



Admission of Children Outside Their Normal Age Group

September 2023 Guidance

This document explains Derbyshire's approach to the admission or transfer of children into a year group other than that which is consistent with their chronological age. It provides information and guidance for both parents and schools. The document sets out best practice and advice. All admission authorities in the County are invited to have regard to this approach when considering requests for children to be educated outside of their normal age group.

1. Introduction

The year group with which a child is taught has implications for a child's social as well as educational development. There are also implications for:

- the points at which a child starts primary education, transfers to junior, secondary, post 16 and to higher education;
- the timing of public examinations;
- the stage in the child's education at which he or she reaches the end of compulsory school age;
- entitlement to free school meals
- assistance with transport;
- funding for further education.

Each child is different and it is normal for teachers to differentiate their teaching to meet the needs of individual children.

For pupils whose attainments fall significantly below the expected levels at a particular key stage, a significant degree of differentiation will be necessary. In these circumstances, teachers may need to use the content of the programmes of study as a resource or to provide a context for planning learning appropriate to the age and needs of their pupils.

For pupils whose attainments significantly exceed the expected levels of attainment for their normal age group within one or more subjects during a particular key stage, teachers will need to plan suitably challenging work. As well as drawing on materials from later key stages or higher levels of study, teachers may plan further differentiation by extending the breadth and depth of study within individual subjects or by planning work that draws on the content of different subjects.

Derbyshire County Council considers that in almost all cases schools can meet the curricular needs of children without accelerated or delayed admission to another year group or phase of education. However, each case will be looked at on an individual basis, taking account of the child's educational and social development. Decisions will be based on teaching and learning reasons that are in the best educational, social and emotional interests of the child, both at the time the request is made, and in the long-term. Possible immediate gains need to be weighed against a range of issues including those related to school leaving age and loss of peer group.

2. Legal Background

The School Admissions Code revised in September 2021 sets out the statutory basis under which requests for parents seeking places for children outside their normal age group are considered.

2.18 Parents may seek a place for their child outside of their normal age group, for example, if the child is gifted and talented or has experienced problems such as ill health. In addition, the parents of a summer born child may choose not to send that child to school until the September following their fifth birthday and may request that they are admitted out of their normal age group – to reception rather than year 1. Admission authorities **must** make clear in their admission arrangements the process for requesting admission out of the normal age group.

2.19 Admission authorities **must** make decisions on the basis of the circumstances of each case and in the best interests of the child concerned. This will include taking account of the parent's views; information about the child's academic, social and emotional development; where relevant, their medical history and the views of a medical professional; whether they have previously been educated out of their normal age group; and whether they may naturally have fallen into a lower age group if it were not for being born prematurely. They **must** also take into account the views of the head teacher at the school concerned. When informing a parent of their decision on the year group the child should be admitted to, the admission authority **must** set out clearly the reasons for their decision.

2.20 Where an admission authority agrees to a parent's request for their child to be admitted out of their normal age group and, as a consequence of that decision, the child will be admitted to a relevant age group (i.e. the age group to which pupils are normally admitted to the school) the local authority and admission authority **must** process the application as part of the main admissions round, unless the parental request is made too late for this to be possible, and on the basis of their determined admission arrangements only, including the application of oversubscription criteria where applicable. They **must not** give the application lower priority on the basis that the child is being admitted out of their normal age group. Parents have a statutory right to appeal against the refusal of a place at a school for which they have applied. This right does not apply if they are offered a place at the school, but it is not in their preferred age group.

Local authorities should also have regard to the DfE's non-statutory Advice on the Admission of Summer Born Children (December 2014) and this should be read alongside the School Admissions Code.

3. Social/Emotional Considerations

It is important to consider carefully the emotional and social impact of transfer out of year. Successful learning and achievement are underpinned by feelings of emotional security and social wellbeing. Children spend much of their time adapting socially to fit into a peer group; making changes to a child's social "map" can have a significant effect on their adjustment and must be considered carefully.

Three key factors will determine whether this is positive or negative.

- The resilience of the child
- The arrangements that will be made to support the child socially
- The extent to which the new arrangements are perceived by the child as improving their social and emotional wellbeing.

The demands on the child in adjusting to a new class or setting are likely to be considerable. For example, in the case of delayed admission, children will often describe being unable to answer children who challenge them as to why they have not moved up. In the case of early admission, similar challenges will arise.

Negotiating the social demands of a new group can be stressful for some children and impact negatively on their learning. In the case of early transfer to secondary school the small amount of research that exists in this area tends to suggest that being very young in the peer group, particularly in the case of boys, can lead to feelings of not fitting in. Research into children's views of the experience of Y7 shows a preoccupation with fitting in socially over learning at this stage. Even gregarious children may find this a challenge.

