



Department  
for Education

## Technical Annex

### Infant Class Sizes – lawfully and unlawfully large classes: January 2015

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Coverage	England
Theme	Children, Education and Skills
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#### 1. Introduction

Statistics on the numbers of pupils in 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 the January school census.

##### What do we count as an infant class?

Our statistics cover classes listed on the school census as either containing reception year or key stage 1 pupils and one teacher. Our statistics cover ordinary teaching sessions and classes with no teachers, or more than one teacher, are not included.

The legislation applies only to classes where the majority of pupils 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 fewer than two 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 59,214 in 2015. 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 rose from 995 in 2010 to 3,324 in 2015.

Since 2006, the department has published figures on large infant class sizes, net of exempted pupils, as a data series called “Unlawful infant classes”, following a review of the presentation of infant class size statistics. The figures enable 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.

In March 2015, the UK statistics authority confirmed that future publications of unlawful infant class size statistics should not be designated as National Statistics, pending further improvements and a future-reassessment by the Authority. The rationale behind this de-designation can be found in part 2 of this annex.

The unlawfully large class size statistics are a small part of the broader set of school class size statistics. The class size statistics which are 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

These statistics can be found in the main text of this statistical first release. This technical annex contains the statistics on unlawful infant classes which have been de-designated as National Statistics, and cannot be published under the UKSA National Statistics kite mark.

Table A1: State-funded schools: Key stage 1 classes in England (1) – January each year 2006 to 2015

	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	
	State-funded primary schools (2)										All state-funded schools
<b>KEY STAGE 1 CLASSES (3)</b>											
<b><u>Large infant classes (classes of 31 or more pupils)</u></b>											
Percentage of all classes											
of which:											
<b>Lawfully large classes with 'excepted' pupils (5)</b>											
Number of classes	510	590	530	612	857	1,061	1,301	2,074	2,436	3,085	3,100
Percentage of all classes	0.9	1.1	1.0	1.1	1.6	1.9	2.3	3.7	4.2	5.2	5.2
<b>Unlawfully large classes (4)</b>											
Number of classes	240	130	200	276	138	311	207	225	549	139	140
Percentage of all classes	0.4	0.2	0.4	0.5	0.3	0.6	0.4	0.4	0.9	0.2	0.2
Percentage of all pupils											
of which in:											
<b>Lawfully large classes with 'excepted' pupils (5)</b>											
Number of pupils	16,080	18,510	16,430	19,130	26,795	33,135	40,690	64,815	76,075	96,390	96,865
Percentage of all pupils	1.2	1.4	1.2	1.4	1.9	2.2	2.7	4.2	4.8	5.9	5.9
<b>Unlawfully large classes (4)</b>											
Number of pupils	7,780	4,280	6,380	8,835	4,475	9,935	6,595	7,125	17,270	4,375	4,410
Percentage of all pupils	0.6	0.3	0.5	0.6	0.3	0.7	0.4	0.5	1.1	0.3	0.3

Source: School Census

- 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 (key stage 1 classes only).
- Includes middle schools as deemed. Includes all primary academies, including free schools.
- Includes reception classes.
- Classes of 31 or more, excluding those large classes engaged in an excepted activity.
- 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.
- From 2007 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).
- Includes all pupils in large classes, including those with 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 A2: State-funded schools: Key stage 1: One teacher classes and excepted pupils in England (1,2) – January 2015

	State-funded primary schools (3)	All state-funded schools
Total number of lawfully large classes with excepted pupils	<b>3,085</b>	<b>3,100</b>
Total number of lawfully large classes engaged in an excepted activity (4)	<b>0</b>	<b>0</b>
Total number of unlawfully large classes (4)(5)(6)	<b>139</b>	<b>140</b>
Number of excepted pupils (7)		
admitted outside normal admissions round with statements of special educational needs specifying a school	245	250
looked after or previously looked after admitted outside normal admission round	421	426
admitted, after initial allocation of places, because of a procedural error made by the admission authority or local authority in the original application process	252	252
admitted after an independent appeals panel upholds an appeal	1,036	1,046
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)	1,444	1,447
who are children of UK service personnel admitted outside the normal admissions round	84	84
whose twin or sibling from a multiple birth is admitted otherwise than as an excepted pupil	185	187
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	243	243

*Source: School  
Census*

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.
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 2014.

