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**Advisory document on infant class size:
Limit compliance and school admission appeals**

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Overview This advisory document seeks to raise awareness of the issues encountered in complying with class size law and the recording of data for the Pupil Level Annual School Census (PLASC). The advice reflects the School Admissions Code, the School Admission Appeals Code and supporting class size regulations but is written in less technical language. The advice offers example solutions to common and less commonly encountered scenarios in both class organisation and recording.

The main issues This document has been written as an easy reference document for both infant class size legislation and school admission appeals for Reception, Year 1 and Year 2. The audience for the document is all of those with responsibility for class organisation and for the completion of the statutory data return PLASC, those who sit on admission committees for voluntary aided and foundation schools and independent appeals panels.

Why are we producing this document? The movement of the collection of infant class size data to PLASC has shown that there were more instances of miscoding for pupils that were/were not exceptions and in the number of classes exceeding the infant class size limit than previously identified.

The advice may help panels considering class size prejudice appeals so as to ensure that appeals are upheld only in the correct circumstances.

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Additional copies This document can be accessed from the Welsh Government website at <http://gov.wales/topics/educationandskills/schoolshome/admissions-and-appeals-code/?lang=en>



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Summary

This advice has been written as an easy reference document for both infant class size legislation and school admission appeals where statutory class size is an issue. The audience for the document includes all of those with responsibility for class organisation. It will also support the completion of the statutory data return Pupil Level Annual School Census (PLASC)¹, those who sit on admission committees for voluntary aided and foundation schools and appeals panels. The document includes a number of relevant extracts from the School Admissions Code² and the School Admission Appeals Code³ for ease of reference, but all those involved in admissions work should familiarise themselves thoroughly with the provisions of the Codes and regulations that are most relevant to their work.

This advice seeks to clarify some areas that have occasionally caused problems in the PLASC returns and give examples of acceptable practice. The information on appeals should be read in conjunction with the current School Admission Appeals Code.

¹ [Pupil Level Annual School Census \(PLASC\)](#)

² [School Admissions Code 2013](#)

³ [School Admission Appeals Code 2013](#)

Introduction

Since 1998, legislation⁴ has required infant classes (Reception, Year 1 and Year 2) to contain a maximum of 30 pupils. A statutory class size limit of 30 pupils has applied to **all** infant classes in Wales since September 2001, having been introduced and applied progressively in the 3 academic years to that point.

During the three year transitional period, the Welsh Government provided nearly £36 million to local authorities (LAs) to help fund the appointment of new teachers, and for the provision of additional classrooms. A commensurate level of on-going funding was transferred for inclusion within Revenue Support Grant (RSG) allocations from September 2001.

In 1998 30% of infant pupils were in classes of over 30 pupils to one qualified teacher in Wales. This had reduced to 2.3% in September 2003.

In recent years there has been an upward trend in the proportion of larger (over 30) infant class sizes (from 2.4% in September 2010 to 5.4% in January 2014). Additional exceptions were legislated for in 2009 (including looked after children) to allow for increased flexibility and these largely explain the subsequent increase in the number of classes with more than 30 pupils.

The number of large classes in breach of the class size limit has increased in recent years and conversation with the local authorities and schools have identified some common problems such as:

- miscoding of data;
- misunderstanding of legislation;
- incorrectly coding pupils as exceptions; and
- not coding pupils as exceptions when they were.

The previous Minister for Education, Lifelong Learning and Skills, agreed that there should be no further initiatives to cut class sizes either at infant level or across all primary age classes to impose a new limit of 25 pupils per qualified teacher because of a lack of evidence that such a reduction or limit is justified, in terms of educational outcomes and cost implications.

Separate funds were originally put aside to help schools reorganise to meet class-size limits e.g. to create additional classrooms and to employ additional teachers. However, funding to help local authorities meet the class size limit is now included within RSG. Local authorities can choose to include in their funding formula a factor to direct resources to schools with Key Stage 1 classes to enable them to meet the class size commitment.

⁴ [Schools Admissions \(Infant Class Sizes\) \(Wales\) Regulations 2013](#)

Class size limit and exceptions

Infant class size legislation

This is not the admission number for the school but the legal limit on the number of pupils in an infant class, i.e. any class where *the majority* of children will have reached the age of 5, 6 or 7 *during the course of the academic year*⁵.

Legislation says that:

*“no infant classshall contain more than 30 pupils while an ordinary teaching session is conducted by a single school teacher”*⁶

An ‘ordinary teaching session’ does not include a school assembly or other school activity usually conducted with large groups of pupils⁵, and such activities should not be included in the class size count for PLASC purposes.