4. Determining Factors for Accelerated Admission

The majority of children, including those who are deemed gifted or talented and those born early in a school year, are best placed within the year group indicated by their date of birth. Accelerated admission should only take place when the child's parents and the professionals who have been working with the child agree that the needs of the child cannot be met within his or her year group, and that the benefits of the child moving out of their normal year group outweigh any social or emotional disadvantages.

For accelerated admission a child must demonstrate: -

- **Very exceptional** intellectual ability, an unusually mature use of language, physical and emotional maturity, and well-developed social relationships.
- There must be evidence of very exceptional ability in all areas of the child's development.
- There will be evidence of this degree of advancement throughout the child's development/education. It should not be based on early onset of puberty.

To be considered very exceptional a child's development and abilities must be significantly above the recognised expected levels for their age range.

The National Association for Gifted Children (NAGC) describes giftedness as a blend of intelligence, personal characteristics, and interpersonal skills. Identification of giftedness is not a simple matter, but the following factors should be considered when assessing whether a child is exceptional:

- has a wide vocabulary and talked early;
- asks lots of questions and learns more quickly than others;
- has a very retentive memory;
- is extremely curious and can concentrate for long periods on subjects of interest;
- has a wide general knowledge and interest in the world;
- enjoys problem-solving, often missing out the intermediate stages in an argument and making original connections;
- has an unusual and vivid imagination;
- could read from an early age;
- shows strong feelings and opinions and has an odd sense of humour;
- sets high standards and is a perfectionist;
- loses interest when asked to do more of the same.

For pre-school children development/ability is measured by the Early Years Foundation Assessment. To be considered very exceptional a child would as a minimum need to have exceeded the expectations of the Early Years Foundation Stage and met all the Early Years Goals.

For children of statutory school age to be considered very exceptional a child would as a minimum need to have achieved exceptional levels in all areas of the National Curriculum as measured by the Standard Assessments Tests (SATs).

The views of the head teacher at the preferred school(s) will be taken into account where appropriate.

In cases where a child has already been educated outside of their normal age group this will be taken into consideration, although the decision should be made on the basis of all the circumstances of the case.

5. Determining Factors for Delayed Admission

Delayed admission of summer born children

By law, parents must arrange for their child to start full-time education by the start of the term following their fifth birthday – unless they make arrangements to educate their child otherwise than at school. Once a child reaches statutory school age there is no longer any entitlement to pre-school provision

All children are eligible for a full-time place in the September following their fourth birthday. Parents are however, entitled to defer their child's entry until later in the year or until the term in which the child reaches compulsory school age, provided that the place is taken up within the same academic year. A child reaches compulsory school age on the prescribed day following their fifth birthday (or on the fifth birthday if it falls on a prescribed day). The prescribed days are 31 December, 31 March, and 31 August. Parents can also request that their child attends part-time until the child reaches compulsory school age. Where parents of summer born children (those born between the beginning of April and end of August) do not take up a reception place in the academic year and choose to make an application for the following September, the application will normally be for admission into Year 1.

However, if a parent of a summer born child does not feel their child is ready for school, they can request that they enter the Reception class in the September after their fifth birthday. Summer born children are defined by those children who are born between 1 April and 31 August.

Early Years Funding

All children are entitled to 15 hours early years funding up to and including the term in which they have their fifth birthday. Some children will also be eligible for the extended entitlement of up to 30 hours if their parents meet the Government's funding criteria.

Should a parent consider deferring entry into a Reception Class they should take into account that the child will only be eligible for early years funding until the end of the term in which they have their fifth birthday. Therefore, unless your child has a birthday between 1 April and 31 August there will not be funding available for the whole academic year.

Parents may request a part-time reception place and, if the school agrees to this, the funded hours may be split between the school and the early year's provider.

- When a child has been offered a reception place at a state-funded school, parents have the right under the School Admissions Code, to request that their child attend part time until later in the school year but not beyond the point at which they reach compulsory school age (the beginning of the term following their fifth birthday). This does not apply to children offered a place in an independent school as the School Admissions Code does not apply to fee-paying independent schools.
- A child attending a state-funded reception class on a part time basis is entitled to additional free hours at another provider if the child's parents have a valid 30 hours eligibility code. The maximum number of free hours in both the school reception class and another provider is 1140 hours per year. The child must take a minimum of 15 hours with the school, i.e., three full days. They are then able to take the remaining 15 hours with another provider (on a term-time basis).
- A child accessing a full-time place in a state-funded school is not eligible for any additional funding. If the child moves from a part time place to a full-time place at any point during the school year the child will cease to be entitled to the additional free hours at the other provider from that point in the same way as any child taking up a full-time reception class place is not entitled to any additional free hours on top of their reception class place.

