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STATUTORY INSTRUMENTS

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**1991 No. 410**

**EDUCATION, ENGLAND AND WALES**

**The Education (Variation of Standard  
Numbers for Primary Schools) Order 1991**

<i>Made</i>	- - - -	<i>12th March 1991</i>
<i>Laid before Parliament</i>		<i>13th March 1991</i>
<i>Coming into force</i>	- -	<i>1st May 1991</i>

In exercise of the powers conferred on the Secretary of State by sections 27(4) and 232(5) of the Education Reform Act 1988<sup>(1)</sup> the Secretary of State for Education and Science, as respects England, and the Secretary of State for Wales, as respects Wales, hereby make the following Order:

1. This Order may be cited as the Education (Variation of Standard Numbers for Primary Schools) Order 1991 and shall come into force on 1st May 1991.

2. This Order applies to all county and voluntary primary schools in England and Wales which have not more than two relevant age groups.

3. Any standard number that would otherwise apply in relation to such a school by virtue of subsections (1) to (3) of section 27 of the Education Reform Act 1988 is varied so as to conform with the provisions of article 4 or article 5 of this Order, as the case may require.

4. If there is no more than one relevant age group in relation to the school, the standard number applying to the school for that age group shall be determined by—

- (a) the number of registered pupils, other than those receiving nursery education, at the school on 1st May 1991 divided by the number of age groups in the school, disregarding any such age groups receiving such education, and rounded down to the nearest whole number; or
- (b) the number (rounded down to the nearest whole number) produced by the application of the formula, set out in paragraph I of the Schedule to this Order, to the school on 1st May 1991; or
- (c) the number of pupils, published under section 8 of the Education Act 1980<sup>(2)</sup>, intended for admission to the school in that age group in the school year beginning in 1990; or
- (d) (if applicable) the number of pupils in that age group stated in the most recent of proposals under section 12 of that Act (in accordance with subsection (2) of that section) or under section 13 of that Act (in accordance with that subsection as applied by section 13(2) of

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(1) 1988 c. 40  
(2) 1980 c. 20

that Act) which have been wholly or partly implemented in relation to the school by 1st May 1991,

whichever number is the greatest.

5. If there are two relevant age groups in relation to the school, the standard numbers applying to the school for those age groups shall be determined—

- (a) (i) in respect of the lower relevant age group, by the number of registered pupils other than those receiving nursery education and those in the higher relevant age group or any age group higher than that age group, at the school on 1st May 1991 divided by the number of age groups in the school other than those containing registered pupils who are to be disregarded for the purposes of determining the number of registered pupils under this sub-paragraph, and rounded down to the nearest whole number; and
- (ii) in respect of the higher relevant age group, by the number of registered pupils in that and any higher age group at the school on 1st May 1991 divided by the number of age groups containing such registered pupils, and rounded down to the nearest whole number, less the number determined under sub-paragraph (i) above; or
- (b) the number (rounded down to the nearest whole number) produced by the application of the formula, set out in paragraph 2 of the Schedule to this Order, to the school on 1st May 1991; or
- (c) the number of pupils, published under section 8 of the Education Act 1980, intended for admission to the school in those age groups in the school year beginning in 1990; or
- (d) (if applicable) the number of pupils in those age groups stated in the most recent of proposals under section 12 of that Act (in accordance with subsection (2) of that section) or under section 13 of that Act (in accordance with that subsection as applied by section 13(2) of that Act) which have been wholly or partly implemented in relation to the school by 1st May 1991,

whichever number is the greatest.

## SCHEDULE

Articles 4(b) and 5(b)

1. The formula referred to in article 4(b) of this Order is

$$\frac{X + Y - Z}{G}$$

where—

X —is the sum of the numbers (rounded down to the nearest whole number in the case of each number) obtained by dividing the total floor area of each class room in the school whose floor area is less than 54 square metres by 1.8;

Y —is the number of complete floor areas of 54 square metres in those class rooms in the school whose floor area is 54 square metres or more, multiplied by 30;

Z —is the number of pupils in the school in respect of whom notices have been served by a local education authority that they propose to make an assessment of their special educational needs in accordance with section 5 of the Education Act 1981(3) (“pupils subject to assessment”) or for whom statements of special educational needs are maintained by such authority in accordance with section 7 of that Act (“pupils with statements”), multiplied by 2; and

G —is the number of age groups in the school, disregarding any of such age groups receiving nursery education.

2. The formula referred to in article 5(b) of this Order is, in respect of each such age group,

$$\frac{X + Y - Z}{R} \times A$$

where—

X, Y and Z —have the same definitions as set out respectively in relation to those letters in paragraph 1 of this Schedule;

A —is the number of pupils admitted to the school in the age group in question in that part of the school year beginning in 1990 which ends on 1 st May 1991 and who remain registered pupils at the school on that date;

R —is the number of registered pupils, other than those receiving nursery education, at the school.

3. For the purposes of this Schedule “class room” excludes—

- (a) any hall or library;
- (b) any room or other area used wholly or mainly for the education of pupils subject to assessment and pupils with statements;
- (c) any room or other area so constructed, adapted or equipped as to be unsuitable for general teaching purposes;
- (d) where the school makes provision for nursery education, any room or other area used wholly or mainly for that purpose;
- (e) any room or other area constructed, adapted or equipped for the storage of apparatus, equipment or materials used in teaching;

and any part of an area which is required for the movement of pupils through that area, and which is used wholly or mainly for that purpose, is not to be taken into account in calculating the floor area of a class room.

**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

12th March 1991

*Kenneth Clarke*  
Secretary of State for Education and Science

12th March 1991

*David Hunt*  
Secretary of State for Wales

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### **EXPLANATORY NOTE**

*(This note is not part of the Order)*

This Order applies to all county and voluntary primary schools in England and Wales which have not more than two age groups in which pupils are normally admitted to the school (article 2). It varies, in accordance with specified provision dependent on whether there is no more than one such age group or there are two such age groups, the standard number that would otherwise apply, by virtue of section 27(1) to (3) of the Education Reform Act 1988, in respect of admission to such a school for the age group in question (articles 3, 4 and 5 and the Schedule).