



# Education Act 2002

## 2002 CHAPTER 32

### PART 3

#### MAINTAINED SCHOOLS

#### CHAPTER 1

##### GOVERNMENT OF MAINTAINED SCHOOLS

#### **[<sup>F1</sup>32A Responsibility for fixing term and holiday dates in Wales**

- (1) A local authority in Wales must determine the term dates for each community, voluntary controlled or community special school or maintained nursery school in its area.
- (2) A governing body of a foundation or voluntary aided school in Wales (a “relevant governing body”) must determine the term dates for its school.
- (3) In exercising its functions under subsection (1), a local authority must co-operate and co-ordinate with—
  - (a) each relevant governing body in its area, and
  - (b) every other local authority in Wales,to ensure that the term dates determined are the same (or as similar as can be) for every maintained school in Wales.
- (4) In exercising its functions under subsection (2), a relevant governing body must co-operate and co-ordinate with—
  - (a) the local authority, and
  - (b) every other relevant governing body in the local authority's area,to ensure that the term dates determined are the same (or as similar as can be) for every maintained school in Wales.

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**Changes to legislation:** *Education Act 2002, Section 32A is up to date with all changes known to be in force on or before 17 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

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- (5) Each local authority in Wales must notify the Welsh Ministers of the term dates which have been determined for a school year in respect of all the maintained schools in its area.
- (6) The Welsh Ministers may by regulations make provision about the requirements of notification under subsection (5) including, in particular, provision about—
- (a) the form and content of notifications;
  - (b) the period in which notification must be given;
  - (c) the procedure for notification.
- (7) A local authority or a relevant governing body may alter the term dates which have been notified to the Welsh Ministers only if all the parties mentioned in subsection (8) agree to the alteration.
- (8) The parties are—
- (a) the local authority,
  - (b) each relevant governing body in the local authority's area, and
  - (c) the Welsh Ministers.
- (9) In this section—
- “maintained school” means a school in Wales which is a community, foundation or voluntary school, a community special school or a maintained nursery school;
- “term dates” means the dates on which the school terms and holidays are to begin and end.]

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**Textual Amendments**

**F1** Ss. 32A-32C inserted (12.5.2014 for specified purposes, 14.7.2014 in so far as not already in force) by [Education \(Wales\) Act 2014 \(anaw 5\)](#), **ss. 42**, 50(2); S.I. 2014/1605, **art. 2(a)**

**Changes to legislation:**

Education Act 2002, Section 32A is up to date with all changes known to be in force on or before 17 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

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**Changes and effects yet to be applied to :**

- specified provision(s) amendment to earlier commencing SI 2003/1667 Sch. para. 1 by [S.I. 2004/571 Sch.](#)
- specified provision(s) amendment to earlier commencing SI 2003/1667 Sch. para. 1A and 2 by [S.I. 2005/2570 art. 2](#)

**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 27(1A) inserted by [2010 c. 26 s. 4\(1\)](#)
- s. 29(2A)-(2D) inserted by [2009 c. 22 s. 260\(4\)](#) (This amendment not applied to [legislation.gov.uk](#). S. 250 omitted (1.9.2012) by virtue of 2011 c. 21, s. 29(9)(d); S.I. 2012/1087, art. 3)
- s. 29B inserted by [2008 c. 25 s. 157](#)
- s. 8585A substituted for s. 85 by [2006 c. 40 s. 74\(1\)](#)
- s. 85A amendment to earlier affecting provision 2006 c. 40 s. 74(1) by [2011 c. 21 s. 31\(2\)](#)
- s. 85A(5) words substituted by [2009 c. 22 Sch. 12 para. 34](#)
- s. 86(1) s. 86 renumbered as s. 86(1) by [2006 c. 40 s. 74\(2\)\(c\)](#)
- s. 86(2) inserted by [2006 c. 40 s. 74\(2\)\(c\)](#)
- s. 88(2)-(7) inserted by [2006 c. 40 s. 74\(3\)](#)
- s. 88(7) repealed by [S.I. 2010/1080 Sch. 1 para. 45Sch. 2 Pt. 1](#) (This amendment not applied to [legislation.gov.uk](#). The insertion of s. 88(2)-(7) by 2006 c. 40, s 74(3) was repealed without ever being brought into force.)
- s. 142(9)(b) words substituted by [S.I. 2010/1158 Sch. 2 para. 11\(10\)\(b\)](#)
- s. 210A inserted by [2008 c. 25 Sch. 1 para. 79](#)