Table 3: State-funded primary schools (1,2): Classes as taught by key stage (1,2) – January 2015 by local authority area and region in England

LA Code	Classes taught by 1 teacher							
	Key stage 1 (4)							
	Lawfully large classes with excepted pupils		Lawfully large classes with excepted activity		Unlawfully large classes			
	No. of pupils	No. of classes	No. of pupils	No. of classes	No. of pupils	No. of classes		
<b>ENGLAND (5)</b>	<b>96,389</b>	<b>3,085</b>	<b>0</b>	<b>0</b>	<b>4,375</b>	<b>139</b>		
<b>NORTH EAST (5)</b>	<b>3,184</b>	<b>102</b>	<b>0</b>	<b>0</b>	<b>94</b>	<b>3</b>		
E06000005	841	Darlington	157	5	0	0	0	
E06000047	840	Durham	346	11	0	0	0	
E08000020	390	Gateshead	403	13	0	0	0	
E06000001	805	Hartlepool	187	6	0	0	0	
E06000002	806	Middlesbrough	94	3	0	0	0	
E08000021	391	Newcastle upon Tyne	690	22	0	0	0	
E08000022	392	North Tyneside	311	10	0	0	0	
E06000048	929	Northumberland	248	8	0	0	32	1
E06000003	807	Redcar and Cleveland	0	0	0	0	31	1
E08000023	393	South Tyneside	190	6	0	0	31	1
E06000004	808	Stockton-on-Tees	279	9	0	0	0	0
E08000024	394	Sunderland	279	9	0	0	0	0
<b>NORTH WEST (5)</b>	<b>16,392</b>	<b>524</b>	<b>0</b>	<b>0</b>	<b>157</b>	<b>5</b>		
E06000008	889	Blackburn with Darwen	95	3	0	0	0	0
E06000009	890	Blackpool	31	1	0	0	31	1
E08000001	350	Bolton	373	12	0	0	32	1
E08000002	351	Bury	632	20	0	0	0	0
E06000049	895	Cheshire East	563	18	0	0	63	2
E06000050	896	Cheshire West and Chester	343	11	0	0	0	0
E10000006	909	Cumbria	249	8	0	0	0	0
E06000006	876	Halton	32	1	0	0	31	1
E08000011	340	Knowsley	93	3	0	0	0	0
E10000017	888	Lancashire	1,185	38	0	0	0	0
E08000012	341	Liverpool	1,030	33	0	0	0	0
E08000003	352	Manchester	1,062	34	0	0	0	0
E08000004	353	Oldham	2,307	74	0	0	0	0
E08000005	354	Rochdale	155	5	0	0	0	0
E08000006	355	Salford	511	16	0	0	0	0
E08000014	343	Sefton	561	18	0	0	0	0
E08000013	342	St. Helens	280	9	0	0	0	0
E08000007	356	Stockport	1,345	43	0	0	0	0
E08000008	357	Tameside	2,618	83	0	0	0	0
E08000009	358	Trafford	560	18	0	0	0	0
E06000007	877	Warrington	809	26	0	0	0	0
E08000010	359	Wigan	1,060	34	0	0	0	0
E08000015	344	Wirral	498	16	0	0	0	0
<b>YORKSHIRE AND THE HUMBER (5)</b>	<b>15,481</b>	<b>494</b>	<b>0</b>	<b>0</b>	<b>760</b>	<b>24</b>		
E08000016	370	Barnsley	417	13	0	0	34	1
E08000032	380	Bradford	4,815	154	0	0	252	8
E08000033	381	Calderdale	468	15	0	0	31	1
E08000017	371	Doncaster	250	8	0	0	31	1
E06000011	811	East Riding of Yorkshire	880	28	0	0	0	0
E06000010	810	Kingston Upon Hull, City of	548	17	0	0	0	0
E08000034	382	Kirklees	1,220	39	0	0	35	1
E08000035	383	Leeds	2,567	82	0	0	32	1