The infant class size limit is the maximum number (30) of children that can be taught in an infant class. An infant class may comprise children from one year group or a mixture of different year groups i.e. Reception, Year 1 and Year 2, taught by a single school teacher, and can include nursery pupils where older children are still in the majority.

In the majority of cases the infant class size limit applies to all infant classes but there are some instances, particularly when nursery pupils are in the class, where it is not obvious if the class is compliant. As a general rule classes fall into one of the following groups:

- Mixed class comprising Nursery and Reception pupils where Reception pupils form the majority of the class the 30 pupil limit applies and must not be breached.
- Mixed class comprising Nursery and Reception pupils, where Nursery pupils form the majority of the class at all sessions the 30 pupil limit does not apply.
- Mixed class comprising Nursery and Reception pupils where there are an equal number of pupils from each cohort the 30 pupil limit will not apply.

Junior class size target

The target of reducing all junior class sizes to 30 pupils or fewer was set in 2000. Between 2001-02 and 2005-06 around £74 million of special grant funding was used by local authorities to reduce junior class sizes. Once the target of reducing junior classes to 30 pupils or fewer was achieved, the special grant funding for this initiative ended and the funding for this purpose was included in the RSG.

⁵ [Section 4, School Standards & Framework Act 1998](#)

⁶ [Education \(Infant Class Sizes\) \(Wales\) Regulations 1998](#)

Whilst there is no legislation requiring a junior class size limit the Welsh Government expects the 30 pupils per class teacher to remain the 'target' size for junior classes (see paragraph 3.47 of the School Admissions Code).

Admission numbers and class organisation

Admission number

The admission number should be considered as the minimum and maximum number of pupils that must be admitted to each year group if there are sufficient requests for admission. Exceeding the admission number with additional pupils being admitted to a year group may cause overcrowding and prejudice to the delivery of education not only in the class and school but in the wider area. This can lead to some schools being overfull and others not reaching their capacity and carrying a high number of surplus places.

The admission number is calculated as a proportion of the capacity of the whole school. The formula for calculating a school's capacity is in the Welsh Government circular Measuring the Capacity of Schools in Wales⁷. The capacity of a school is then divided by the number of year groups and the resulting number is the admission number.

The admission number must be recalculated when buildings/classrooms are added, removed or their use changed as this will effect the overall capacity.

When the admission number and the infant class size differ

The admission number must be adhered to as it is based on the capacity calculation for the whole school. Where the admission number for a school and the class size limit are close but different, care must be taken to admit pupils up to the admission number, whether this is less than or more than 30. The admission number is the main consideration and should not be exceeded. If the admission number for a school is 29 and there are 30 applications only 29 pupils should be admitted, conversely if the admission number is 31 all applicants up to the number must be admitted not just 30 to comply with infant class size legislation.

Example

A school with an admission number of 40 might employ, at the start of the year, 4 or 5 teachers by having two teachers for Reception, or by combining Reception and Year 1 and Year 1 and Year 2 and have 120 pupils split between teachers ensuring compliance throughout the Foundation Phase.

Option 1		Option 2	
Reception x2	20	Reception	30
Year 1	30	Reception/Year1	10/20
Year 1/2	10/15	Year 1/Year 2	20/10
Year 2	25	Year 2	30
Total	120	Total	120

⁷ [Measuring the Capacity of Schools in Wales](#)

If applications for the normal year of entry to an infant class (usually Reception) at a school that does not admit pupils on the basis of ability, are up to but do not exceed the admission number, admission authorities must admit all pupils up to the admission number; even if the effect of this might be that they would have to employ another teacher or restructure classes in order to comply with the infant class size legislation.

As detailed in paragraph 3.46 of the School Admissions Code, although there is an expectation that schools will admit children up to the admission number in each year group, this is not a statutory requirement and in the case of infant classes infant class size legislation is relevant. Admission authorities may refuse admission for places in any year other than the normal year of entry (Reception), if offering a place would result in class size prejudice (e.g. leading them having to employ an additional teacher or create another classroom). This means that admission to Year 1 and Year 2 can be refused if offering a place would result in class size prejudice, even if the admission number has not been reached in relation to these year groups.

Applications for admission to an infant class

Paragraph 3.9 of the School Admissions Code provides that all applications for a place in an infant class must be made on the relevant application form. This form may be completed through an online admission process or by paper application form. The application forms must ask for the same information whether online or paper versions.

