

Meeting:	Decision Session - Executive Member for Children, Young People and Education
Meeting date:	5 March 2024
Report of:	Martin Kelly, Corporate Director of Children and Education
Portfolio of:	Councillor Webb - Executive Member for Children, Young People and Education

Decision Report: Term Dates for 2025-2026 School Year

Report Subject – Term Dates 2025-2025 School Year

1. This report seeks approval of the attached school term dates (Annex C) for schools for whom the City of York Council (CYC) is the employer, for the school year beginning in September 2025.

Benefits and Challenges

2. The benefit of determining the term dates in advance and in discussion with other Local Authorities (LA) is to ensure consistency of term dates. There are agreed guiding principles (between regional Local Authorities) already in place which are used to set the term dates.
3. This allows, where possible, for neighbouring LAs to have the same term dates which assists families and employers where family life may cross LA boundaries with work and school commitments.
4. The regional challenge is that some LAs choose to have a fixed Easter break, so CYC is unable to agree regional term dates however, there are guiding principles for the two regional term date options (fixed/not fixed Easter break). City of York and our boundary neighbours apply the same guiding principles and consult on the same draft term dates, where possible.

Policy Basis for Decision

5. The co-ordination of school admissions is a statutory duty of the local authority and supports Article 2 of Protocol No. 1 to the European Convention on Human Rights that no person should be denied the right to education.
6. Pursuant to Section 32 of the Education Act 2002, the Local Authority shall determine the dates when the school terms and holidays are to begin and end. Schools must be open to pupils for 190 days in an academic year, and 195 days for teachers. There is no formal mechanism for the regional setting of holiday dates.

Financial Strategy Implications

7. There are no financial strategy implications. The local authority receives funding from the central services block of the dedicated schools block to deliver the statutory duty.

Recommendation and Reasons

8. The Executive Member for Education, Children and Young People is recommended to approve:

- The draft term dates as in Annex C

Reason: to meet the statutory requirements of legislation including the Education Act 2002, (Section 32), and other related legislation.

9. This is to ensure that City of York Council continue to meet their statutory duty as set out in the terms of the Education Act 1996 and also work collaboratively with Academy Trusts to meet that duty.

Background

10. CYC aims to ensure that term dates set for future school years are appropriate for both schools and residents. In setting term dates CYC has also considered the term dates set by neighbouring LAs to ensure that there is an alignment to prevent potential disruption for parents/carers who have children in or work in schools in neighbouring LAs.

11. Term dates are set annually by CYC on behalf of all schools for whom CYC is the employer – that is all community, voluntary-controlled, community special or maintained nursery schools.
12. The responsibility for setting term dates for other types of schools such as Multi Academy Trusts rests with the employers (governing body/academy trusts) and not CYC. Historically these schools have followed the dates set by CYC, with very little deviation from the agreed dates by academy trusts.
13. A coordinated method to developing school term dates continues to be in place across 25 LAs in the North East, Yorkshire and the Humber regions. The aim of coordinating the approach was to mitigate the impact of varying term dates for those families who live, go to school, or are employed by schools in more than one LA area. These principles, followed independently by each LA each year create harmonised dates and reduce any unwelcome variation, whilst maintaining the length of terms and key holiday periods and avoiding split weeks.
14. The council has previously followed these guiding principles, with the aim of minimising any differences with other LAs in previous years. Some LAs have varied these dates locally or for other objectives such as to equalize the length of some half terms or to reflect local priorities. Notably Leeds and Sheffield have a fixed Easter break in the first two weeks in April that results in some differences from other LAs who, in line with these regional principles – arrange a fortnight's school holiday around the Easter weekend.
15. Building on coordinated term dates, officers have continued to work with an increasing number of other LAs to further the regional use of these agreed set of principles for future school years, and to produce sets of dates with as few differences as possible to minimise potential problems for parents/carers.

Dates for the 2025-2026 school year

16. As there has not yet been a substantial move by any local academy to start to exercise their freedom to vary their term dates, and whilst there remains a 'mixed economy' of community and academy schools it would seem appropriate for the council to continue to set term dates that apply to all schools where CYC is the employer, and for other schools and academies to follow these dates in the interests of residents.

17. In discussion with our LA neighbours East Riding of Yorkshire Council (ERYC) and North Yorkshire Council (NYC), both are consulting with their stakeholders with a view to adopt the same term dates shown in Annex C, subject to their own consultations and decision making procedures.
18. All CYC schools and MATs were consulted upon for the term dates shown in Annex C.
19. These term dates and bank holiday dates are correct at the time of consultation and determination. If there are any changes to national bank holidays, City of York Council will amend the term dates accordingly to ensure that there are 195 leave days, not including the 5 school training days determined by each school.

