## Technical Note

## Results of an investigation into the quality of statistics on unlawful/lawful infant class sizes

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| ---: | :--- |
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| Issued by | Department for Education, Sanctuary Buildings, Great Smith Street, London SW1P 3BT |
| Press office | 02077838300 |
| Public enquiries | 03700002288 |
| Statistician | Adam Hatton |
| Phone | 02073408364 |
| Email | Infrastructure.STATISITCS@education.gsi.gov.uk |
| Internet | $\underline{\text { Statistics: school and pupil numbers }}$ |

## 1. Introduction

Statistics on infant classes are published annually each June in the statistical first release "Schools, pupils and their characteristics". These statistics are produced using data collected from local authorities and schools as a part of, and alongside, the January school census.

## What do we count as an infant class?

Our statistics include classes listed on the school census as either containing reception year or key stage 1 pupils and one teacher. Legislation specifies that infant class size limits apply only to ordinary teaching sessions conducted by single school teachers, this means that classes with no teachers, or more than one teacher, are not included.

The legislation applies only to classes containing pupils, the majority of whom, will attain the age of five, six or seven during the course of the school year. Therefore mixed classes are not included, for example mixes of nursery and reception pupils, or key stage 1 and 2 pupils.

In this note, any infant class containing more than 30 pupils is termed a 'large infant class'.

The School Standards and Framework Act 1998 limits the size of an infant class to 30 pupils per school teacher. An infant class is one in which the majority of children will reach the age of 5,6 or 7 during the school year i.e. reception, year 1 and year 2 .

The School Admissions (Infant Class Sizes) (England) Regulations 2012 prescribe certain limited circumstances in which pupils may be admitted as lawful exceptions to the infant class size limit of 30 for one-teacher classes. This means that a class of, for example, 32 pupils is
lawful if two or more of those pupils have been admitted under lawful exceptions. If two or fewer have been admitted as lawful exceptions then the class is termed 'unlawful'.

Since 2010, there has been an increasing primary pupil population and there has been an associated increase in the number of infant classes from 53,887 in 2010 to 58,256 in 2014 and, in some areas, this has led to infant class sizes larger than the statutory size of 30 ; the number of infant classes larger than 30 has risen from 995 in 2010 to 2,985 in 2014.

The department has published figures on large infant class sizes, net of exempted pupils, as a data series called "Unlawful infant classes" since 2006 following a previous review of the presentation of infant class size statistics. This enables users of the statistics to understand how many, and what proportion, of the total number of large infant classes are defined as unlawful or lawful and how many pupils are in those classes.

The mechanism for collecting these data has remained largely unchanged for a number of years and is described in section 3 of this document.

The statistics on unlawful infant classes and excepted pupils as originally published in June 2014 are shown in tables 1 and 2 below. This technical note explains the results of our review into the quality of these statistics. This sets out the information on quality which lead to the Head of Profession for Statistics writing to the UK Statistics Authority recommending that these statistics have their National Statistics status removed due to the quality concerns highlighted. The UK Statistics Authority have confirmed that future publications of unlawful infant class size statistics should not be designated as National Statistics pending further improvements and a re-assessment by the Authority.

The unlawfully large class size statistics are a small part of the broader set of school class size statistics. Class size statistics unaffected by this issue and which retain National Statistics status are:
average infant class sizes;
number of infant classes of sizes 1-30, 31 or more;
number of infant pupils in classes of size 1-30,31 or more;
number of infant pupils in classes of 31 or more with 'excepted activity'; and
all class size statistics for key stage 2 and the split by primary/secondary schools.

Table 1: State-funded schools: Key stage 1 classes in England (1) - January each year 2006 to 2014 [as originally published in 'Schools, pupils and their characteristics: January 2014']