Legislation provides that if there are sufficient applications that meet but don't exceed the admission number all of the applicants must be admitted (in the normal year of entry). Where the number of applications exceeds the admission number all applications must be assessed against the published oversubscription criteria and offers made in accordance with the application ranking.

Applications for admission to a voluntary aided or foundation school

Paragraph 3.4 of the School Admissions Code provides that where the school is its own admission authority (Foundation and Voluntary Aided schools) the same rules apply if applications for an infant class for the normal year of entry meet but don't exceed the admission number all of the applicants must be admitted. Where the applications exceed the admission number, the admissions committee, established by the governing body, must assess all the applications; this process **must not** be delegated to an individual (paragraph 3.32 of the Code). Where the local authority is the admission authority, the assessment must be taken by the appropriate local authority officer(s).

This advice applies equally to decisions taken outside the normal admission round. The definition of what is outside the normal admission round can be found in regulation 2(2) of the School Admissions (Infant Class Sizes) (Wales) Regulations 2013⁴.

Paragraph 3.33 of the Code requires that head teachers or other school officials, in maintained schools, must not give parents an expectation that their application will be successful. They must not tell them that their child has been given a place at the school, before an offer of a place has been made in writing. However, where there is evidence that parents have been told by a head, or other school official, that their child will be given a place at a school, they could reasonably expect that the person making the offer had authority to do so. If an informal offer has been made the admission authority should normally honour the offer, even though in fact it may not have authorised that person to make it.

It is important to note that this offer should not prejudice the admission of other children who would otherwise have been offered a place if the informal offer had not been made.

The making of unofficial offers could result in a breach of the class size regulations (in the case of infant classes), and this is a matter that the school would have to take relevant measures to address. It is therefore important to avoid such situations arising.

Notification of application outcome

The outcome of all admission applications must be notified to parents in writing at the same time in the normal admission round. For the normal year of entry, the School Admissions Code expects all admission authorities to adhere to the School Admissions (Common Offer Date) (Wales) Regulations 2013⁸ and send offer letters on the stipulated dates. The common offer date for primary schools becomes law in 2018/19⁹.

Class organisation

Classes are organised by the head teacher and governing body. It is the duty of the head teacher and governing body to plan the classes so that there are no more than 30 pupils in each infant class. It is also the preferred target that there are no more than 30 pupils in each junior class. To achieve these targets schools have to consider their class organisation annually and take relevant measures such as mixed age teaching, employing another teacher and/or using additional classrooms to be compliant.

To aid planning the head teacher and governing body should be notified by the admission authority, as early as possible, about the number of pupils expected to be admitted to the school in the forthcoming September to enable the class planning exercise to begin. Good practice informs us that head teachers and governing bodies who also include those nursery or Reception age children that may be admitted later in the school year in their planning, as well as pupils starting in September, and who take account of the impact of staggered or deferred admission,

⁸ [School Admissions \(Common Offer Date\) \(Wales\) Regulations 2013](#)

⁹ [Regulation 1\(1\) of the School Admissions \(Common Offer Date\) Wales\) Regulations 2013](#)

are more successful in achieving compliance at a later date. Whilst additional admissions may not be absolutely predictable, planning ahead for the majority of these children should mean that there is less likelihood of class disruption and a problem with oversize classes later in the school year.

Mixed-age teaching

When dealing with applications for admission at normal point of entry to an infant class, i.e. Reception, the admission authority for the school must admit up to its admission number. Many schools will not have admissions numbers that match class size legislation or are easily divided to achieve compliance.

Mixed age teaching should be used when numbers permit, to ensure that classes remain below the limit, although it is recognised that there might be barriers to mixing foundation phase with older pupils. There should be no evidence of overlarge infant classes alongside infant classes with space.

For Year 1 or Year 2 applications, the admission authority could refuse admission if it would be necessary to employ another teacher or incur some other cost in order to comply with the class size limit. As many schools have successfully adopted mixed-age teaching within the foundation phase it might be difficult to use this reason to justify refusing admission, if it is possible to arrange classes to meet the limit without increasing the number of teachers or classes.

Class teachers and higher level teaching assistants (HLTAs)

There must always be a class teacher for every 30 pupils in a class; to avoid confusion over who can or cannot teach an infant class unsupervised, **Annex A** clarifies this by giving a definition of 'school teacher' for infant class size purposes. A school must employ sufficient teachers to enable it to teach its infant classes in groups of no more than 30 pupils per school teacher.

