

Subject:	The alignment of INSET days and the pattern of school holidays		
Date of Meeting:	6 June 2016 Children Young People and Skills Committee		
Report of:	Pinaki Ghoshal, Executive Director Families, Children and Learning		
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Ward(s) affected:	All		

FOR GENERAL RELEASE

The special circumstances for non-compliance with Council Procedure Rule 3, Access to Information Procedure Rule 5 and Section 100B(4) of the Local Government Act 1972 (as amended), (items not considered unless the agenda is open to inspection at least five days in advance of the meeting) were due to the timing of the analysis of the consultation responses. This could only be completed after the consultation closed on 20 May 2016.

1. PURPOSE OF REPORT AND POLICY CONTEXT

1.1 The purpose of the report is to update the Committee about:

- (i) the results of the consultation on the possibility of aligning INSET days in the city's schools and providing the opportunity for families to afford a holiday or family trip.
- (ii) the pattern of school holidays that could be determined for 2017/18 by the Executive Director Families, Children & Learning following the established process of consultation

2. RECOMMENDATIONS:

- 2.1 To consider the responses to the public consultation on proposals for the alignment of INSET days and the pattern of school holidays.
- 2.2 To note the comments expressed by school leadership in relation to the alignment of INSET days, and recommend to the Executive Director that in formulating the pattern of school holidays the likely approach of governing bodies to INSET days should be taken into account.
- 2.3 To note that the decision as to the pattern of school holidays is delegated to the Executive Director Families, Children and Learning.

- 2.4 To note the recent engagement exercise, and that there will be a further consultation in relation to any specific proposals as to school holidays in the academic year 2017/18.
- 2.5 To recommend to the Executive Director that further consultation as to the pattern of school holidays should include a specific proposal which provides for a stand-alone week which falls outside of the existing pattern of school holidays, so as to provide more flexibility for parents throughout the year and lower-income families in particular the chance to take holidays that would otherwise be unaffordable.

3. CONTEXT/ BACKGROUND INFORMATION

- 3.1 At the CYPS Committee on 12 October 2015 in which Ms A Heath presented a petition regarding school INSET days the committee agreed the proposal that a report on the matter be brought to a future meeting of the Committee.
- 3.2 In January 2016 the CYPS committee recommended consulting on the possibility of (i) co-ordinating INSET days across the City's schools (ii) setting the annual term dates for 2017-18 to include an additional week of holiday during the academic year, whilst maintaining the statutory 190 days of education during the school year. An online consultation was open between 27 April and 20 May 2016 seeking views on whether the council should encourage schools to co-ordinate INSET days and how residents would prefer schools to take their allocation of INSET days. It also sought views on how residents felt about the current arrangement of school term dates and whether people felt they should be changed to create a week of holiday outside the normal pattern of school holidays.
- 3.3 The consultation clearly stated that the council has no powers to direct schools to select certain dates for INSET days and that schools might have different development needs that did not suit aligning their INSET days with other schools.
- 3.4 There were 1,506 responses to the survey. It was a self-selecting questionnaire and therefore it is not possible to determine if the responses to the survey are representative either of residents or parents in the city.
- 3.5 The Brighton and Hove branches of the National Union of Teachers, National Association of Head Teachers, GMB and the Association of School and College Leaders provided written submissions.
- 3.6 An analysis of the responses received has been provided in Appendix 2.

4. PROPOSALS – INSET days

- 4.1 In January 2016 the CYPS committee members recognised the importance of INSET days in successful school improvement and the need to distribute these throughout the academic year.

