

<p>Subject:</p> <p>ACCOUNTING FOR CHILDREN WITH A STATEMENT OF SPECIAL EDUCATIONAL NEEDS: CHANGING THE SUPERNUMERARY STATUS</p>	<p>Circular Number: 2026/05</p> <p>Date of Issue: 29 January 2026</p>
<p>Target Audience:</p> <ul style="list-style-type: none"> • Principals and Boards of Governors of all, Statutory Pre-Schools, Grant-Aided Nursery Schools, Grant-Aided Primary Schools, Grant-Aided Post Primary Schools and Grant-Aided Senior High Schools; • Education Authority; • The Council for Catholic Maintained Schools. 	<p>Governor Awareness: Essential</p>
<p>Summary of Contents:</p> <p>This circular provides advice to Principals and Boards of Governors of grant-aided nursery schools or statutory pre-schools, primary schools and post-primary schools in relation to accounting for children with a statement of Special Educational Needs (SEN), and when children with a statement of SEN should be considered 'supernumerary'.</p>	<p>Status of Contents: Guidance / Advice</p> <p>Related Documents: Circular 2026/03 (Temporary Variation Requests) Circular 2026/04 (Changing School Numbers)</p> <p>Superseded Documents:</p> <p>Expiry Date: Not Applicable</p>
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ACCOUNTING FOR CHILDREN WITH A STATEMENT OF SPECIAL EDUCATIONAL NEEDS: CHANGING THE SUPERNUMERARY STATUS

Section	Title
1	Introduction
2	The Legal Position
3	New Approach
4	Supernumerary for Year of Admission – What Does This Mean
5	What Does This Mean for Approved Numbers
6	Implementation

1. INTRODUCTION

- 1.1 The purpose of this circular is to explain how children with a statement of special educational needs (SEN) should be accounted for within mainstream schools' approved enrolment numbers.
- 1.2 Up to this point, children with a statement of SEN have been admitted and enrolled on a supernumerary basis to mainstream schools, meaning their admission to a school does not reduce the number of places available within the school's approved enrolment admissions and/or enrolment number, or prevent other children from gaining admission if available places remain.
- 1.3 In practical terms this means that some schools can have large numbers of children with a statement of SEN enrolled, often resulting in actual numbers of children being significantly above the schools' approved enrolment numbers, while also having available places.
- 1.4 Children who receive a statement of SEN during a school year also currently become supernumerary, thus creating a vacancy for another child to be added to the class/year group.

2. THE LEGAL POSITION

- 2.1 Articles 11 and 12 of the Education (Northern Ireland) Order 1997 require the Department of Education (the Department) to determine an admissions number and an enrolment number for each grant-aided mainstream primary and post-primary school. Articles 25 and 29 of the Education (Northern Ireland) Order 1998 set similar requirements in respect of full-time and part-time statutory pre-school provision respectively. The Department sets these numbers for each school in consultation with Boards of Governors (BoGs) and the Education Authority (EA) and, where relevant, the Council for Catholic Maintained Schools (CCMS).
- 2.2 Under open enrolment arrangements, all mainstream schools must admit children up to the approved admissions number and within an overall enrolment number.
- 2.3 Under Article 10 of the Education (Northern Ireland) Order 1997, the BoG of a school **shall not**:
 - a. Admit to the school a number of children which exceeds the school's admissions number for the year; or
 - b. Cause or permit the number of registered children at the school at any time to exceed the school's enrolment number.

- 2.4 Similar provision for statutory pre-school provision are set out in Articles 24 and 28 of the Education (Northern Ireland) Order 1998.
- 2.5 Children with a statement of SEN, children admitted on appeal and children admitted by direction of the Exceptional Circumstances Body (ECB) are treated as supernumerary for the purpose of school admissions. Children with a statement of SEN are treated as supernumerary for the duration of their time at school while the other groups are supernumerary for the year of admission only. As special schools do not have approved admissions and enrolment numbers set by the Department, these requirements apply only to mainstream schools.
- 2.6 Article 10 of the Education (Northern Ireland) Order 1997 serves as the basis for children admitted by appeal or by the ECB to be treated as supernumerary. The article also references children admitted by direction of Article 42 of the 1996 Order and children subject to a school attendance order. The basis for treating these children as supernumerary for one year only is, therefore, set out in legislation.
- 2.7 The practice of treating children with a statement of SEN as supernumerary for the duration of their time at school is custom and practice and not a legal requirement.

