

NITC

20th December 2017

Re: Class Sizes in Practical Subjects in Post Primary Schools and DE Circulars 2004/05 and 2016/11

As you are aware, guidance has been issued by the Department of Education and the Education Authority in relation to class sizes in practical subjects in post-primary schools. The practical subjects defined by the Department of Education are Science, Technology and Design, Home Economics, Art and Design, Physical Education (PE) and Music. However, this is not an exhaustive list and DENI Circular 2016/11 states that the term "practical" can cover a number of subjects being offered by schools, this would therefore include Drama. This is the Northern Ireland Teacher's Council commentary on DENI Circulars 2004/05 and 2016/11.

The Legal Position

The Secondary School (Grant Conditions) Regulations (Northern Ireland) 1973, Regulation 15 stipulates that the maximum limit for a general class is 35 pupils, and, for a practical class, 20 pupils except where approved by the Department of Education.

Has there been a recent change in legislation?

There has been not been any change in legislation since 1973 but the Department of Education have allowed flexibility in determining class sizes subject to certain conditions. It is important to note that **Circular 2016/11 does not supersede Circular 2004/05**. Circular 2004/05 deals with Science, Art & Design and PE while Circular 2016/11 deals with Technology and Design, Home Economics and Music.

Circular 2004/05

Circular 2004/05 approved class sizes (subject to conditions) in excess of 20 where a class of pupils is under instruction in a practical subject and are not involved in practical activities. The circular also stated that "Where a class of pupils is under instruction in a practical subject and are involved in practical activities, the Department takes the view that, in general, the health and safety hazards are such that adequate and safe supervision of pupils is not possible if more than 20 pupils are present" They also stated that "in practical classes with pupils with special educational needs, the number of pupils present should be fewer than 20. The specific number should reflect the additional support and supervision which are required in the class.

The circular goes on to state that the Department is prepared to approve a class size in excess of 20 in circumstances **where the activities** are unlikely to present any risk to the health and safety of the pupils in the class. It put the onus on the school authorities to assess the health and safety risks of practical activities in the various practical subjects.

Neither circular 2004/05 or 2016/11 give blanket approval for class sizes in excess of 20.

Circular 2004/05 also reminds schools that there are serious health and safety implications arising from large classes in schools and compensation claims for any injury sustained by a pupil are more likely if practical class sizes exceed the recommended maximum.

Science, Art, PE (Circular 2004/05)

Science

If a science laboratory is of a standard size (at least 83 sq m) and the activities are unlikely to present a risk then the class sizes can be extended to: 26 pupils - years 8 to 10, 24 pupils - years 11 and 12, 20 pupils - years 13 and 14. However;

- If the class teacher is not satisfied that the activities do not present a risk they should not carry out the proposed practical activity.
- If there are pupils with special educational needs, the number of pupils present should be fewer than 20. The specific number should reflect the additional support and supervision which are required in the class.

If the laboratory is less than the standard size the number of pupils who can be accommodated safely should be reduced in direct relation to the size (in square metres) of the accommodation.

Art and Design

If an Art and design Studio is of a standard size (at least 90 sq m and 8.5m wide) and the activities are unlikely to present a risk then a Key Stage 3 class can be extended to 24 pupils (limit set by Section 4, Part 17 of the Building Handbook). The maximum for years 11 to 14 remains at 20.

*Note – the 2004/05 Circular does refer to a maximum of 26 at Key Stage 3, however, any competent risk assessment should take its maximum from the Building Handbook.

However,

- If the class teacher is not satisfied that the activities do not present a risk they should not carry out the proposed practical activity.
- If there are pupils with special educational needs, the number of pupils present should be fewer than 20. The specific number should reflect the additional support and supervision which are required in the class.

If the studio is less than the standard size the number of pupils who can be accommodated safely should be reduced in direct relation to the size (in square metres) of the accommodation.

Physical Education

Circular number 2004/5 says that Physical Education should have a maximum number in gymnasium and assembly halls of pupils of 25 in years 8-10, and 20 in years 11- 14. All years for playing pitches and sports halls have a maximum number of 30.

However, it is also stated in note 2 of the circular also states:

- Safe Practice in Physical Education, sport and other adventure activities is not solely a matter of class size . The assessment of risk by teachers will be strongly influenced by the nature of the activity, pupils' age, maturity and needs, teacher's and pupils' competence in the activity and the safety of the environment'

The Circular also states schools should also have regard to the advice and guidance contained in other texts and circulars. The Association of Physical Education in their 2016 publication **Safe Practice in Physical Education, School Sport and Physical Activity**, state that Student ratios may vary for a number of reasons, including

- Staff competence
- Student age
- Student behaviour
- student ability levels
- previous experience of students and staff in particular circumstances
- a higher- risk environment (such as aquatics , adventure activities, trampolining)
- the nature of the activity, the size and layout of the work area
- the condition of the facility, the quantity of safety equipment available
- the type, location and amount of equipment in the work area
- the way the activity is most effectively organised
- any history of accidents and /or incidents occurring.'