Infant class size exceptions

Categories of infant class size exceptions

The School Admissions (Infant Class Size) (Wales) Regulations 2013¹⁰ prescribe the limited circumstances in which pupils may be admitted as exceptions to the infant class size limit. The text in brackets below is for clarification and the identifying letters match the PLASC categories. The exceptions and identifying codes below are as printed in the PLASC guidance:

- A. Children whose statements of Special Educational Need (SEN) specify that they should be educated at the school concerned, **and** who were admitted to the school **outside** a normal admission round.
- B. Children initially refused admission to a school, but subsequently offered a place **outside** a normal admission round by direction of an admission appeal panel, or because the person responsible for making the original decision recognises that an error was made in implementing the school's admission arrangements.
- E. Children who are registered pupils at special schools, but who receive part of their education at a mainstream school.
- F. Children with SEN who are normally educated in a special unit in a mainstream school, but who receive part of their lessons in a class with infants in the mainstream.
- G. Children who are looked after by local authorities (looked after children), or who have ceased to be looked after (previously looked after children) as a result of being adopted or being placed with a family or given a special guardian **and** are admitted to the school **outside** a normal admissions round.
- J. Children admitted **outside** the normal admission round who:
 - the maintaining **local authority confirmed** cannot gain a place at any other suitable school within a reasonable distance¹¹ of their home because they have moved in to the area **outside** the normal admission round, or
 - they desire a religious education or a Welsh speaking education and the school in question is the **only** suitable school within a reasonable distance (of their home).
- K. Children who were admitted to the school **outside** the normal admission round (for the Reception year NOT Year 1 or 2) **after** which the school has arranged its classes, and **after** the first day of the school year (but the admission number has not been met) the effect of which would mean that the

¹⁰ [School Admissions \(Infant Class Size\) \(Wales\) Regulations 2013](#)

¹¹ "A reasonable distance" is for the admission authority to make a judgement on

school would have to take a relevant measure if such children were not excepted pupils. (If it would be feasible to rearrange classes at that point, appropriate steps should be taken and it would not normally be appropriate to decide that the child is an exception.)

- L. Children of (serving) armed forces personnel who are admitted **outside** the normal admission round.
- M. Children whose twin or other sibling(s) from a multiple birth are admitted as non-excepted pupils, as the final pupil(s) allocated a place before the admission number is reached.

Children in categories E and F will be treated as excepted pupils only when they are in an infant class at the mainstream school or outside the special unit (as the case may be).

Only children that fit the exception categories above may be classed as exceptions, being admitted outside the normal admission round alone does not qualify the child as an exception.

Nursery pupils cannot be excepted pupils, the exceptions apply only to pupils who will attain the age of 5, 6 or 7 in the school year in question.

Twins/multiple birth children would only be admitted as an exception if one of the siblings is the last pupil to be admitted i.e. if the admission number is 30 and one of the siblings is the 30th pupil offered a place and the other(s) were not offered a place) then these sibling(s) may be admitted as an exception(s).

Any child admitted to a school as an excepted pupil since 9 July 2013 may remain an excepted pupil for the duration of their time in the Foundation Phase. However, as soon as the opportunity presents itself either by pupils leaving the class/school, by class reorganisation or the appointment of an additional teacher it is expected that the pupil would cease to have excepted status and that the classes would comply with the class limit of 30 pupils or fewer. Schools are expected to take every opportunity to limit the classes to 30 pupils or fewer. Instances of oversized classes alongside classes with fewer than 30 pupils are likely to be challenged during annual monitoring.

A pupil retains their excepted status until such time as relevant measures are taken to reduce the class size or one or more pupils leave the class. The excepted pupil in this instance would no longer have excepted status. He/she would become an ordinary class member.

Another pupil cannot be admitted to the class in place of a pupil who has left even though there is a formerly excepted pupil in the class. If an excepted pupil loses this status they cannot revert to excepted status at a later date.

Example

Reception class 32, 30 + 1 admitted on appeal
+ 1 admitted on moving into the area with only this school
reasonably accessible (both are exceptions)

One of the 30 pupils, not an excepted pupil, leaves the school: this means the class is now 31. This now means that there are 30 pupils and 1 exception, 1 of the previously excepted pupils is no longer an exception.

Later when the class has moved to Year 1 an application is received for a child wishing to transfer to the Year 1 class. They cannot be admitted to the class unless they qualify as an exception. The child who was originally an exception cannot revert to excepted status so that another pupil can be admitted.