3. NEW APPROACH

- 3.1 The Department consulted on proposed changes to the existing practice during Spring/Summer 2025. As the system is not currently in a state of readiness to move forward to the complete removal of the supernumerary status of children who have a statement of SEN, the proposed change was a phased approach to the complete removal of the supernumerary status.
- a. **Phase 1:** Account for children who have a statement of SEN as supernumerary **for the year of admission only**, and only where a change of placement is necessary.
- b. **Phase 2:** The complete removal of supernumerary status; no child with a statement of SEN will ever be considered supernumerary. Further work and engagement is required to take this forward.
- 3.2 Having taken into account the views expressed during the consultation period, the Minister has agreed to proceed to implement Phase 1 from September 2026. The details and timing of Phase 2 will be the subject of further consideration in the future.

4. SUPERNUMERARY FOR YEAR OF ADMISSION - WHAT DOES THIS MEAN

- 4.1 Under the new approach, any child with a statement of SEN gaining admission to a school, or transferring to another school, will be considered supernumerary for

the year of admission if they gain admission via their statement of SEN. This means children with a statement of SEN will be supernumerary in the following scenarios only:

- a. For the year the child commences a statutory pre-school setting, Year 1, Year 8 or Year 11 in the Dickson Plan if the placement is deemed appropriate on their statement.
- b. When the child is moving school at any other point, for example where a change of placement is deemed appropriate on their statement.

4.2 A child will **not** be considered as supernumerary in the following scenarios:

- a. After the completion of their first year in a school (in most cases this will be Year 2 or Year 9), or, if their admission was during an academic year, after the completion of that academic year.
- b. Where the child is already enrolled at a school, then subsequently receives a statement of SEN and remains at the school (including a statutory pre-school setting, Year 1, Year 8 or Year 11 in the Dickson Plan).
- c. For admission into post-16 study at a school in which they have been already enrolled.

4.3 What this will mean is that there will be no change or impact on the pre-school; Year 1; Year 8; or Year 11 in the Dickson Plan, admissions processes. As children with a statement of SEN will still be considered supernumerary for the year of admission, their admission will not impact a school's admissions number and a school may still admit up to its approved admissions number with applicants who apply through the competitive admissions process. Children with a statement of SEN will continue to be admitted above and beyond this number on a 'supernumerary' basis.

4.4 The removal of supernumerary status after year of admission for a child with a statement of SEN does not affect the child's enrolment, statement or any support the child receives. However, this change in treatment after the year of admission will mean that some schools will move from having available places across the school as a whole, to being in excess of their approved enrolment numbers. More detail on this is set out below.

5. **WHAT DOES THIS MEAN FOR APPROVED NUMBERS**

5.1 Schools will fall into one of three groups from September 2026 when children with a statement of SEN become supernumerary for year of admission only:

- a. **Group 1:** Schools that are currently under their approved enrolment numbers and will remain under their approved enrolment numbers. The only impact on these schools is that they will have fewer available places than at present.
 - b. **Group 2:** Schools that are already over their approved enrolment numbers and are currently in receipt of a Temporary Variation (TV) to their enrolment numbers. The only impact on these schools is that they will become more heavily oversubscribed and will require a larger TV.
 - c. **Group 3:** Schools that are currently under their approved enrolment numbers and have available places but will move to becoming oversubscribed. These schools will require a TV to their enrolment numbers and will not be able to admit additional children to the school without a TV. More details on TV policy can be found at [Circular 2026/03](#).
- 5.2 Importantly, no school will see any change to their first year group intake as a result of this new approach and every school will still be able (and indeed legally required) to fill up to their approved admissions numbers with children who apply through the competitive admissions process.
- 5.3 We estimate that between 10%-15% of schools will fall into Group 3 and the Department will write to these schools in advance of September 2026 to provide more detail on any actions that might need taken.

6. IMPLEMENTATION

- 6.1. This new approach will become effective from the start of the 2026/27 academic year.
- 6.2. Where a school moves to become significantly over their approved enrolment number as a result of this change (most likely those in Group 2 above), it may request a review of its approved enrolment number by emailing School Admissions Team at schooladmissionsteam@education-ni.gov.uk. However, there is no requirement to do this as schools which are oversubscribed due to the admission of children with a statement and/or the admission of children up to their approved admissions number, will automatically be issued with a TV.



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