



# Information for parents about delayed or accelerated entry to school and guidance for summer-born children

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## 1. Introduction

This guidance is for parents or carers who are thinking about delaying entry to school for their summer-born child or parents who are requesting for their child to be educated in either a younger or older year group than that of their chronological age in Lewisham.

This guidance covers whether the child is due to start school or is already on roll at a school, and includes those with an Education, Health and Care Plan.

This guidance reflects the requirement of the School Admissions Code 2021 and also the [Department for Education's non-statutory advice on the admission of summer-born children which was issued in December 2014 and September 2020](#).

## 2. Who is responsible for making the decision?

Whilst there is no statutory barrier to children being educated out of their chronological year group, **there is also no statutory duty for such a request to be agreed**. A parent cannot insist their child is educated out of their normal year group. It is the view of the local authority that most children should be educated in their chronological year group, with the curriculum differentiated appropriately to meet the needs of the individual child. Children should only be educated out of their chronological year group in **very limited circumstances**.

Each request must be considered according to the circumstances of the case, the need of the child, and what is in the child's best interests. It must also take account of the views of the Headteacher. Responsibility for making the decision will depend on whether the child is applying to start a new school or whether a request is to a school that the child is already attending.

### **Request for a child who is starting a new school**

Where a parent requests that their child be admitted to a new school out of their chronological year group, i.e. where a child is not currently on roll at the school, the admission authority for the school must make the decision. For community and voluntary controlled schools, the admission authority is the local authority where the school is located. For other types of schools, known as own admission authority schools, the admission authority will be the school's governing body or academy trust.

### **Request for a child who is already attending the school**

Where a child is already on roll at the school, the headteacher of the school will decide whether or not a child should be placed in a year group different to that of their chronological age.

## **3.Starting school in Reception and summer-born children**

### **When is a child required to start school?**

Local authorities and schools must provide all children with the opportunity to join a Reception class in the September following their fourth birthday. However, a child does not reach statutory school age until the beginning of the term after they turn five years old.

Some parents may feel that their child is not ready to start school in the September after their child turns four. These parents can request that their child attends Reception part-time until they reach statutory school age; or that the date their child is admitted to Reception is deferred until later in the same academic year.

### **Summer born children**

Summer born children are defined as those born between 1 April and 31 August and they reach statutory school age at the beginning of the September after they turn five years old.

Whilst the majority of parents of summer-born children will be happy for their child to start in Reception at the same time as other children their age, some may have concerns about whether their child is ready for school. In such circumstances, parents can choose for their child to start school at statutory school age, thereby reapplying for their child to start school in the September following their fifth birthday for a place **in Year 1**.

However, some parents may wish to request that their child is admitted to Reception instead of Year 1, so they would be educated out of their chronological year group. In such cases, the decision that must be made by the admission authority is whether it will be in the child's best interests to start in Reception or to miss Reception and start in Year 1.

This does not apply to children born in the autumn and spring as these children must legally be in school full time in the term after they turn five years old.

## **4. Factors for parents to consider before making an out of year group request**

In all cases, parents who are considering making a request for their child to be educated out of their chronological year group should talk to the school(s) concerned to discuss the provision on offer, how they might be able to provide a differentiated curriculum to provide for the needs of their child and, where applicable, the child's readiness for school. If the child has an Education, Health and Care Plan, the parent should also discuss any request with the child's SEND case officer.

## **Placement in a younger year group**

Parents should consider the following:

- Children are seldom uniformly delayed in their intellectual development. Areas of cognitive or physical ability are at risk of not receiving appropriate stimulation if a child is placed in a younger year group and a reduced set of general expectations applies.
- Physical, emotional and social expectations may be inappropriate when a child is taught in a younger year group.
- Some summer-born children may exhibit lower levels of achievement and maturity, however, schools are experienced in addressing this with children within their chronological year group through normal differentiation of the curriculum.
- Whether a summer-born child attends a primary school or early years setting during the academic year following their fourth birthday, they will receive the Early Years Foundation Stage curriculum in which learning is developed largely through play.
- Please note that in the future parents will need to be aware that they will have to self-fund a place, once the child is no longer eligible for early entitlement if they choose to delay school entry and the child has no EHCP.
- At each transition (i.e. between Key Stages or schools) a new request for out-of chronological year group admission must be made, and the decision whether to maintain a child's placement in a younger year group must be made by the admission authority for the school. This will be based on the circumstances of the case and what is in the best interests of the child at that time. There is no guarantee that a child will continue to be educated out of their chronological year group throughout their education. However, the consequences of attempting to "make up" a year are often very negative for the child. Furthermore, they are at risk of missing a statutory entitlement to a national curriculum year programme of study or being denied the ability to enter public examinations.
- Where placement in a younger year group is maintained, phase transfers, SATs, GCSEs and school leaving are reached a year or more late. Young people cease to be classed as being 'of statutory school age' on the last Friday of June in the school year in which they turn 16 years of age. Therefore if they are being educated in a younger year group the school must make provision for them until the date they are due to leave school, even if the young person has been excluded. If a young person was to require a new school place at this time, they would have to negotiate admission and there is no guarantee that a school would admit a student above statutory school age.
- Where a young person is educated in a younger year group, they may find that their post 16 entitlement is reduced from 3 years to 2 years which may impact attainment and opportunity post 16.

## **About our Reception classes**

Our schools are nationally recognised for the quality of the provision of the Early Years Foundation Stage and can ably meet the spectrum of needs and abilities of children entering the reception class.

They are experts in ensuring that children's transition into Reception class is a smooth and positive experience for all concerned. Each school will have its own way of introducing children into reception class, which will usually include:

- welcome visits
- meetings for new parents
- individual meetings with parents
- home visits
- phased starts in September

These practices are intended to make starting school an exciting experience for both parents and children.

All Reception classes follow the statutory framework for the Early Years Foundation Stage. This places a heavy emphasis on children's emotional wellbeing, responding to individual children's needs, and the fact that children develop and learn in different ways and at different rates. Schools make sure that children learn through play and through a mix of adult-led and child-initiated experiences.

Reception classes will generally look and operate in a very similar way to nurseries and nursery classes, particularly early on in the year, gradually introducing more structured learning when children are ready.

### **Placement in an older year group**

- Whilst a child placed a year ahead of their chronological age may, as a consequence, receive a higher level of intellectual stimulation, this will apply across all subject areas and the child's intellectual strengths and achievement may not be universally ahead of age expectation.
- In some cases physical, social and emotional maturity may fail to match exceptional intellectual maturity; in which case a child may present with physical, emotional or social demands which are less effectively catered for in an older year group. The self-esteem and other negative emotional consequences of this may be considerable, particularly during adolescence.
- Assuming overall maturity is broadly in line with intellectual maturity, placement a year ahead of chronological age can lead to successful outcomes for the child. However, these outcomes could equally be addressed through an enriched and differentiated curriculum within the same chronological year group.
- Once the age shift is made, it is difficult to reverse, necessarily involving the repeat of a National Curriculum Year.
- At each transition the decision whether to maintain the placement in an older year group must be made by the admission authority for the school based on the circumstances of the case and what is in the best interests of the child. As such, there is no guarantee that it will continue throughout the child's education and a new request must be made at each transition.
- Where placement in an older year group is maintained, the consequence is that the child will reach the next phase transfer, SATs or GCSEs, and school leaving point a year or more early. Young people do not cease to be of statutory school age until the last Friday of June in the school year they turn 16 years of age and as such would have to negotiate transfer early to a school sixth form or Further Education college, which would not be guaranteed.

## **5. When to make an out of year group request**

If a parent believes it would be in their child's best interests to be educated out of their chronological year group then they will need to submit a request along with any relevant information and evidence they may have.

There is no expectation for a parent to obtain professional evidence they do not already have, however submitting all available evidence and information will assist the admission authority or headteacher in determining whether it would be in the child's best interests to be admitted out of their chronological year group.

Parents are encouraged to contact their preferred schools prior to making a formal request and schools are encouraged to meet with parents to discuss their intentions, as this will aid the decision-making process (although for community and voluntary controlled schools the decision must be made by the local authority). However a parent is not obliged to make prior contact with a school and, where they do not, any request must still be considered.