|  | 2006 | 2007 | 2008 | 2009 | 2010 | 2011 | 2012 | 2013 |  |  |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: |
|  | State-funded primary schools (2) |  |  |  |  |  |  |  |  | All statefunded schools |
| KEY STAGE 1 CLASSES (3) $\quad \begin{aligned} & \text { (3) } \\ & \end{aligned}$ |  |  |  |  |  |  |  |  |  |  |
| Large infant classes (classes of 31 or more pupils) |  |  |  |  |  |  |  |  |  |  |
| Percentage of all classes <br> of which: <br> Lawfully large classes with 'excepted' pupils (4) |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |  |  |  |
| Number of classes | 510 | 590 | 530 | 612 | 857 | 1,061 | 1,301 | 2,074 | 2,436 | 2,443 |
| Percentage of all classes | 0.9 | 1.1 | 1.0 | 1.1 | 1.6 | 1.9 | 2.3 | 3.7 | 4.2 | 4.2 |
| Unlawfully large classes (5) |  |  |  |  |  |  |  |  |  |  |
| Number of classes | 240 | 130 | 200 | 276 | 138 | 311 | 207 | 225 | 549 | 552 |
| Percentage of all classes | 0.4 | 0.2 | 0.4 | 0.5 | 0.3 | 0.6 | 0.4 | 0.4 | 0.9 | 0.9 |
| Percentage of all pupils of which in: |  |  |  |  |  |  |  |  |  |  |
| Lawfully large classes with 'excepted' pupils (4) |  |  |  |  |  |  |  |  |  |  |
| Number of pupils | 16,080 | 18,510 | 16,430 | 19,130 | 26,795 | 33,135 | 40,690 | 64,815 | 76,075 | 76,300 |
| Percentage of all pupils | 1.2 | 1.4 | 1.2 | 1.4 | 1.9 | 2.2 | 2.7 | 4.2 | 4.8 | 4.8 |
| Unlawfully large classes (5) |  |  |  |  |  |  |  |  |  |  |
| Number of pupils | 7,780 | 4,280 | 6,380 | 8,835 | 4,475 | 9,935 | 6,595 | 7,125 | 17,270 | 17,360 |
| Percentage of all pupils | 0.6 | 0.3 | 0.5 | 0.6 | 0.3 | 0.7 | 0.4 | 0.5 | 1.1 | 1.1 |

1. One teacher classes as taught during a single selected period in each school on the day of the census in January. Key stage as recorded by the school, classes with missing key stage information are not included unless they are reception year group classes.
2. Includes middle schools as deemed. Includes all primary academies, including free schools
3. Includes reception classes.
4. Includes only those classes where there are pupils who have been admitted as exceptions making the class size within the legal limit of 30 pupils or less. This document explains why we do not believe these figures to be reliable.
5. Classes of 31 or more, excluding those large classes engaged in an excepted activity.

Pupil numbers have been rounded to the nearest 5. There may be discrepancies between the sum of constituent items and totals as shown.

Table 2: State-funded schools: Key stage 1: One teacher classes and excepted pupils in England (1,2) - January 2014 [as originally published in 'Schools, pupils and their characteristics: January 2014']

| Total number of lawfully large classes with excepted pupils |
| :--- | :--- |
| Total number of lawfully large classes engaged in an excepted activity (4) |
| Total number of unlawfully large classes (4)(5)(6) |
| Number of excepted pupils (7) |
| admitted outside normal admissions round with statements of special educational needs specifying a school |
| looked after or previously looked after admitted outside normal admission round |
| admitted, after initial allocation of places, because of a procedural error made by the admission authority or |
| local authority in the original application process |
| admitted after an independent appeals panel upholds an appeal |
| who move into the area outside the normal admissions round for whom there is no other available school within |
| reasonable distance (the Local Authority has to confirm that the child qualifies under this category) |

1. One teacher classes as taught during a single selected period in each school on the day of the census in January. Key stage as recorded by the school, classes with missing key stage information are not included unless they are reception year group classes.
2. Includes reception classes.
3. Includes middle schools as deemed. Includes all primary academies, including free schools.
4. A revision to the guidance issued to schools means that information on classes engaged in an excepted activity should not be provided (information should be provided on the next ordinary teaching session)
5. Infant classes with 31 or more pupils without excepted pupils and not engaged in excepted activity. This document explains why we do not believe these figures to be reliable
6. May include some classes with excepted pupils but the class size still exceeds the legal limit of 30 pupils or less.
7. These figures can include excepted pupils that are in a class that remains unlawfully large after excepted pupils are taken into account. The presentation of these figures has been altered slightly this year to improve their interpretation, but the numbers presented for state-funded primary schools are consistent with those published in 2013

