

Forward Plan reference number: FP/294/11/23

Report title: Determination of School Term Dates for Community and Voluntary Controlled Schools 2025-2026

Report to: Councillor Tony Ball, Cabinet Member for Education Excellence, Lifelong Learning and Employability

Report author: Clare Kershaw, Director, Education

Date: 12 March 2024

For: Decision

Enquiries to: Shamsun Noor, Head of Operations, Tel: 033301 32246, Email: shamsun.noor@essex.gov.uk

County Divisions affected: All Essex

1. Everyone's Essex

- 1.1. The Council is required to establish a school calendar for community and voluntary controlled schools that provides for 190 teaching days where pupils are present in school for each academic year. This ensures that children have access to education and learning to enable them to fulfil their potential, a key focus in Essex County Council's strategic ambitions to provide an equal foundation for every child.
- 1.2. This report is for the Cabinet Member to consider any responses to the consultation about the proposed school terms dates calendar for 2025-2026 and to determine the final calendar.

2. Recommendations

- 2.1. That the Cabinet Member determines the school term and holiday dates for Essex community and voluntary controlled schools for the 2025-2026 academic year as per the calendar attached as Annex A.

3. Background and proposal

- 3.1. The County Council is required by law, under the Education Act 2002, to determine the school year calendar for community and voluntary controlled schools. Academies, voluntary aided and foundation schools can set their own term dates but many of them adopt the Essex County Council calendar. The calendar therefore affects the whole of Essex.
- 3.2. Essex is one of a group of eastern region authorities who historically have worked together to achieve a uniform set of dates. The calendar recommended to be adopted is broadly consistent with these neighbouring authorities. There will be minor differences between authorities, but broadly school holidays will

be at the same time.

- 3.3. The School Year Advisory Group comprising representatives of all the professional associations for teachers and school leaders in Essex, the Church of England and Roman Catholic Dioceses and the Associations of Secondary, Primary and Special School Headteachers have been consulted and all Essex schools have been consulted about the proposed calendar.
- 3.4. The consultation was carried out between 10 January 2024 and 29 February 2024.
- 3.5. There was a limited response which is not surprising or unusual as the proposed calendar is largely similar to the pattern of those adopted in previous years.
- 3.6. Of the 4 comments received, there was one principal suggestion. This was that schools return later in the autumn term (for example 3 or 4 September 2025, instead of 1 September 2025) and, by extension, closing later in the summer term, for example 22 or 23 July 2026, instead of 20 July 2026. The reasons for these suggestions were stated as being to shorten the length of the autumn term for teachers, whilst also resolving the issue of the isolated single school day on Monday 20 July 2026 (which could have the effect of limited pupil attendance). On this latter point, one of the schools did acknowledge, as the Council set out when consulting upon the calendar, that schools could logically use 20 July 2026 as a staff development and training day, with no pupil attendance required.
- 3.7. These comments have been considered. However, the 4 responses represent an exceedingly small fraction of the 530 schools in Essex. Moreover, 3 of the 4 comments were from schools which are not community or voluntary controlled schools, and it is therefore within the power of those schools to vary their dates from that set by the Council in any event. The dates set by the Council apply to the circa 140 community and voluntary controlled schools in Essex.
- 3.8. Given the significant cross border movement of pupils between Essex and the neighbouring council area of Southend, consistency with the calendar established by that Council is an important consideration. Any significant variance could cause difficulties for families and teaching staff with work, holiday and childcare arrangements. The calendar proposed by Essex County Council aligns with those set by Southend-on-Sea City Council.
- 3.9. Therefore, the calendar attached as Annex A to this report is the one which is being recommended for determination by the Cabinet Member.
- 3.10. The proposed calendar preserves the overall number of school days in total at 195, enabling for the provision of 190 teaching days when pupils are present.
- 3.11. It remains within the discretion of individual governing bodies to use five days across the school year as non-pupil days for staff development and training purposes.

4. Links to our Strategic Ambitions

- 4.1. The arrangements align with the Essex Vision which has a number of aims, one of which is to enhance educational attainment and skills. Setting the term dates to ensure a calendar that provides for 190 teaching days contributes towards these aims.

5. Financial Implications

- 5.1. The proposed calendar follows the normal school year pattern and meets the legal requirement for a minimum of 190 days on which pupils are present. In addition, schools are able to allocate 5 non-pupil days or disaggregated twilight sessions. This provides an indication of the transport provision required for the academic year and has been reflected in the Council's Medium Term Resource Strategy.

6. Legal Implications

- 6.1. The County Council will fulfil its statutory duty by determining this calendar for community and voluntary controlled schools which contains 190 days as required.
- 6.2. The Deregulation Act 2015 included a provision which would, if brought into force by the Secretary of State, allow schools to set their own term dates. This provision has not yet been brought into force and the Council understands that there are no plans to bring it into force in the near future. Accordingly, the Council continues to need to set term dates.

7. Staffing and other resource implications

- 7.1. There are no staffing or other resource implications as a result of this decision.

8. Equality and Diversity implications

- 8.1. In making this decision ECC must have regard to the public sector equality duty (PSED) under s.149 of the Equalities Act 2010, i.e. have due regard to the need to: A. Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act. B. Advance equality of opportunity between people who share a protected characteristic and those who do not. C. Foster good relations between people who share a protected characteristic and those who do not including tackling prejudice and promoting

- 8.2. The protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation.
- 8.3. The PSED is a relevant factor in making this decision but does not impose a duty to achieve the outcomes in s.149, is only one factor that needs to be considered, and may be balanced against other relevant factors.
- 8.4. The attached schedule of term dates is consistent with the legal requirement to set a school year calendar ensuring pupils can be in attendance for 190 days.
- 8.5. The equality impact assessment attached illustrates that the dates do not propose any unlawful discrimination on the basis of the protected characteristics and are not expected to have a disproportionately adverse impact on any group with protected characteristics.

9. List of appendices

- 9.1. Annex A - Term dates schedule for community and voluntary controlled schools 2025-2026.
- 9.2. Equality impact assessment

10. List of Background Papers

- 10.1 None

Role	Date
<p>I agree the recommendations in this report for the reasons set out in the report.</p> <p>Councillor Tony Ball, Cabinet Member for Education Excellence, Lifelong Learning and Employability</p>	

In consultation with: Role	Date
<p>Executive Director for Corporate Services (S151 Officer)</p> <p>Andrew Page on behalf of Nicole Wood</p>	<p>12 March 2024</p>

Determination of School Term Dates for Community and Voluntary Controlled School 2025-2026

Director, Legal and Assurance (Monitoring Officer)	12 March 2024
Paul Turner	
Director, Education	12 March 2024
Clare Kershaw	