- 4.2 The governing body of a school must determine the five in-service training days in the academic year. The council has no powers to direct schools to select certain dates and schools may have different development needs that do not suit aligning their INSET days with other schools.
- 4.3 The survey indicated that overall 54% of respondents agreed that the council should encourage schools to co-ordinate INSET days, 31% of respondents disagreed. Whilst the majority of residents and parents or guardians who responded agreed with the proposals, 92% of Brighton and Hove Headteachers and 65% of teachers in Brighton and Hove schools who responded disagreed.
- 4.4 A wide range of responses was received during the consultation period these included comments from those working in education environments who have received training and also those who have commissioned training for INSET days.
- 4.5 The following concerns were expressed about the proposal to align INSET days:
- (i) The risk that professional development and school improvement could become less effective if training was not balanced throughout the year.
 - (ii) The possibility that it would also generate peak demand in a concentrated period for training providers.
 - (iii) The loss of flexibility to schedule INSET days to enable schools to respond to changes or initiatives introduced mid-year by regulators, for example curriculum changes and exam board moderation.
 - (iv) The loss of the ability of families to potentially get the benefit of time together outside school holidays for visits to attractions or an early start to a holiday period.
- 4.6 Concern was expressed about the impact on parents in the city who are also teachers in Brighton and Hove. These families would not receive any benefit from the alignment of INSET days.
- 4.7 Responses in support of alignment stated that:
- (i) It would be more convenient for parents with children in different schools.
 - (ii) It would make it easier for working parents to make child care arrangements to cover INSET days.
 - (iii) It would present the opportunity for a more affordable excursion or holiday.
- 4.8 Despite the majority of responses suggesting support for the proposal to align INSET days careful consideration has to be given to the ability of the Council to implement the proposal and the impact on the efficacy of school improvement. Due regard has been given to the views of the education workforce and it is therefore recommended that this proposal is not taken any further.

4.9 School leaders will be requested to consider the practical arrangements for working patterns when setting INSET days. As the partnerships of schools strengthen across the city it is likely that, when relevant, there will be more alignment of INSET days to support the raising of standards across the partnership of schools and the city as a whole.

5. Proposals – Pattern of school holidays

5.1 The survey indicated that 52% of respondents agreed that they were happy with the current arrangement of term dates, whilst 23% of respondents were not.

5.2 When respondents were asked if they agree or disagree that term dates should be changed 59% of all respondents agreed that term dates should be changed to create a week of holiday outside the normal pattern of school holidays, 32% disagreed with the proposal. The majority of respondents in the following groups, who expressed a view, supported the proposal:

- Brighton and Hove resident and parent/guardian
- Parent or guardian
- Support staff in Brighton and Hove school
- Governor in Brighton and Hove school

Of those who responded, 23% of Brighton and Hove Headteachers and 26% of teachers in Brighton and Hove schools supported the proposal.

5.3 When all preferences for which school holiday should be shortened so as to create an additional week of holiday elsewhere in the school year were considered, the summer holiday (43% of respondents) and the end of the spring term (25% of respondents) received the highest number of preferences.

5.4 In response to the question in the survey regarding when a stand-alone week should be scheduled within the school year the majority of responses were for it to be scheduled in the summer. When all preferences were taken into consideration, 53% of respondents suggested it should be either before or after the summer half term, at the beginning or at the end of the summer holidays.

5.5 A stand-alone week added before the autumn half term break was the highest ranked non-summer term choice. 24% of Headteachers and 20% of teachers in Brighton and Hove schools together with 24% of governors from Brighton and Hove schools identified the stand-alone week being added directly before the autumn half term break as one of their top three choices. A stand-alone week on its own in the second half of the spring term was the next ranked preference recorded.

5.6 Those who were not supportive of the proposals highlighted the disruption to the pattern of school year and the creation of additional pressures for staff and schools whenever a stand-alone week's holiday is scheduled.

5.7 Concerns were also expressed about undertaking change in isolation. There are families where parents work in East Sussex, West Sussex or Surrey and families

where the children attend schools in another local authority and vice versa. The concern was this proposal would create additional problems for them, reducing rather than increasing quality family time, as well as complicating childcare arrangements.