Table 3: State-funded primary schools (1,2): Classes as taught by key stage (1,2) - January 2014 by local authority area and region in England [as originally published in 'Schools, pupils and their characteristics: January 2014']


| E08000035 | 383 | Leeds | 2,159 | 69 | 0 | 0 | 187 | 6 |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: |
| E06000012 | 812 | North East Lincolnshire | 62 | 2 | 0 | 0 | 32 |  |
| E06000013 | 813 | North Lincolnshire | 31 | 1 | 0 | 0 | 31 |  |
| E10000023 | 815 | North Yorkshire | 1,037 | 33 | 0 | 0 | 33 | 1 |
| E08000018 | 372 | Rotherham | 342 | 11 | 0 | 0 | 422 | 13 |
| E08000019 | 373 | Sheffield | 1,630 | 52 | 0 | 0 | 315 | 10 |
| E08000036 | 384 | Wakefield | 715 | 23 | 0 | 0 | 188 | 6 |
| E06000014 | 816 | York | 281 | 9 | 0 | 0 | 0 | 0 |
|  |  | EAST MIDLANDS (5) | 5,955 | 190 | 0 | 0 | 3,670 | 118 |
| E06000015 | 831 | Derby | 591 | 19 | 0 | 0 | 93 | 3 |
| E10000007 | 830 | Derbyshire | 658 | 21 | 0 | 0 | 31 | 1 |
| E06000016 | 856 | Leicester | 403 | 13 | 0 | 0 | 2,511 | 81 |
| E10000018 | 855 | Leicestershire | 1,902 | 60 | 0 | 0 | 474 | 15 |
| E10000019 | 925 | Lincolnshire | 249 | 8 | 0 | 0 | 434 | 14 |
| E10000021 | 928 | Northamptonshire | 777 | 25 | 0 | 0 | 98 | 3 |
| E06000018 | 892 | Nottingham | 191 | 6 | 0 | 0 | 0 | 0 |
| E10000024 | 891 | Nottinghamshire | 1,184 | 38 | 0 | 0 | 0 | 0 |
| E06000017 | 857 | Rutland | 0 | 0 | 0 | 0 | 31 | 1 |
|  |  | WEST MIDLANDS (5) | 8,235 | 264 | 0 | 0 | 1,075 | 34 |
| E08000025 | 330 | Birmingham | 1,213 | 39 | 0 | 0 | 355 | 11 |
| E08000026 | 331 | Coventry | 186 | 6 | 0 | 0 | 32 | 1 |
| E08000027 | 332 | Dudley | 217 | 7 | 0 | 0 | 62 | 2 |
| E06000019 | 884 | Herefordshire | 250 | 8 | 0 | 0 | 0 | 0 |
| E08000028 | 333 | Sandwell | 1,180 | 38 | 0 | 0 | 156 | 5 |
| E06000051 | 893 | Shropshire | 190 | 6 | 0 | 0 | 0 | 0 |
| E08000029 | 334 | Solihull | 563 | 18 | 0 | 0 | 0 | 0 |
| E10000028 | 860 | Staffordshire | 844 | 27 | 0 | 0 | 32 | 1 |
