



Department
for Education

School census spring 2015

Infant class size validation, version 1.0

January 2015

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1. Introduction

Please note: These instructions must be followed carefully to avoid subsequent follow up actions. There have been problems in recent years with the quality of the data returned on infant class sizes and exceptions which has led to the withdrawal from publication of the data.

2. Class size

[The School Standards and Framework Act 1998 \(Infant Class Sizes\) \(Modification\) Regulations 1998](#) limits the size of an infant class during an ordinary teaching session to 30 pupils per school teacher. Infant classes are those in which the majority of children turn 5, 6 or 7 during the course of the school year ie reception and key stage 1 classes.

When a key stage 1 and/or a reception class reports 31 or more pupils per teacher, a class size query will appear on the schools return.

When investigating this query the following process must be actioned in the following order:

- 1) Are there any pupils within the class recorded as excepted pupils (as set out below and in Para 2.15 of school admissions code)? If so, record the type in the exception field in COLLECT. Failure to type in the exception field will mean that you will be recorded as having an unlawfully large class.
- 2) Is the teacher on planning and preparation time (PPA) or learning manager time (LMT) and the class is being supervised by a teaching assistant? If so, record the teacher in the PPA field in COLLECT.
- 3) If the above reasons are not valid and the school is still reporting the class as having 31 or more pupils then a clear explanation note needs to be recorded - confirmation alone is not acceptable. A possible reason could be a pupil was due to have left the school but did not.

Please note that though we will accept an explanation note where the class of 31 or more does not have any exceptions, the class will still be treated as an unlawful infant class in our publications.

Providing the class does not fit the above criteria, the calculation is based on the pupil:teacher ratio not pupil:adult ratio, therefore regardless as to how many teaching assistants there are, the class will be treated as unlawful if there are over 30 pupils with 1 teacher.

To assist you in identifying infant classes in breach of the legal limit of 30 pupils per single school teacher, a report has been added to COLLECT. The new report will be available by pressing the 'launch reports' button in COLLECT and selecting the 'unlawful infant class report'. Local authorities should check all such classes and provide further details, on number and reason for "excepted pupils", number of teachers who are on PPA time or provide any other explanation in the notepad.

Please note if qualifying measures are not taken by the schools who have reported unlawfully large infant classes, the department's policy colleagues may take up 'follow up' action.

3. Exemption categories

Infant class size legislation makes allowance for the entry of an additional child in very limited circumstances where it would be prejudicial to his or her interests not to admit them ('excepted pupils'). Please note: New regulations for admissions and 'excepted pupils' came into force on the 1 February 2012.

Circumstances where a child can be admitted as an 'excepted pupil' are where:

- a) children admitted outside the normal admissions round with statements of special educational needs specifying a school
- b) looked after children and previously looked after children admitted outside the normal admissions round
- c) children admitted, after initial allocation of places, because of a procedural error made by the admission authority or local authority in the original application process
- d) children admitted after an independent appeals panel upholds an appeal
- e) children 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)
- f) children of UK service personnel admitted outside the normal admissions round
- g) children whose twin or sibling from a multiple birth is admitted otherwise than as an excepted pupil
- h) children with special educational needs who are normally taught in a special educational needs unit attached to the school, or registered at a special school, who attend some infant classes within the mainstream school

These children will remain an 'excepted pupil' for the time they are in an infant class or until the class numbers fall back to the current infant class size limit.

It is important that this information is recorded correctly for example 'fair access' is not an exception; please liaise with local authority colleagues in School Admissions if you have any queries.

4. Large classes with grouped activity

Primary schools with infant classes were asked to ensure that the selected period is one when the infant class (KS1 and/or reception) are engaged in academic activity rather than one of the grouped activities (PE, music, singing, drama and watching TV or listening to the radio). This change of selected time should be enacted for all classes in the school, not just the infant classes.

Any infant classes showing large classes engaged in one of the grouped activities must carry out one of the options detailed below:

- a) Defer the whole school to the next 'ordinary' teaching session. Bear in mind splitting this class could have implications to the 'pupil reconciliation' (part time pupils who previously were not in school may now be). This may result in a resubmission

or

If it has not been possible to defer the whole school to the next 'ordinary' teaching session

- b) Defer the infant class/es to the next 'ordinary' teaching session, bear in mind splitting this class could have implications to the 'pupil reconciliation' (part time pupils who previously were not in school may now be). This may result in a resubmission

A validation error (Error 1235) will be generated if an infant class details refer an activity other than an 'ordinary' teaching session ie PE, music, singing etc. Please note that it is not acceptable for any infant classes which are **engaged in one of the grouped activities** to treat this as 'other' as this will be picked up by the DfE credibility checks and you may be asked for a resubmission. 'Other' should only be used where the class are engaged in activities which do not fall into one of the other named categories provided.

Please remember if a school resubmits their return any previous error correction processed by the local authority may have been lost.



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