Junior class size exceptions

Categories of junior class size exceptions

The exceptions below are as printed in the PLASC guidance:

- A. Children whose statements of SEN specify that they should be educated at the school concerned, and who are admitted to the school outside the normal admission round.
- B. Children initially refused admission to a school, but subsequently offered a place outside of the normal admission round by direction of an admission appeal panel, or because the person responsible for making the original decision recognises that an error was made in implementing the school's admission arrangements.
- C. Children who cannot gain a place at any other suitable school within a reasonable distance of their home because they move into an area outside a normal admission round.
- D. Children who are admitted to a school after the end of the normal admissions round where the admission number relevant to a child's particular year group has not previously been reached.
- E. Children for whom an education at a school which is Welsh speaking or of a particular religious denomination desired, where the school concerned is the only such school within a reasonable distance of their home (this also applies to pupils who are admitted outside the normal admission round).
- F. Children who are registered pupils at special schools, but who receive part of their education at a mainstream school.
- G. Children with special educational needs who are normally educated in a special unit in mainstream school, but who receive part of their lessons in a non-special class.
- H. Looked after children who are admitted to schools outside a normal admissions round.

Children in categories F and G are treated as excepted pupils only when they are in a junior class at the mainstream school or outside the special unit (as the case may be).

Data returns

The information supplied by the school in the January PLASC data collection is sent to the local authority for verification. The PLASC return for the schools will be sent to the Welsh Government via the local authority and the secure DEWI system.

It is important that the LA has in place systems that enable them, whether or not they are the admission authority for a school, to:

- check the accuracy of the returns and must ensure that a relevant body has approved the admission of any child as a permitted exception, and
- check the position regarding other schools within a reasonable distance where this is part of the description for the criteria.

The data collection reports on the number of pupils registered in a class and how many school teachers there are for the class. The data also shows the number and type of exceptions in each class; if the teacher pupil ratio is higher than 1:30 with no exceptions recorded, these classes will show as breaches.

School admission appeals

Whilst parents can express a preference for their child to attend any maintained school, their preference cannot always be met. In those instances where a pupil is unsuccessful in obtaining a place in their preferred school parents must be offered the opportunity to appeal against the decision. The letter informing the parents that their application has been unsuccessful should include the reason that their appeal was unsuccessful and the information on how to lodge an appeal.

It is useful for admission authorities to prepare guidance on the appeals process; this can then be issued to parents with the letter telling them that they have been unsuccessful in their application for a place at their preferred school.

Appeal hearings must be heard within 30 days of the closing date of the appeal period. Appellants must be given 10 working days notice of the date of their appeal hearing, if appellants agree to a shorter notice period this must be confirmed in writing with the Clerk to the appeals panel.

Appeals panels should be mindful of the impact of their decisions on the class and the school now and in the future, and on schools in the wider community. Over admitting pupils to one school may lead to problems for that school in future years where the 'bulge' needs to be managed year on year as the class moves through the school. The impact on other schools in the area should also be considered. Over admission in one school may lead to an increase in surplus places elsewhere which, in turn, may lead to schools losing teachers and being less able to deliver the curriculum.

Infant class size appeals

Legislation, including the statutory school admissions appeals code provides that there are only a few instances where infant class size appeals made by parents may be upheld. The appeal can only be upheld if the appeal panel is satisfied that one of the following grounds applies (Annex C to the school admissions appeals code).

The Grounds are:

- Ground A - the child would have been offered a place if the school admission arrangements complied with the requirements of the School Admissions Code and/or Part 3 of the School Standards and Framework Act 1998;
- Ground B – the child would have been offered a place if compliant admission arrangements had been properly implemented;
- Ground C - the decision was not one which a reasonable admission authority would have made in the circumstances of the case.

Ground A is self explanatory. If an appeal panel identifies any aspect of admission arrangements as unlawful they must immediately refer to the local authority and admission authority (for a school that is its own admission authority).

For an appeal to be upheld on Ground B the panel should take account of the material that was available to the admission authority at the time when it made its decision, or material which should have been available to the admission authority if it had acted reasonably. However, the panel may allow fresh factual material to be submitted by the appellant in order to establish the factual basis for their claim that the arrangements had not been properly implemented.

For an appeal to be upheld on Ground C the panel must be satisfied that the decision was “perverse in the light of the admission arrangements” that it was “beyond the range of responses open to a reasonable decision maker” or “a decision which is so outrageous in its defiance of logic or of accepted moral standards that no sensible person who had applied his mind to the question would have arrived at it”.