| E06000021 | 861 | Stoke-on-Trent | 910 | 29 | 0 | 0 | 126 | 4 |
| E06000020 | 894 | Telford and Wrekin | 125 | 4 | 0 | 0 | 0 | 0 |
| E08000030 | 335 | Walsall | 248 | 8 | 0 | 0 | 31 | 1 |
| E10000031 | 937 | Warwickshire | 811 | 26 | 0 | 0 | 252 | 8 |
| E08000031 | 336 | Wolverhampton | 1,000 | 32 | 0 | 0 | 0 | 0 |
| E10000034 | 885 | Worcestershire | 498 | 16 | 0 | 0 | 31 | 1 |
|  |  | EAST OF ENGLAND (5) | 5,885 | 189 | 0 | 0 | 1,820 | 58 |
| E06000055 | 822 | Bedford | 187 | 6 | 0 | 0 | 31 |  |
| E06000056 | 823 | Central Bedfordshire | 186 | 6 | 0 | 0 | 125 | 4 |
| E10000003 | 873 | Cambridgeshire | 783 | 25 | 0 |  | 283 | 9 |
| E10000012 | 881 | Essex | 1,987 | 64 | 0 | 0 | 248 | 8 |
| E10000015 | 919 | Hertfordshire | 838 | 27 | 0 | 0 | 220 | 7 |
| E06000032 | 821 | Luton | 93 | 3 | 0 | 0 | 0 | 0 |
| E10000020 | 926 | Norfolk | 1,002 | 32 | 0 | 0 | 31 | 1 |
| E06000031 | 874 | Peterborough | 217 | 7 | 0 | 0 | 312 | 10 |
| E06000033 | 882 | Southend-on-Sea | 0 | 0 | 0 | 0 | 412 | 13 |
| E10000029 | 935 | Suffolk | 375 | 12 | 0 | 0 | 62 | 2 |
| E06000034 | 883 | Thurrock | 217 | 7 | 0 | 0 | 94 | 3 |
|  |  | LONDON (5) | 13,110 | 421 | 0 | 0 | 2,685 | 86 |
|  |  | INNER LONDON (5) | 995 | 32 | 0 | 0 | 905 | 29 |
| E09000007 | 202 | Camden | 155 | 5 | 0 | 0 | 0 | 0 |
| E09000001 | 201 | City of London | 0 | 0 | 0 | 0 | 0 | 0 |
| E09000012 | 204 | Hackney | 31 | 1 | 0 | 0 | 155 | 5 |
| E09000013 | 205 | Hammersmith and Fulham | 124 | 4 | 0 | 0 | 0 | 0 |
| E09000014 | 309 | Haringey | 63 | 2 | 0 | 0 | 31 | 1 |
| E09000019 | 206 | Islington | 186 | 6 | 0 | 0 | 31 | 1 |
| E09000020 | 207 | Kensington and Chelsea | 31 | 1 | 0 | 0 | 94 | 3 |
| E09000022 | 208 | Lambeth | 0 | 0 | 0 | 0 | 0 | 0 |
| E09000023 | 209 | Lewisham | 31 | 1 | 0 | 0 | 498 | 16 |
| E09000025 | 316 | Newham | 31 | 1 | 0 | 0 | 0 | 0 |
| E09000028 | 210 | Southwark | 187 | 6 | 0 | 0 | 0 | 0 |
| E09000030 | 211 | Tower Hamlets | 31 | 1 | 0 | 0 | 0 | 0 |


