

**Manchester City Council  
Report for Resolution**

**Report to:** Children and Young People Scrutiny Committee – 21 June 2016  
**Subject:** School Calendar  
**Report of:** Director of Education and Skills

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**Summary**

This report provides an update on the legislative framework which informs the approach to setting the school calendar.

**Recommendations**

The Children and Young People Scrutiny Committee are asked to note the contents of the report.

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**Wards Affected:** All

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**Background documents (available for public inspection):**

None

## 1. Introduction

- 1.1. This report has been provided to inform members of the legal framework and Greater Manchester approach to setting the annual school calendar. It provides detail on the number of schools in each category and any known deviances from the LA approach.

## 2. Legal Framework

- 2.1. The responsibility for the annual school calendar which defines the start and end of school terms is described within the Education Act 2002 in schedule 32 as follows:

### **32. Responsibility for fixing dates of terms and holidays and times of sessions**

1. In the case of a community, voluntary controlled or community special school or a maintained nursery school
    - a. the local education authority shall determine the dates when the school terms and holidays are to begin and end, and
    - b. the governing body shall determine the times of the school sessions.
  2. In the case of a foundation, voluntary aided or foundation special school the governing body shall determine
    - a. the dates and times when the school terms and holidays are to begin and end, and
    - b. the times of the school sessions.
- 2.2. Prior to last years dissolution of Parliament and in advance of the general election, the Deregulation Act 2015 was tabled with proposed amendments to the Education Act 2002 and in particular, the approach to setting the school calendar. The amendments were noted as follows:

### **Section 32 of the Education Act 2002 (responsibility for fixing dates of terms and holidays and times of sessions) is amended as follows.**

2. Omit subsection (1).
  3. In subsection (2), for the words from “In the case of” to “governing body” substitute “The governing body of a maintained school in England”.
  4. In subsection (3), in paragraph (a), for “a school within subsection (1)” substitute “a community, voluntary controlled or community special school in England”.
- 2.3. As a result of the Deregulation Act 2015, responsibility for setting the school calendar would have rested with individual governing bodies and could have led to significant disparity between school term dates however, the Government eventually dropped the changes.

- 2.4. The Government's rationale for this is that local authorities already have the power to vary term dates for other schools, including for individual schools. Given this, the Government noted that it would not be appropriate to commence with widening this to those maintained schools themselves.
- 2.5. Despite the withdrawal of changes to the Education Act 2002, those schools with foundation, voluntary aided, academy or free school status are still able to set their dates at governing body level without approval from the local authority. It is therefore up to governing bodies to consider the views of their stakeholders and what the impact may be of deviating from the dates proposed by the local authority.

### **3. Greater Manchester Approach**

- 3.1. Manchester City Council worked closely with all other GM authorities on agreeing a common set of principles for use when setting the school calendar. The purpose of these principles is to guide the process of setting the calendar, thereby reducing incidences of significant variation and disruption to families who may have children in different authority schools. The principles, which continue to be followed are noted below:
- All terms to start on a Monday (or a Tuesday if so necessitated by a Bank holiday);
  - Autumn half term will always be the last full week in October;
  - Spring half term will always be the third full week in February;
  - The Easter break will always be the first two full weeks in April (regardless of where Easter itself actually falls);
  - Easter will always be observed by school closures on the bank holidays for Good Friday and Easter Monday;
  - Where a school is open for part of a week to pupils, this will be for a minimum of three school days (to encourage attendance).
- 3.2. As noted in section 2, the Council sets the term dates for those schools categorised as community, voluntary controlled or community special school or a maintained nursery school and this is provided to them a considerable time prior to the commencement of the school year so that they can effectively plan and inform stake holders.
- 3.3. Although foundation, voluntary aided, academy and free schools do not have a legal mandate to adopt the local authority set calendar they are encouraged to follow it to minimise disruption to families.
- 3.4. Those schools with a Roman Catholic character have historically retained a commitment to being in school in the week running up to Good Friday and therefore adjust the LA set calendar to suit their needs. Should any schools open in Manchester that follow a different religious character there could be the potential for them to set alternative dates to meet the needs of religious observance.

3.5. Other schools such as The East Manchester Academy have an alternative approach to setting their term dates and due to the legislative framework are able to vary the LA calendar provided the governing body approves the proposal(s)

#### **4. Teacher Development Days**

4.1. Governing bodies should ensure that the five teacher development days are set for each academic year and that staff have been consulted as part of the process when agreeing these dates. The following principles should be followed when setting teacher development days.

- The five teacher development days will be designated from 'pupil days' by each individual school's governing body.
- No more than two days should be set consecutively for this purpose.
- This time could be designated as twilight sessions.
- Some families of schools may wish to consider a common teacher development day to facilitate shared training opportunities.
- Although terms are designated to start on a Monday, schools can still use Mondays (or Tuesday if the Monday is a bank holiday) for teacher development days.

#### **5. Council Approval Process**

5.1. When setting the school calendar, the Council engages with key stakeholders such as the TCC, TUCC and Executive Member to ensure that the calendar meets with their approval. The document is then reviewed and signed off by the Director of Education and Skills.

5.2. Once the calendar is in an approved final version it is circulated to all Manchester schools with accompanying guidance. Within the guidance it is requested that those schools with the freedom to set their own calendar consider the needs of families and, where possible, adopt the Council provided term dates.

#### **6. Impact on Manchester Schools / Residents**

6.1. Manchester has a mixed economy of school types and this will have an impact on the numbers which are mandated to follow the LA set calendar and those which are free to set their own term dates. The following table provides the number of schools by type and phase:

School Type	All-through	Nursery	Primary	PRU	Secondary	Special	Total
Academy	1	0	30	0	18	2	51
Community	1	2	45	2	1	11	62
Foundation	0	0	2	0	1	0	3
Free School	0	0	5	0	1	0	6
Voluntary Aided	0	0	39	0	5	0	44
Voluntary Controlled	0	0	13	0	0	0	13
<b>Totals</b>	<b>2</b>	<b>2</b>	<b>134</b>	<b>2</b>	<b>26</b>	<b>13</b>	<b>179</b>

- 6.2. Across the primary phase 58 of 134 schools (43%) are required to follow the Council provided calendar with the remaining 76 schools (57%) able to set their own dates but encouraged to follow the proposed LA term dates. The two all-through schools delivering primary education are split evenly across both types.
- 6.3. Across the secondary phase, where the move to academy status has been more pronounced, there is 1 of 26 schools (4%) required to follow the Council provided calendar with the remaining 25 schools (96%) able to set their own dates but encouraged to follow the proposed LA term dates. The two all-through schools delivering secondary education are split evenly across both types.
- 6.4. The special school sector is largely dominated by community settings which account for 11 of 13 establishments or 85% of provision. The remaining two schools, accounting for 15% of provision have the opportunity to set their own calendar.

## 7. Conclusion

- 7.1. The Council will continue to set the school calendar as per the legal requirements of the Education Act 2002 whereby it will provide term dates for its community and voluntary controlled schools and encourage those schools which are not mandated to follow the calendar to adopt it as closely as possible.