



Education Report: Reducing the minimum half-day requirement for Schools due to the Queen Elizabeth II Memorial Day public holiday

To:	Hon Chris Hipkins, Minister of Education		
Cc	Hon Jan Tinetti, Associate Minister of Education		
Date:	14 September 2022	Priority:	High
Security Level:	In Confidence	METIS No:	1295962
Drafter:	Angus Woodhams	DDI:	04 463 0968
Key Contact:	Jann Marshall	DDI:	04 463 8829
Messaging seen by Communications team:	No	Round Robin:	No

Purpose of Report

The purpose of this paper is for you to authorise boards to reduce the number of half-days that they are required to be open, by two, due to the one-off Queen Elizabeth II Memorial Day public holiday.

Summary

- 1 The Education and Training Act 2020 (the Act) empowers you to authorise school boards to reduce the number of half-days they are required to be open in 2022. The Minister of Education has already set the State Schools Terms and Holidays and prescribed the minimum half-days schools must be open for in 2022.
- 2 The Government has committed to introduce legislation implementing a one-off Queen Elizabeth II Memorial Day public holiday that recognises and celebrates the life of the Queen, being observed on Monday, 26 September 2022.
- 3 Monday, 26 September 2022 falls within Term 3, therefore there is a requirement to reduce the number of half-days available for schools to be open in 2022. Schools will have already planned their year based on the published dates and may not be able to accommodate the additional statutory holiday and still be open for the required minimum number of half-days.
- 4 We recommend that you authorise school Boards to reduce the number of half-days by two in 2022 to take account of the holiday.

Recommended Actions

The Ministry of Education recommends you:

- a. **Note** that the one-off Queen Elizabeth II Memorial Day public holiday to take place on Monday, 26 September 2022 will be implemented via an urgent Bill. Provision has been made for references to 'the Sovereign's Birthday' in any legislation to include the Queen Elizabeth II Memorial Day
- b. **Note** that these provisions will enable schools to be closed on the Memorial Day as clause 3(1)(a) of Schedule 21 to the Education and Training Act 2020 requires schools to be closed on the Sovereign's Birthday.
- c. **Note** that adding this public holiday could mean some schools are unable to open for the prescribed number of half days in 2022.
- d. **Agree** to authorise school boards under clause 4(1) of Schedule 21 to the Education and Training Act 2020 to open their schools for two fewer half-days than required in the 2022 school year, to reflect the impact of the one-off Queen Elizabeth II Memorial Day public holiday.

☒ **Agree** ☐ **Disagree**

- e. **Proactively release** this Education Report as part of the next publication.

☒ **Release** ☐ **Not release**



Jann Marshall
Associate Deputy Secretary
Network and School Delivery
Te Pae Aronui

___/___/___



Hon Chris Hipkins
Minister of Education

19/ 9/ 2022

Background

Queen Elizabeth II Memorial Day

- 1 Cabinet has agreed to introduce legislation to implement a one-off public holiday to recognise and celebrate the life of the Queen. This public holiday, the Queen Elizabeth II Memorial Day (the Memorial Day), will take place on Monday, 26 September 2022. Parliament will, next week, progress an urgent bill titled the Queen Elizabeth II Memorial Day Bill to implement the Memorial Day public holiday.
- 2 Cabinet has agreed that schools will be closed on the Memorial Day public holiday. Clause 3(1)(a) of Schedule 21 to the Education and Training Act 2020 sets out the specific public holidays on which state schools must be closed and this includes the 'Sovereign's Birthday'.
- 3 The Queen Elizabeth II Memorial Day Bill will provide for references to 'the Sovereign's Birthday' in any legislation to refer to the Sovereign's birthday and the Memorial Day. As clause 3(1)(a) of Schedule 21 to the Act requires schools to be closed on the Sovereign's Birthday, this will ensure that schools are closed for the Memorial Day.

Reducing the number of half-day's schools must be open

- 4 State schools are required to be open for a minimum number of half days within a set of term dates prescribed by the Minister of Education under Schedule 21. Under clause 1 of Schedule 21 to the Act, the Minister may specify the number of half days on which State schools must be open in any year.
- 5 The minimum number of half-days on which schools must be open in 2022 has been specified by Minister Hipkins as:
 - 384 half days for primary, intermediate and special schools, and
 - 378 half days for secondary or composite schools.
- 6 Under clause 4(1) of Schedule 21 to the Act you may authorise Boards to open the schools they administer for fewer half-days than required under clause 1. This power may be exercised in respect of all schools.
- 7 Monday 26 September 2022 falls within Term 3, thereby reducing the number of days available for schools to be open in 2022. We propose that you authorise boards to open for two fewer half days in 2022 to account for the Memorial Day public holiday. If the number of half-days schools are required to be open in 2022 is not reduced, schools would need to make up for these two half-days.
- 8 A similar approach was taken with Matariki, whereby the half-day requirement was respecified as two half days fewer, because at the time the half days were originally specified it was not yet known when the Matariki holiday would fall. We are undertaking further work to determine whether reducing half days will be an ongoing approach for managing public holidays.
- 9 If you agree to authorise boards to open for two fewer half days for 2022, we ask that you sign the written instruction for boards outlined in Annex 1. We are required to give notice to boards of your authorisation under clause 4(1) of Schedule 21. The notice will be provided to Boards through the School Bulletin on 20 September, so schools have early notice about how to manage half days, ahead of the Memorial Day public holiday coming into force.

Risks

- 10 Some parents and whānau may be displeased if the half-days are reduced, as this will mean less time ākonga will spend at school.
- 11 A delay in reducing the number of half-days required may impede schools' and their communities' planning for 2022.

Review of the opening hours framework

- 12 The Ministry will review the opening hours framework in more detail in the future. We will continue to review aspects such as the removal of Easter Tuesday as a day schools cannot open and adding a requirement for school boards to provide sufficient notice for teacher only days.
- 13 The Ministry will also monitor how school boards interpret existing rules to meet their minimum opening days, which may inform whether future regulatory changes are needed.

Proactive Release

- 14 It is intended that this Education Report is proactively released as per your expectation that information be released as soon as possible. Any information which may need to be withheld will be done so in line with the provisions of the Official Information Act 1982.

Annex

Annex 1: Letter to be included in Bulletin authorising boards to be open for instruction for two half-days fewer than the prescribed half-day requirements for 2022.

Hon Chris Hipkins

MP for Remutaka

Minister of Education

Minister of Police

Minister for the Public Service

Leader of the House



Presiding Member
School Boards

Dear

You will be aware that on Monday 12 September Cabinet agreed to introduce legislation to implement a one-off public holiday to recognise and celebrate the life of Queen Elizabeth II. This public holiday, the Queen Elizabeth II Memorial Day, will take place on Monday 26 September 2022.

To reflect the impact of the Queen Elizabeth II Memorial Day on school calendars and planning, under clause 4(1) of Schedule 21 to the Education and Training Act 2020, I therefore authorise school boards to open their schools for two fewer half-days than required in the 2022 school year.

Please accept my best wishes for the remainder of the year.

Yours sincerely

A handwritten signature in blue ink, appearing to be 'CH' followed by a stylized flourish.

Chris Hipkins
Minister of Education