| E09000032 | 212 | Wandsworth | 124 | 4 | 0 | 0 | 96 | 3 |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: |
| E09000033 | 213 | Westminster | 0 | 0 | 0 | 0 | 0 | 0 |
|  |  | OUTER LONDON (5) | 12,115 | 389 | 0 | 0 | 1,780 | 57 |
| E09000002 | 301 | Barking and Dagenham | 155 | 5 | 0 | 0 | 127 | 4 |
| E09000003 | 302 | Barnet | 1,280 | 41 | 0 | 0 | 63 | 2 |
| E09000004 | 303 | Bexley | 248 | 8 | 0 | 0 | 31 | 1 |
| E09000005 | 304 | Brent | 934 | 30 | 0 | 0 | 0 | 0 |
| E09000006 | 305 | Bromley | 843 | 27 | 0 | 0 | 346 | 11 |
| E09000008 | 306 | Croydon | 93 | 3 | 0 | 0 | 189 | 6 |
| E09000009 | 307 | Ealing | 312 | 10 | 0 | 0 | 0 | 0 |
| E09000010 | 308 | Enfield | 155 | 5 | 0 | 0 | 279 | 9 |
| E09000011 | 203 | Greenwich | 62 | 2 | 0 | 0 | 186 | 6 |
| E09000015 | 310 | Harrow | 3,269 | 105 | 0 | 0 | 63 | 2 |
| E09000016 | 311 | Havering | 1,089 | 35 | 0 | 0 | 0 | 0 |
| E09000017 | 312 | Hillingdon | 808 | 26 | 0 | 0 | 62 | 2 |
| E09000018 | 313 | Hounslow | 189 | 6 | 0 | 0 | 0 | 0 |
| E09000021 | 314 | Kingston upon Thames | 467 | 15 | 0 | 0 | 63 | 2 |
| E09000024 | 315 | Merton | 62 | 2 | 0 | 0 | 0 | 0 |
| E09000026 | 317 | Redbridge | 1,086 | 35 | 0 | 0 | 187 | 6 |
| E09000027 | 318 | Richmond upon Thames | 527 | 17 | 0 | 0 | 31 | 1 |
| E09000029 | 319 | Sutton | 62 | 2 | 0 | 0 | 93 | 3 |
| E09000031 | 320 | Waltham Forest | 473 | 15 | 0 | 0 | 62 | 2 |
|  |  | SOUTH EAST (5) | 10,370 | 333 | 0 | 0 | 2,335 | 74 |
| E06000036 | 867 | Bracknell Forest | 31 | 1 | 0 | 0 | 31 | 1 |
| E06000043 | 846 | Brighton and Hove | 155 | 5 | 0 | 0 | 0 | 0 |
| E10000002 | 825 | Buckinghamshire | 590 | 19 | 0 | 0 | 155 | 5 |
| E10000011 | 845 | East Sussex | 752 | 24 | 0 | 0 | 342 | 11 |
| E10000014 | 850 | Hampshire | 1,707 | 55 | 0 | 0 | 0 | 0 |
| E06000046 | 921 | Isle of Wight | 187 | 6 | 0 | 0 | 0 | 0 |
| E10000016 | 886 | Kent | 2,370 | 76 | 0 | 0 | 348 | 11 |
| E06000035 | 887 | Medway | 62 | 2 | 0 | 0 | 257 | 8 |
| E06000042 | 826 | Milton Keynes | 217 | 7 | 0 | 0 | 0 | 0 |
| E10000025 | 931 | Oxfordshire | 532 | 17 | 0 | 0 | 31 | 1 |
| E06000044 | 851 | Portsmouth | 186 | 6 | 0 | 0 | 31 | 1 |
| E06000038 | 870 | Reading | 0 | 0 | 0 | 0 | 0 | 0 |
| E06000039 | 871 | Slough | 186 | 6 | 0 | 0 | 0 | 0 |
| E06000045 | 852 | Southampton | 93 | 3 | 0 | 0 | 126 | 4 |
| E10000030 | 936 | Surrey | 1,120 | 36 | 0 | 0 | 610 | 19 |
| E06000037 | 869 | West Berkshire | 126 | 4 | 0 | 0 | 156 | 5 |
| E10000032 | 938 | West Sussex | 1,559 | 50 | 0 | 0 | 188 | 6 |
| E06000040 | 868 | Windsor and Maidenhead | 220 | 7 | 0 | 0 | 62 | 2 |
| E06000041 | 872 | Wokingham | 279 | 9 | 0 | 0 | 0 | 0 |
|  |  | SOUTH WEST (5) | 4,785 | 153 | 0 | 0 | 840 | 27 |
| E06000022 | 800 | Bath and North East Somerset | 93 | 3 | 0 | 0 | 155 | 5 |
| E06000028 | 837 | Bournemouth | 124 | 4 | 0 | 0 | 31 | 1 |
| E06000023 | 801 | Bristol, City of | 310 | 10 | 0 | 0 | 31 | 1 |
| E06000052 | 908 | Cornwall | 251 | 8 | 0 | 0 | 31 | 1 |
| E10000008 | 878 | Devon | 342 | 11 | 0 | 0 | 93 | 3 |
| E10000009 | 835 | Dorset | 563 | 18 | 0 | 0 | 0 | 0 |
| E10000013 | 916 | Gloucestershire | 1,032 | 33 | 0 | 0 | 220 | 7 |
| E06000053 | 420 | Isles of Scilly | 0 | 0 | 0 | 0 | 0 | 0 |
| E06000024 | 802 | North Somerset | 31 | 1 | 0 | 0 | 0 | 0 |
| E06000026 | 879 | Plymouth | 651 | 21 | 0 | 0 | 0 | 0 |
| E06000029 | 836 | Poole | 0 | 0 | 0 | 0 | 0 | 0 |
| E10000027 | 933 | Somerset | 632 | 20 | 0 | 0 | 32 | 1 |
| E06000025 | 803 | South Gloucestershire | 94 | 3 | 0 | 0 | 31 | 1 |
| E06000030 | 866 | Swindon | 377 | 12 | 0 | 0 | 0 | 0 |
| E06000027 | 880 | Torbay | 31 | 1 | 0 | 0 | 31 | 1 |
| E06000054 | 865 | Wiltshire | 253 | 8 | 0 | 0 | 187 | 6 |