For further information on the funding please contact the Families Information Service on 01629 525793 or e-mail info.fis@derbyshire.gov.uk

Other Issues for consideration

- Where a parent requests their child is admitted outside the normal age group, the admission authority is responsible for making the decision on which year group a child should be admitted to. They are required to make a decision on the basis of the circumstances of the case and in the best interests of the child concerned.
- There is no statutory barrier to children being admitted outside their normal age group, but parents do not have the right to insist that their child is admitted to a particular age group.
- A parent is still required to make an application to their child's normal age group at the usual time and will be able to make a request for admission outside the normal age group at the same time.
- Whenever possible, the Authority will give its response before primary national offer day or as soon as possible if the application was made just prior to or after national offer day.

When considering a parental request for a summer born child to be admitted to a Reception class in the September following their fifth birthday the following factors will be taken into account: -

- the child's development and abilities against the recognised expected levels for their age range as measured by the Early Years Foundation Assessment;
- the needs of the child and the possible impact on them of entering Year 1 without having first attended the Reception class;
- in the case of children born prematurely, the fact that they may have naturally fallen into the lower age group if they had been born on their expected date of birth;
- whether delayed social, emotional, or physical development is adversely affecting their readiness for school.
- the views of the head teacher at the preferred school(s). (Please note, however, that there is no guarantee of a place at this school even if the request is agreed).
- the views of the parent.

Delayed admission of other children

Once on roll at a school it is for the headteacher to decide whether or not a child should be placed in a year group different from that of their chronological age. In each case the decision should follow detailed discussions with parents/carers and relevant professionals...

In situations where a child transfers school, then the admission authority will make the decision.

It is sometimes appropriate to place children who have substantial special educational needs (SEN) and who may already be the subject of an Education, Health and Care Plan (EHCP) out of their normal age group. Where a child has an EHCP, such a decision would be part of the statutory review process and the process set out in this document would not normally be applicable unless the request is for a child who will be starting Reception, in which case this form will need to be completed.

When considering requests for children to be placed below their normal age group the following factors will be taken into account: -

- the child's development and abilities fall significantly below the expected levels for their age range at a particular key stage under the National Curriculum as measured by Standard Assessments Tests (SATs) and/or teacher assessment;
- the child has temporary but severe needs, due to a serious illness or accident, which cannot be met through normal measures under the Authority's policy on meeting the educational needs of children and young people with medical needs;
- the child has experienced problems which have resulted in the child being without education for a substantial period of time;
- the child has previously been educated in a different year group from the normal one for their age up until that point;

Making an Application for Accelerated/Delayed Admission

1. Parents thinking of making a request for accelerated/delayed admission or transfer should in the first instance discuss it with their child's pre-school provider/current head teacher, prospective future head teacher and any other professionals involved as soon as possible. If, after discussion, parents wish to formally request the admission of their child outside the normal age group they should provide:
 - a recommendation form completed by the child's pre-school provider/current head teacher which includes information on the child's abilities and

development how the child is performing against the recognised expected levels for their age group; and the child's social and emotional development;

- When relevant, the views of the head teacher of the preferred school(s).
- any other information/documentation which is relevant to the request;

For admissions into a school's normal intake years (i.e. Reception for infant and primary schools, Year 3 for junior schools and Year 7 for secondary schools)

requests must be submitted by 31 March of the academic year preceding the year of admission in order that requests can be determined before applications open in the autumn term and allowing parents sufficient time to then meet the national 31 October closing date for secondary places and 15 January for primary places. Requests for other year groups should be submitted as soon as possible e.g. for early or delayed admission to secondary school parents should start this process in the spring term of Year 5.

2. The request will be considered by a panel of Local Authority representatives from the Authority who will look at all aspects of the case including the child's social/emotional maturity, as well as their educational progress. Please note that the availability of places at a preferred school or childcare arrangements will not be taken into account.
3. If any of the preferred schools are their own admissions authorities (voluntary aided, foundation or academy schools) the Admissions Team will pass on the Senior Education Advisor's recommendation and ask them to confirm whether or not they will accept an out of year application.
4. The School Admissions and Transport Team will confirm to the parents whether or not an out of year application to the preferred school(s) has been accepted. Please note that if an application is accepted this does not guarantee that a child will be offered a place at any of the preferred schools – only that the application will be considered in the usual way through the normal application process according to the published admission arrangements.

NB Ultimately the decision on the appropriateness of the admission of a child outside of their normal age group rests with the admitting authority (voluntary aided, foundation or academy schools and the local authority for community and controlled schools). In making their decision admission authorities must follow Paragraph 2.18, 2.19 and 2.20 of the School Admissions Code, and should consider the DfE's Advice on the Admission of Summer Born Children. Where it is agreed to admit a child outside of their normal year group the situation should be

kept under review and, if appropriate, a plan put in place to return the child to their chronological year group.

Right of Appeal

Parents refused an application for a place at the school have a statutory right of appeal to an Independent Admission Appeals Panel, but this does not apply if parents are offered a place at their preferred school and not in the year group they would like, or if the child is not of statutory school age. However, parents who are unhappy with a decision to refuse a request for accelerated or delayed admission may make a complaint under the school's or the local authority's complaints procedure (depending on who is the admission authority).