sessions on or after 1st January 2000, and neither paragraph (1) nor paragraph (2) shall have effect in relation to more than two school sessions.

(4) Paragraphs (1) and (2) apply to training related to the appraisal of school teachers, the school teachers' pay system or school staffing structures.

Estelle Morris
Minister of State

26th November 1999

Department for Education and Employment

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations revoke and replace regulation 10 of the Education (Schools and Further Education) Regulations 1981 in relation to England only.

Regulation 3 makes provision about the length of the school day and the school year.

Regulation 4 permits not more than two school sessions devoted to the training of teachers related to school teachers' appraisal, the school teachers' pay system or school staffing structures, in the school year 1999–2000 (after 1st January 2000) and the school year 2000–2001, to be treated as sessions on which the school has met.