1. Includes middle/all through schools as deemed.
2. Includes all primary academies, including free schools.
3. Classes as taught during a single selected period in each school on the day of the census in January.
4. Includes reception classes.
5. National, regional and totals of pupil numbers across all classes have been rounded to the nearest 5 .

There may be discrepancies between totals and the sum of constituent parts.
. Not applicable

## 2. Concerns over unlawful infant class size data quality

Following publication of the infant class size statistics in June 2014 some users, including local authorities, raised concerns about the number of unlawful infant classes. Further analysis of the data on unlawfully large infant classes showed that nine local authority areas had reported substantial increases in the number of unlawfully large infant classes since the previous year.

The department contacted these local authorities and all indicated that they believed some of the data submitted from their authority was inaccurate. In some instances lawful exceptions applied but this had not been indicated during the data collection by appropriately providing a number of pupils under each of the statutory exception reasons.

Under the Code of Practice for Official Statistics, published statistics must satisfy quality dimensions including accuracy, comparability, coherence and meeting user need. Because of our concern over the accuracy of the statistics, we withdrew statistics on unlawful/lawful infant classes in July 2014 pending further investigation with the local authorities and schools that had provided data indicating they had unlawfully large infant classes. We advertised the removal of these statistics on gov.uk and in a revised version of the statistical release to highlight this change to users.

## 3. How are infant class size and exceptions data collected

Statistics on the number of teachers and pupils in each class are collected as a part of the class information module of the January school census. Figure 1 shows an outline of the structure of information collected within the school census. An example of the guidance given to schools is available on our website.

Figure 1: Structure of school modules within school census


The process for collecting school census data is shown in figure 2, a key aspect of this process is that for local authority maintained schools a local authority team acts as an intermediary loading data into the DfE's data collection system ("COLLECT"), on behalf of their schools. Academies (including free schools, university technical colleges and studio schools) are responsible for loading their data into COLLECT directly.

Figure 2: School census data collection process
Data


While class information is a separate element of school census to the pupil level data there is cross-validation of the total numbers of pupils.

Information on the number of pupils who are exceptions under The School Admissions (Infant Class Sizes) (England) Regulations 2012 is not collected directly via the school census.

Information on pupils who are exceptions is requested from a data provider once their school census data has been submitted to the COLLECT system. Within COLLECT, automated prompts are in place such that when a data provider submits an unlawfully large class they are alerted to that fact and prompted to enter exception reasons if applicable. If sufficient pupils in the class are excepted the class is counted as lawful.

This means that the onus on entering correct and accurate data on pupils who are exceptions rests on local authorities for local authority maintained schools and the school themselves where the school is an academy (including free schools, UTCs and studio schools).

Local authorities and academies are then responsible for authorising the data they have submitted for DfE approval and publication.

## 4. Investigation into the quality of unlawful infant class size data

In September 2014 local authorities and schools whose original data had indicated unlawfully large infant classes were given the opportunity to check, and if necessary amend their data.

Of 79 LAs who were contacted, 73 responded. For academies, 52 out of 110 contacted responded. In summary:

Seven classes were changed from one teacher classes to two teacher classes

The number of pupils was changed for eleven classes

This removes these classes from the unlawful infant class statistics which only include one teacher classes.

This takes these classes to a size of 30 or below; this was due to pupils moving between classes. There was no overall change in the number of pupils at the school

The number of excepted pupils increased by 350 across 300 classes

These were primarily accounted for as children who move into the area outside the normal admissions round. The result of the substantial increase in exceptions here would be to significantly reduce the number of unlawfully large classes.

In determining the fitness-for-publication of this amended data we have borne in mind that any published statistics must meet the standards expected in the Code of Practice for Official Statistics. Some aspects of the amended data that have been collected raise doubts as to whether either the amended data or the 'original' school census data on unlawful infant class sizes can satisfy those quality dimensions.