- 5.8 The impact on unauthorised absence in the weeks surrounding the additional week of holiday was a further concern raised in responses by school leaders.
- 5.9 The High Court decision in the case brought by the Isle of Wight Council regarding the taking of term time holidays in relation to ensuring regular school attendance, could have an impact on the proposals being considered in this report. At the time of writing this report the judgment has yet to be published and it is also not clear what the response of the Department for Education will be to the ruling. It is anticipated that the Government will either seek to introduce new legislation or will issue new statutory guidance. There has also been media coverage of Chiddingstone Primary School, Kent, a voluntary aided school, where the school day is being extended by 20 minutes in return for an extra two weeks' holiday per school year. Rather than one week off for half-term in May and October, the school will now break for two weeks. It is understood that this is being trialled for one academic year before its impact is reviewed.
- 5.10 Following consideration of this report by the Children, Young People and Skills Committee a formal consultation will be undertaken with stakeholders from 7 June until the 28 June. It is anticipated that a decision will be made by the Executive Director by 4 July 2016.
- 5.11 If an additional stand-alone holiday of a week's length is created the majority of respondents would prefer that it is sited in the summer term. However there are significant concerns about the disruption this would create to schools. The summer term contains preparation for and the delivery of a range of examinations and tests including GCSEs and the key stage assessments in primary schools. It would not be until the end of June that GCSE examinations would be guaranteed to have finished and the siting of an additional week's leave close to the end of the summer term could have a negative impact on attendance in the last part of the term. An earlier week's holiday would hinder final preparations for tests.
- 5.12 The location of an additional week's holiday in the spring term could be impacted by the changing identification of the Easter holiday weekend each year. This would have the impact of creating an unbalanced number of weeks in school within the term. If it was to be scheduled in this term, it is felt the most appropriate week in the 2017/18 academic year would be the week commencing 5 March 2018.
- 5.13 Whilst Good Friday and Easter Sunday fall on 30 March 2018 and 2 April 2018 the following year will be 19 April 2019 and 22 April 2019 which will effect the location of a stand-alone week in the spring term of the academic year 2018/19.
- 5.14 The autumn term traditionally contains the most school days of the three terms. A number of respondents commented upon the impact its length had upon children and staff. It is recognised that there is a need to settle pupils into the start of an academic year, especially those starting school for the first time or having

completed the transition to secondary school. It could therefore be considered to be most appropriate to create a stand-alone week in this term.

- 5.15 For the purpose of the first year of the pilot it is proposed that the weeks commencing 16 October 2017 or 20 November 2017 are consulted upon formally by the Executive Director of Families, Children & Learning.

6. Proposal – Stakeholder consultation

- 6.1 Both East Sussex County Council and West Sussex County Council have determined their term dates for 2017/18. There are differences in the start of the spring term and the last day of the summer term. Full details are provided in Appendix 1.
- 6.2 If the committee were minded to recommend a stand-alone week's holiday during the school year it is proposed that Brighton and Hove City Council's terms would start on 1 September 2017, 2 January 2018 and 12 April 2018. As detailed in Appendix 1 the academic year will be 200 days in total, allowing for this additional stand-alone week of holiday. The suggested dates for this week are either:
- 16 October 2017
 - 20 November 2017
 - 5 March 2018

7. ANALYSIS & CONSIDERATION OF ANY ALTERNATIVE OPTIONS

- 7.1 There is no longer a nationally recommended model for school term dates set by the Local Government Association. The council does consider the determined dates for East Sussex County Council and West Sussex County Council prior to consulting upon its dates. This takes account of the impact to families living on the borders of Brighton and Hove and the impact upon staff that live and work in schools across the region's boundaries.
- 7.2 It is possible that the consultation only take the term dates in ESCC and WSCC into account. However this would not introduce a week's stand-alone holiday in term date and would be against the view of 59% of those who responded to the survey. 58% of respondents did not consider it important that school terms dates are broadly the same as neighbouring authorities.
- 7.3 The results of the online consultation have informed the proposals recommended in this report to create a stand-alone week's holiday in term time as a pilot initiative for the academic year 2017/18 and 2018/19. A two year pilot is required because the term dates for 2018/19 will need to be set before the impact of the 2017/18 proposal can be evaluated.