The panel should consider the prejudice/impact the admission of another child not only on the class they would be admitted to but the impact in the future as they progress through the school and the need to comply with infant class size legislation, and junior class size policy.

The decision of the appeal panel is final and can only be overturned by the courts where either the appellant or the admission authority is successful in applying for Judicial Review of that decision.

The panel needs to be able to clearly conclude its position in relation to the 3 Grounds. For example, the following could be answered Yes or No.

1. Did the admission arrangements comply with the School Admissions Code and/or Part 3 of the School Standards and Framework Act 1998?
2. Were compliant admission arrangements implemented properly?
3. Was the decision a reasonable one?

If the answers to the questions were:

1. Yes
2. Yes
3. Yes

The appeal cannot be upheld as these are the only grounds that an infant class size appeal can be assessed against.

Attendance at the appeal hearing

Appeals panels must allow the appellant to attend the appeal hearing and have the opportunity to make oral representation and to clarify or supplement their written appeal. The appellant can invite a friend or relative to support them. Some

appellants choose to have legal representation for the hearing and this is permissible.

It is not always possible for the appellant to attend the appeal hearing. The appeal hearing can go ahead without the appellant being present and the decision is then based on the written evidence supplied by the appellant.

It should not be necessary for the head teacher or representative of a relevant community or voluntary controlled school to be in attendance at the appeal hearing. The local authority presenting officer should be fully briefed and will present their case for refusing a place and answer any questions posed by the panel and appellant.

In the case of voluntary aided or foundation schools where the governing body are the admission authority then the head teacher or a governor may assume the role of presenting officer for the independent appeal hearing.

Annex A: Definition of a ‘school teacher’ for infant class size purposes

Schools will meet the infant class size requirements if an infant group of no more than 30 is taught by a ‘school teacher’¹². School teachers include:

- Head teachers
- Qualified teachers
- Overseas trained teachers, European Economic Area and Switzerland
- Instructors with special qualifications or experience
- Staff on an employment-based teacher training scheme in Wales
- Graduate teachers
- Registered teachers
- Student teachers and
- Teacher trainees yet to pass the skills test.

‘School teachers’ **do not** include teaching assistants, higher level teaching assistants or other support staff. However, support staff are able to carry out “specified work”, in certain circumstances; The Education Workforce Council (Main Functions) (Wales) Regulations 2015, paragraph 8 of Schedule 3¹³ and section 14 of the Education (Wales) Act 2014¹⁴ identifies specific circumstances for Wales.

Teaching assistants cannot be school teachers for the purpose of the legislation even if they are qualified teachers. Further detail on who may carry out teaching work in a maintained school or non maintained special school can be found in the Welsh Government Information document Teaching and Teaching Qualifications (122/2013)¹⁵.

¹² Defined by [section 122, Education Act 2002 and the Education \(School Teachers’ Prescribed Qualifications, etc\) Order 2003](#)

¹³ [Education Workforce Council \(Main Functions\) \(Wales\) Regulations 2015](#)

¹⁴ [Education \(Wales\) Act 2014](#)

¹⁵ [Teaching and Teaching Qualifications \(122/2013\)](#)

Annex B: Summary of roles and responsibilities of schools and LAs

All Schools:

- To complete the Pupil Level Annual Schools Census return accurately;
- To make necessary organisational or staffing changes to ensure that the class size duty is met.

Foundation & Voluntary Aided schools

- To ensure that their admission number is set through application of the Welsh Government guide to Measuring the Capacity of Schools in Wales;
- To check with the LA before admitting children as permitted exceptions, as the local authority needs to confirm the availability of other schools.

Local Authorities:

- To check PLASC returns and follow-up on any apparent breaches of the class size duty;
- If a school refuses to take qualifying measures to comply with the class size limit, to refer the case to the Welsh Government.
- **(For community and voluntary controlled schools)** To ensure that admission decisions do not result in breaches of the infant class size limit.

Annex C: Checklist

For all schools

1. **Check admission number.**
Is it right?
2. **Review school/class organisation**
Do you need to change to mixed-age teaching in order to comply with the class size duty?
3. **Are you using the right mix of teaching staff/support in your infant classes?**
Check your current staff usage against the list in Annex A
Are you complying with the class size duty?
Have you got the right balance of teaching staff across infant classes?

For local authorities

1. Do the relevant staff understand the class size duty and what the permitted exceptions are?
2. Do you have systems in place to check the PLASC returns, and to identify and follow-up on large classes and reasons for them?

For Admission Forums

1. Do you commission reports or ask for regular information on compliance with the infant class size duty?