Consultation Analysis

20. Between 30 November 2022 and 4 January 2023, all York schools, regardless of school type (community, academy etc.) were provided with these draft dates and the regional principles for comment by email and with the dates also being made available on yorkeducation.co.uk, CYC's school-facing website.
21. Within the consultation period, no responses were received from consultees (all CYC schools including MAT schools).
22. CYC recently received a complaint regarding the term dates guiding principles from a member of the public in particular that there is reference to prevent short terms but not long terms in the guiding principles. Therefore, this has been raised as an agenda item for the Yorkshire and Humber Admissions Group in March 2024.
23. As the NYC and ERYC are looking to implement the term dates shown in Annex C, subject to their own consultation and determination process, it is advised that these term dates are recommended.
24. Where possible CYC will continue to implement the guiding principles as will several other LAs in the region. However as with the term dates for 2024-2025 we can provide possible alternatives to create a balanced school year within the consultation period and will discuss this with our immediate neighbours (NYC and ERYC).
25. In a meeting in September 2019, other LAs indicated they also wish to formalise the principles through their respective decision

making processes. Many expressed their wishes to continue with CYC and recommend to their respective decision-makers to:

- i. Follow the agreed regional principles in future years and only deviate from these where there was good reason to do so on a local level – for example for a fixed Easter break;
 - ii. Continue to work collaboratively across the region by setting out a clear policy and communicating draft dates for forthcoming years and coordinating the timing and release of these dates for the next year collectively in future.
26. While it has been noted that where there are staggered half terms, there was clear feedback from York's tourism, retail and hospitality sectors that the staggered October half term 2023 brought significant benefits. Those term dates were also set using the same regional guiding principles. The term dates set will still allow for some regional and national term date variations across Local Authorities. But likely align with our immediate neighbours subject to respective LA determination.

Options Analysis and Evidential Basis

27. Option 1 is to approve the term dates provided in Annex C and continue to follow the guiding principles of setting term dates regionally and where possible align the term dates with our bordering LAs.
28. Option 2 is not to approve the term dates and fail to set term dates which would be contrary to Section 32 of the Education Act 2002, the Local Authority shall determine the dates when the school terms and holidays are to begin and end.
29. Option 3 would be to determine different term dates however this would deviate from the regional guiding principles and be less likely to mirror our bordering LAs (ERYC and NYC).

Organisational Impact and Implications

30. Educational impact on setting terms dates ensures that CYC are compliant with Section 32 of the Education Act 2002, the Local Authority shall determine the dates when the school terms and holidays are to begin and end and that academic years are 195 days long which schools and MATs within the city can implement. The term dates are drafted to create a balanced school year.

31. It also allows for the opportunity for all schools and all attending children to follow the same term date pattern. It also provides equity between CYC and our neighbours East Riding of Yorkshire Council and North Yorkshire Council when we consult on the same term dates especially when many families may have cross boundary responsibilities.

32.

- **Financial** - There are no direct financial implications from the decision.
- **Human Resources (HR)** - There are no HR implications for this report.
- **Legal** - Pursuant to Section 32 of the Education Act 2002, the Local Authority shall determine the dates when the school terms and holidays are to begin and end. Schools must be open to pupils for 190 days in an academic year, and 195 days for teachers. There is no formal mechanism for the regional setting of holiday dates”.
- **Procurement** - There are no procurement implications for this report.
- **Health and Wellbeing** - The paper provides a robust proposal and reasoning for establishing set term time dates for schools across York, which does not discriminate and adheres to good practices and statutory legislation. Allows families with children at different schools to better coordinate well-earned holidays.
- **Environment and Climate action** - There are no environmental implications for this report.
- **Affordability** - The setting of term dates allows the opportunity for all schools and all attending children to follow the same term date pattern which can assist with providing any childcare or leave requirements if children at different schools or cross boundary have the same term dates. It also provides equity between CYC and our neighbours. This allows parents to plan for consistent arrangements – different term dates could cause increased costs for families of children at different schools across neighbouring authorities. This report has a positive impact as it maintains this consistency and avoids increased costs.
- **Equalities and Human Rights** - The Council recognises, and needs to take into account its Public Sector Equality Duty

under Section 149 of the Equality Act 2010 (to have due regard to the need to eliminate discrimination, harassment, victimisation and any other prohibited conduct; advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it and foster good relations between persons who share a relevant protected characteristic and persons who do not share it in the exercise of a public authority's functions) A full Equalities Impact Assessment is included at Annex A and records no expected negative impacts.

- **Data Protection and Privacy** - As there is no personal data, special categories of personal data or criminal offence data being processed for this decision, there is no requirement to complete a DPIA. This is evidenced by completion of DPIA screening questions - reference AD-02439.
- **Communications** - There are no communications implications.
- **Economy** - Notwithstanding the benefits for those working in schools and the education system of coordinating holiday dates, there was clear feedback from York's tourism, retail and hospitality sectors that the staggered October half term 2023 brought significant benefits. York saw two strong weeks during that period, rather than the normal single very strong week. York's Tourism Advisory Board asked that CYC seek to repeat this staggered holiday arrangement by scheduling school holidays so that they are not at the same time as everywhere else. Such a move would also enable York residents to take advantage of non-peak holiday costs, so there is a further Affordability case for considering a staggered holiday schedule.

Risks and Mitigations

33. The risks of not setting suitable term dates City of York Council would not comply with Section 32 of the Education Act 2002, the Local Authority shall determine the dates when the school terms and holidays are to begin and end.
34. A risk is also that schools and trusts within the city may set their own term dates resulting in significantly different or non-compliant term dates. Therefore, it is important that suitable term dates are set.

Wards Impacted

35. All Wards

Contact details

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Background papers

No background papers.

Annexes

Annex A: Equalities Impact Assessment (EIA);
Annex B: Data Protection Impact Assessment (DPIA);
Annex C: School Term Dates.