E06000012	812	North East Lincolnshire	315	10	0	0	93	3
E06000013	813	North Lincolnshire	219	7	0	0	0	0
E10000023	815	North Yorkshire	818	26	0	0	0	0
E08000018	372	Rotherham	500	16	0	0	31	1
E08000019	373	Sheffield	1,184	38	0	0	157	5
E08000036	384	Wakefield	870	28	0	0	64	2
E06000014	816	York	410	13	0	0	0	0
		<b>EAST MIDLANDS (5)</b>	<b>10,464</b>	<b>335</b>	<b>0</b>	<b>0</b>	<b>190</b>	<b>6</b>
E06000015	831	Derby	190	6	0	0	0	0
E10000007	830	Derbyshire	628	20	0	0	0	0
E06000016	856	Leicester	4,530	146	0	0	0	0
E10000018	855	Leicestershire	2,724	86	0	0	31	1
E10000019	925	Lincolnshire	248	8	0	0	0	0
E10000021	928	Northamptonshire	838	27	0	0	126	4
E06000018	892	Nottingham	124	4	0	0	0	0
E10000024	891	Nottinghamshire	1,182	38	0	0	33	1
E06000017	857	Rutland	0	0	0	0	0	0
		<b>WEST MIDLANDS (5)</b>	<b>10,706</b>	<b>342</b>	<b>0</b>	<b>0</b>	<b>537</b>	<b>17</b>
E08000025	330	Birmingham	1,662	53	0	0	94	3
E08000026	331	Coventry	217	7	0	0	0	0
E08000027	332	Dudley	186	6	0	0	0	0
E06000019	884	Herefordshire	248	8	0	0	0	0
E08000028	333	Sandwell	2,027	65	0	0	0	0
E06000051	893	Shropshire	187	6	0	0	0	0
E08000029	334	Solihull	719	23	0	0	0	0
E10000028	860	Staffordshire	1,027	33	0	0	255	8
E06000021	861	Stoke-on-Trent	1,013	32	0	0	0	0
E06000020	894	Telford and Wrekin	251	8	0	0	0	0
E08000030	335	Walsall	439	14	0	0	32	1
E10000031	937	Warwickshire	855	27	0	0	124	4
E08000031	336	Wolverhampton	1,501	48	0	0	0	0
E10000034	885	Worcestershire	374	12	0	0	32	1
		<b>EAST OF ENGLAND (5)</b>	<b>8,808</b>	<b>282</b>	<b>0</b>	<b>0</b>	<b>530</b>	<b>17</b>
E06000055	822	Bedford	63	2	0	0	0	0
E06000056	823	Central Bedfordshire	157	5	0	0	31	1
E10000003	873	Cambridgeshire	1,343	43	0	0	34	1
E10000012	881	Essex	3,055	98	0	0	0	0
E10000015	919	Hertfordshire	1,212	39	0	0	124	4
E06000032	821	Luton	31	1	0	0	0	0
E10000020	926	Norfolk	1,283	41	0	0	0	0
E06000031	874	Peterborough	158	5	0	0	248	8
E06000033	882	Southend-on-Sea	537	17	0	0	0	0
E10000029	935	Suffolk	658	21	0	0	93	3
E06000034	883	Thurrock	311	10	0	0	0	0
		<b>LONDON (5)</b>	<b>11,867</b>	<b>381</b>	<b>0</b>	<b>0</b>	<b>1,162</b>	<b>37</b>
		<b>INNER LONDON (5)</b>	<b>1,529</b>	<b>49</b>	<b>0</b>	<b>0</b>	<b>411</b>	<b>13</b>
E09000007	202	Camden	0	0	0	0	0	0
E09000001	201	City of London	0	0	0	0	0	0
E09000012	204	Hackney	186	6	0	0	0	0
E09000013	205	Hammersmith and Fulham	217	7	0	0	0	0
E09000014	309	Haringey	155	5	0	0	0	0
E09000019	206	Islington	63	2	0	0	0	0
E09000020	207	Kensington and Chelsea	93	3	0	0	31	1
E09000022	208	Lambeth	94	3	0	0	0	0
E09000023	209	Lewisham	218	7	0	0	156	5
E09000025	316	Newham	0	0	0	0	31	1
E09000028	210	Southwark	345	11	0	0	34	1
E09000030	211	Tower Hamlets	0	0	0	0	66	2
E09000032	212	Wandsworth	158	5	0	0	31	1