### 4.1. There has been retrospective adjustment to class structures rather than exceptions in the amended data

The January school census is intended to capture a snapshot of schools, classes and pupils on the census day. There is a risk that the amended data collected in September represents a less accurate snapshot of that day than the data originally submitted. In particular some of the changes that have been made appear to alter class structures rather than providing information on excepted pupils that may have initially been omitted.

It is possible that the schools and local authorities made errors in their initial submissions and these are corrections but we had not expected changes such as this in this validation exercise.

### 4.2. The data collection process is not user-friendly and schools and local authorities have demonstrated a lack of understanding of the exception recording process

The data collection system allows users to attach notes to their returns. Some of these notes demonstrate a misunderstanding of the exception recording process.

In many cases users recognised the need to explain why these classes were larger than 30, but they did not record any valid exception reasons in COLLECT (in some cases notes about "fair access" were made, this is not one of the statutory exceptions). Given that these are not collected through the main data collection system but separately through the validation process, there is increased scope for confusion and omission by Local Authorities. The guidance was also found to be in need of improvement in this area.

The amended data shows that excepted pupil numbers increased by 350 across 300 classes, contributing to a reduction of almost 300 in the number of unlawfully large infant classes. The net result of this is that the overall number of unlawfully large infant classes suggested by the amended data is less than half the number that was originally published.

As a result we have concluded that we are unable to rely on the quality of either the original or the amended data.

### 4.3. The problem of under-reporting of exceptions is likely to have affected statistics in previous years

The first two points demonstrate issues with data collected this year in both the original collection and the amendments made in September. Whilst a similar exercise was not carried out in previous years we can use these findings to assess whether data in earlier years is likely to have been affected in a similar way.

If a local authority or academy recorded exceptions inaccurately in 2014 it is not unreasonable to assume that there was similar inaccuracy in their reporting in 2013 (since there were no changes to the data collection process.) The 53 local authorities and 84 academies that made changes to their data this year were responsible for 69 of the 225 unlawfully large classes in 2013.

This demonstrates substantial risk that the published statistics in earlier years were also inaccurate.

### 4.4. Conclusion

The department's Head of Profession for Statistics has concluded that the statistics on unlawfully (and lawfully) large infant classes are not fit-for-purpose and has written to the UK Statistics Authority recommending they should be de-designated as National Statistics and removed from the main statistical first release. He has also set out an Action Plan for improving the quality of these statistics so they can be re-assessed for National Statistics status by the UK Statistics Authority as soon as possible. The remaining data on infant classes is unaffected and remains in the publication which retains National Statistics status.

## 5. Action to be taken to improve the quality of statistics on unlawfully (and lawfully) large infant classes

The Code of Practice requires that National Statistics have sufficient quality to provide fit-forpurpose information for users. Given the above quality concerns, which are sufficiently large as to prevent sound interpretation of this data, these statistics do not meet requirements of the Code of Practice.

However, user need remains as the department continues to require the collection and publication of data on unlawful infant classes.

Therefore, to improve the collection of statistics on unlawful class sizes the department has:

| Strengthened guidance to local authorities | These provide much more detailed guidance on the <br> and academies on returning excepted pupil <br> process and importance of providing accurate <br> information. |
| :--- | :--- |

Improved the existing infant class size validation document

This document now explains more clearly how to provide data on infant class size exceptions and the importance of providing accurate data.

Introduced a new report in the COLLECT system

This report is designed to highlight to data providers all unlawfully large infant classes in the data they have submitted.

Publicly explained the issues with unlawful class size statistics in recent years

This technical note explains the reasons why we believe the data collected in recent years for unlawful infant class sizes is inaccurate.

During collection of the 2015 statistics on unlawful class sizes the department has:

Introduced additional checking and feedback to data providers

The department will contact data providers who have submitted data indicating unlawfully large infant classes to ask them to check that this information is correct.
6. Got a query? Like to give feedback?If from the media Press Office News Desk, Department for Education, SanctuaryBuildings, Great Smith Street, London SW1P 3BT. 02077838300
If non-media Infrastructure and Funding Directorate Analysis Division, Level 4, Department for Education, Sanctuary Buildings, Great Smith Street, London, SW1P 3BT.
Infrastructure.STATISTICS@education.gsi.gov.uk

## Department <br> for Education

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