8. CONCLUSION

- 8.1 The responses to the consultation held between 27 April and 20 May indicated that a proposal to co-ordinate INSET days is supported by the majority of respondents. The council does not have the authority to implement the change

and would be reliant upon individual governing bodies to agree to the alignment. As such a change could not be compelled and because of the concerns about the impact on school improvement it is not an option that will be given further consideration. However, governing bodies will be advised of the responses relating to the alignment of INSET days to inform their practices.

- 8.2 The consultation indicated that parents are broadly happy with the current arrangement of term dates however the majority of respondents indicated that they supported a change of term dates to create a stand-alone week's holiday outside of the normal pattern of school holidays.
- 8.3 It is proposed that the options for term dates outlined in appendix 1 are used as the basis for the stakeholder consultation that will inform the Executive Director Families, Children & Learning's determination. The stakeholder consultation will run from 7 June until the 28 June. It is anticipated that a decision will be made by the Executive Director by 4 July 2016.

9. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

- 9.1 The Local Authority is responsible for setting the Term and INSET dates for schools. There are no financial Implications arising from the recommendations in this report.

Finance Officer Consulted: Andy Moore 11/05/16

Legal Implications:

- 7.1 Under Section 32 of the Education Act 2002 the Council has a duty to set school terms and holiday dates for community, voluntary controlled, community special schools and maintained nurseries in its area. Governing bodies set the dates for voluntary aided schools and Academy trusts for academies and free schools. In addition maintained schools are required to hold five in service training days (INSET days) during the academic year. Individual schools are responsible for setting the dates for INSET days.
- 7.2 Local Authority maintained schools must open for at least 380 sessions (190 days) during a school year, (Education (School Day and School Year) (England) Regulations 1999).
- 7.3 The High Court judgment in the recent case brought by the Isle of Wight Council regarding the taking of holidays in term time and their impact on regular school attendance has yet to be published. As stated in the body of the report it is anticipated that the Government will either bring forward further legislation to clarify the position or issue further statutory guidance. Although not of direct relevance to the setting of term dates, the proposals set out in this report were precipitated by an agreement to explore the possibility of aligning INSET days and/or devising a different pattern of term dates so as to provide the opportunity for families to take potentially more affordable holidays outside of school term time.

- 7.4 Under the Council's constitution the Executive Director Families, Children and Learning has delegated authority to fix school term dates and holidays (Part 6 (V)(4)(2) of the Constitution).

Lawyer Consulted: Serena Kynaston

Date: 23/05/16

Equalities Implications:

- 7.5 An Equality Impact Assessment has been completed. The potential impact of changes has been considered throughout the process and informed by the responses received during the engagement activity. This will be revised following the next consultation phase where it is hoped the impact on protected characteristic groups, of the specific stand-alone weeks suggested, will be captured.

Sustainability Implications:

- 7.6 There are no sustainability implications arising from this report.

SUPPORTING DOCUMENTATION

Appendices:

1. Appendix 1 - Consultation for School Term Dates 2017/2018
2. Appendix 2 - Analysis of engagement activity responses

Crime & Disorder Implications:

- 1.1 It is possible that crime levels may vary in the school holidays. The number of schools days in the academic year 2017/18 will remain constant at 195 days and therefore it could be considered unlikely that crime levels will vary as a result. .

Public Health Implications:

- 1.2 The creation of a stand-alone week's holiday in term time is designed to provide families with the opportunity to afford a holiday or family trip that may not have been possible in the school holidays.
- 1.3 As a result family well-being could be improved by the opportunity to spend more time together as a family.

Corporate / Citywide Implications:

- 1.4 Although the number of school days will remain the same the attractions in the city could benefit from additional trade due to the placement of the stand-alone week's holiday in term time.