E09000033	213	Westminster	0	0	0	0	62	2
		<b>OUTER LONDON (5)</b>	<b>10,338</b>	<b>332</b>	<b>0</b>	<b>0</b>	<b>751</b>	<b>24</b>
E09000002	301	Barking and Dagenham	158	5	0	0	62	2
E09000003	302	Barnet	1,645	53	0	0	63	2
E09000004	303	Bexley	93	3	0	0	0	0
E09000005	304	Brent	500	16	0	0	0	0
E09000006	305	Bromley	683	22	0	0	127	4
E09000008	306	Croydon	250	8	0	0	187	6
E09000009	307	Ealing	250	8	0	0	0	0
E09000010	308	Enfield	280	9	0	0	0	0
E09000011	203	Greenwich	468	15	0	0	0	0
E09000015	310	Harrow	1,772	57	0	0	62	2
E09000016	311	Havering	593	19	0	0	0	0
E09000017	312	Hillingdon	465	15	0	0	125	4
E09000018	313	Hounslow	189	6	0	0	0	0
E09000021	314	Kingston upon Thames	496	16	0	0	0	0
E09000024	315	Merton	62	2	0	0	0	0
E09000026	317	Redbridge	992	32	0	0	94	3
E09000027	318	Richmond upon Thames	652	21	0	0	0	0
E09000029	319	Sutton	94	3	0	0	0	0
E09000031	320	Waltham Forest	696	22	0	0	31	1
		<b>SOUTH EAST (5)</b>	<b>13,500</b>	<b>433</b>	<b>0</b>	<b>0</b>	<b>475</b>	<b>15</b>
E06000036	867	Bracknell Forest	0	0	0	0	0	0
E06000043	846	Brighton and Hove	249	8	0	0	0	0
E10000002	825	Buckinghamshire	777	25	0	0	0	0
E10000011	845	East Sussex	1,969	63	0	0	31	1
E10000014	850	Hampshire	2,016	65	0	0	97	3
E06000046	921	Isle of Wight	192	6	0	0	31	1
E10000016	886	Kent	3,273	105	0	0	127	4
E06000035	887	Medway	124	4	0	0	65	2
E06000042	826	Milton Keynes	560	18	0	0	31	1
E10000025	931	Oxfordshire	345	11	0	0	31	1
E06000044	851	Portsmouth	217	7	0	0	31	1
E06000038	870	Reading	218	7	0	0	0	0
E06000039	871	Slough	94	3	0	0	0	0
E06000045	852	Southampton	217	7	0	0	0	0
E10000030	936	Surrey	1,222	39	0	0	0	0
E06000037	869	West Berkshire	125	4	0	0	31	1
E10000032	938	West Sussex	1,493	48	0	0	0	0
E06000040	868	Windsor and Maidenhead	316	10	0	0	0	0
E06000041	872	Wokingham	93	3	0	0	0	0
		<b>SOUTH WEST (5)</b>	<b>5,987</b>	<b>192</b>	<b>0</b>	<b>0</b>	<b>470</b>	<b>15</b>
E06000022	800	Bath and North East Somerset	124	4	0	0	0	0
E06000028	837	Bournemouth	186	6	0	0	0	0
E06000023	801	Bristol, City of	251	8	0	0	0	0
E06000052	908	Cornwall	686	22	0	0	94	3
E10000008	878	Devon	559	18	0	0	62	2
E10000009	835	Dorset	436	14	0	0	64	2
E10000013	916	Gloucestershire	1,151	37	0	0	62	2
E06000053	420	Isles of Scilly						
E06000024	802	North Somerset	124	4	0	0	0	0
E06000026	879	Plymouth	626	20	0	0	0	0
E06000029	836	Poole	0	0	0	0	0	0
E10000027	933	Somerset	664	21	0	0	0	0
E06000025	803	South Gloucestershire	62	2	0	0	31	1
E06000030	866	Swindon	155	5	0	0	31	1
E06000027	880	Torbay	93	3	0	0	31	1
E06000054	865	Wiltshire	870	28	0	0	95	3

Source: School Census

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 number of unlawfully large infant classes showed that nine local authority areas had reported substantial increases since the previous year.

The department contacted these local authorities and all indicated that they believed that at least 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 providing the number of pupils under each of the statutory exception reasons where appropriate).

Under the [Code of Practice for Official Statistics](#), published statistics must satisfy quality dimensions including accuracy, comparability, coherence and meeting user need. Our concern over the accuracy of the statistics led us to withdraw 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.

Following the further investigation with local authorities, the department's Head of Profession for Statistics concluded that the statistics on unlawfully (and lawfully) large infant classes were not fit-for-purpose and wrote to the UK Statistics Authority recommending that they should be de-designated as National Statistics and removed from the main statistical first release. He 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. This action plan is detailed in the Technical Note to the [Schools, Pupils and their Characteristics: January 2014](#) statistical first release. The remaining data on infant classes is unaffected and remains in the publication which retains National Statistics status.

## 3. Got a query? Like to give feedback?

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If from the media	Press Office News Desk, Department for Education, Sanctuary Buildings, Great Smith Street, London SW1P 3BT. 020 7783 8300
If non-media	Infrastructure and Funding Directorate Analysis Division, Level 4, Department for Education, Sanctuary Buildings, Great Smith Street, London, SW1P 3BT.  <a href="mailto:Infrastructure.STATISTICS@education.gsi.gov.uk">Infrastructure.STATISTICS@education.gsi.gov.uk</a>

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# Department for Education

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