In conclusion

- Any competent risk assessment for PE should address all of the above points and class sizes should be reduced from the maximum in proportion to the risk involved.
- If the class teacher is not satisfied that the activities do not present a risk they should not carry out the proposed practical activity.
- If there are pupils with special educational needs, the number of pupils present should be fewer than 20. The specific number should reflect the additional support and supervision which are required in the class.

Technology, Home Economics and Music (Circular 2016/11)

This circular does not change the regulations on class size but attempts to provide some flexibility in Technology and Design, Home Economics and Music. This flexibility is heavily caveated depending on competent risk assessments, the Board of Governors being content that any practical activities are unlikely to present a risk to the health and safety of pupils and the Building Handbook.

Technology

A standard Technology Manufacturing room is 93 sq m. A standard room is built to accommodate a maximum of 20 pupils.

To increase a class sizes above 20 as per the 2016/11 Circular the classroom would have to be proportionally larger than 93 sq m and have proportionally more workstations.

If such a room exists and where the activities are unlikely to present a risk then the class sizes can be extended. However,

- If the class teacher is not satisfied that the activities do not present a risk they should not carry out the proposed practical activity.
- If there are pupils with special educational needs, the number of pupils present should be fewer than 20. The specific number should reflect the additional support and supervision which are required in the class.

Home Economics

A standard Home Economics classroom is 90 sq m, plus coat/bag storage. A standard room is built to accommodate a maximum of 20 pupils.

To increase class sizes above 20 as per the 2016/11 Circular the classroom would have to be proportionally larger than 90 sq m and have proportionally more workstations.

If such a room exists and where the activities are unlikely to present a risk then the class sizes can be extended. However,

- If the class teacher is not satisfied that the activities do not present a risk they should not carry out the proposed practical activity.

- If there are pupils with special educational needs, the number of pupils present should be fewer than 20. The specific number should reflect the additional support and supervision which are required in the class.

Music

A standard Music classroom is 83 sq m. A standard room is built to accommodate a maximum of 20 pupils. Other recommended class sizes are: for GCSE examination classes: 15 pupils; for AS/A2 examination classes: 12 pupils (Part 9.3 Building Handbook)

To increase a Key Stage 3 class to 26 (24 years 11 and 12, 20 years 13 and 14) as per the 2016/11 Circular the classroom would have to be larger than 83 sq m.

If such a room exists and the activities are unlikely to present a risk then the class sizes can be extended. However,

- If the class teacher is not satisfied that the activities do not present a risk they should not carry out the proposed practical activity.
- If there are pupils with special educational needs, the number of pupils present should be fewer than 20. The specific number should reflect the additional support and supervision which are required in the class.

Risk Assessments

Risk assessments to determine class size are the responsibility of the school authorities. The risk assessment has to be carried out by a competent person and must be ratified by the Board of Governors.

Both circulars states that risk assessments should include the following:

- the task being carried out
- the complexity of and/or the risk presented by the equipment being used
- the size of the accommodation and circulation
- whether there is sufficient equipment available for all the pupils in the class.
- whether students require equipment such as wheelchairs
- Are classroom assistants present to provide support -this would reduce the number of pupils who can be safely accommodated.

The classroom teacher is responsible for deciding whether an individual activity can be carried out safely.

What have EA said?

In correspondence to schools the Education Authority have made the following point:

- If there is a proposal to put 25 pupils into a Technology and Design manufacturing room to engage in practical activities that is designed for 20, the risk assessment would recommend that this should not happen. For example, in the 93m² available in a manufacturing room (specified in the Building Handbook), the maximum class size for practical activity is 20.
- For Technology & Design and Home Economics, practical activity for more than 20 pupils in teaching spaces designed for 20 pupils carries an increased health and safety risk for pupils and teachers. The size and specification of the teaching space is a crucially important element of any risk assessment and will inevitably mean that not all schools will be able to avail of the flexibility offered in DE Circular 2016/11.
- The EA's advice to schools is not to timetable practical tasks which carry a health and safety risk to pupils and teachers (because of the nature of the activity and the equipment involved) for more pupils than the accommodation is designed for.