### **a) Applying for a younger year group as part of the normal admissions round**

If a parent wishes to request that their child is admitted to a younger year group as part of the normal admissions round for a school, they should initially apply for a school place at the normal time i.e. in line with the application dates appropriate for the chronological year group of their child. These dates are:

- Reception entry – apply by 15 January in the academic year the child turns 4.
- Junior entry – apply by 15 January in the academic year the child turns 7.
- Secondary entry – apply by 31 October in the academic year the child turns 11 (i.e. in Year 5).

At the same time, parents should submit their request for their child to be educated out of their chronological year group along with any supporting evidence they may have.

Applying at the normal time will ensure that an 'in principle' decision can be made on the out-of-year group request in good time. This also means, should a request be refused, a parent maintains the option of sending their child to school in their chronological year group, thus ensuring their child does not miss out on accessing a year of education.

### **Transfer to secondary school**

Due to a change in legislation (for summer-born children who started in reception a year later than is usual), parents will now need to apply for a secondary school place when the child is in **year 5 rather** than year 6. This means that for a child who has been educated out of their natural year group, you will need to request that your child continues to be educated 'out of cohort'.

The request should include information detailing why a delayed admission is in your child's best interests. Lewisham will decide whether or not to agree to your request for delayed admission to Lewisham community schools. For faith schools, free schools, foundation schools and academies and schools outside the borough, the decision is taken by the governing body for the schools and parents must therefore contact them directly. For many children, it will be right for them to remain with their adopted year group but it is possible that others may be better off joining their normal year group.

### **b) Applying for an older year group as part of the normal admissions round**

If a parent wishes to apply for admission to an older year group as part of the normal admissions round for a school, they should apply for a school place along with other parents applying for the same cohort. For example, if a parent wishes their child to be educated one year higher than their child's chronological year group, applications should be made by the following dates:

- Reception entry – Apply by 15 January in the academic year the child turns 3.
- Junior entry – Apply by 15 January in the academic year the child turns 6.
- Secondary entry – Apply by 31 October in the academic year the child turns 10.

At the same time, parents should submit their request for their child to be educated out of their chronological year group along with any supporting evidence they may have.

Applying by the relevant deadline will ensure that, if the request is agreed, school places will not have been filled by other applicants who applied on time.

#### c) Request for in-year admission

##### **For children without an Education, Health and Care Plan**

If a parent wishes to apply for admission out of chronological year group at any other time, i.e. not during the normal admissions round, then they should apply for their preferred schools via the in-year admission process, no more than 6 weeks prior to anticipated entry. At the same time, they should submit their request for their child to be educated out of their chronological year group along with any supporting evidence they may have.

##### **For children with an Education, Health and Care Plan**

If a parent wishes to apply for admission out of chronological year group at any other time, then they should liaise with the child's SEND case officer.

#### **d) Request where the child is already on roll at the school**

If a parent wishes their child to be transferred to a younger or older year group at the school they currently attend, a request should be made in writing to the headteacher. This request should contain the reasons for requesting out-of-year group education, along with any supporting evidence they may have. If the child has an Education, Health and Care Plan, then the parent should also liaise with the child's SEND case officer.

## **6. Factors that will be taken into account when making a decision**

When an out-of-year group request is received, a decision must be made based on the circumstances of the case and what is in the best interests of the child. The decision must also take account of the views of the headteacher of the school concerned. In each case, it is beneficial if the school has already had detailed discussions with the parent and any relevant professionals involved with the child.

Whilst there is no expectation for a parent to obtain professional evidence they do not already have, submitting all available evidence and information will assist the admission authority/headteacher in determining whether it would be in the child's best interests to be educated out of their chronological year group.

The responsibility for addressing individual needs generally lies with the school through an appropriately differentiated/enriched curriculum. If this is problematic, schools are expected to seek support from the local authority.

#### **a) Placement in a younger year group**

For a child to be placed in a younger year group, the admission authority/headteacher should consider the following in order to assess what is in the best interests of the child:

- The impact on a summer-born child of being admitted to year 1 without first having completed Reception (should a parent exercise their right to delay their child's entry to school until the September following their child's fifth birthday).
- Whether the child is currently being educated out of their chronological year group;
- Whether the child shows a delay in intellectual development/educational skills, across all subject areas, to an extent that curriculum differentiation (with appropriate SEND resources) is not reasonable;
- Whether the child's physical maturity places them in a position of being developmentally different from their peer group;
- Whether the child shows an equivalent delay in emotional development and social skills, appropriate for a younger peer group;
- Whether the child was born prematurely on or before 31 August and the expected due date was after 31 August;
- Whether there is parental support and agreement;
- Where relevant, the child's medical history and any views of a medical professional;
- Whether the child has an Education, Health and Care Plan (EHCP) and the most recent Annual Review endorses the decision to move the child out of their chronological year group. A child with an EHCP should not be moved unless an Annual Review has taken place and the recommendation has been upheld by Lewisham. In all cases schools must liaise with the child's SEND case officer before considering a request;

#### **b) Placement in an older year group**

For a child to be placed in an older year group, the admission authority/headteacher should consider the following in order to assess what is in the best interests of the child:

- Whether the child is currently being educated out of their chronological year group;
- Whether the child demonstrates advanced intellectual skills and achievement in all subject areas;
- Whether there has been a full exploration of curriculum extension/enrichment possibilities being delivered in the child's correct chronological year group;
- Whether the child has physical maturity sufficient to meet the curriculum and play demands of a higher National Curriculum year;
- Whether the child's emotional and social maturity is sufficient to establish positive peer relationships with an older age group;
- Whether there is parental support and agreement;
- Whether there is child support and agreement following extensive explanation and counselling as to the implications;
- Whether plans to manage phase transfers and examinations have been anticipated or are in place, including the need for an early transfer to a school sixth form or Further Education college where the child is secondary school age.

#### **c) Other factors which may be taken into account Infant Class size legislation**

Even when an admission authority/headteacher agrees it is in a child's best interests to be educated out of their chronological year group, they may not be able to facilitate a request if it is for a Key Stage 1 class.

Other than a few permitted exceptions, under Infant Class Size legislation a Key Stage 1 class (Reception, Year 1 and Year 2 which contain 5, 6 and 7-year-olds) must not contain more than 30 pupils with one teacher. The permitted exceptions are set out in paragraph

2.15 (a)-(h) of the School Admissions Code 2014. Any other child placed out of their chronological year group is not regarded as an exception to Infant Class Size legislation. As such, a school would be unable to admit or move a child out of their chronological year group to a Key Stage 1 year group if it was full, as this would breach the infant class size limit and may result in additional costs for the school by way of the requirement to provide an additional teacher.

### **Published admission number**

In addition, there is complexity regarding the legal requirement of a school's Published Admission Number (PAN) which, in law, reflects the minimum number of children that should enter or transfer to a school within the relevant age range. The PAN is legally age-related. If a Reception class has a PAN of 30 and can only admit 29 children because a child is held down a year in Reception, this in effect takes away the legal right of another child to have a place in that year group as the maximum class size of 30 for Key Stage 1 prevents a class of 31 being created.

### **Children recently arrived in the United Kingdom**

It is generally recognised within the English school system that children should be placed with their chronological peers. Children with English as an additional language should not, as a rule, be treated any differently. Placing them with their peer group affords them all the same advantages and benefits it offers other children.

However, exceptions may apply if the circumstances of the case would indicate that it would be in the child's best interests to be educated out of their chronological year group, such as when:

- Prior educational experience has been limited or fragmented with the result that formal learning skills (in-home language as well as in English) are significantly behind those of chronological peers.
- GCSE examinations are imminent and an additional year's preparation would enable the student to perform well. Children who are emotionally distressed or traumatised should not, in general, be considered suitable for placing out of age. This is unlikely to reduce significantly the overall impact of settling in the United Kingdom or overcoming the effect of past experiences.

## **7. The outcome of the request**

- Where an out-of-year group request is received for one of Lewisham's community or voluntary controlled schools, the decision will be made by Lewisham's Admissions team, in liaison with the headteacher of the school. Lewisham's Admissions team will respond to the parent regarding the outcome of the request.
- Where an out-of-year group request is received by Lewisham's Admissions team in relation to an own admission authority school, they will forward the request to the appropriate school(s). Own admission authority schools will respond to the parent regarding the outcome

of the request and at the same time will also let Lewisham's Admissions team know the outcome.

- Some own admission authority schools may receive out-of-year group requests directly from parents. In such cases, the school will respond to the parent regarding the outcome of the request but will also notify Lewisham's Admissions team of the request and the outcome.
- Where an out-of-year group request is made for a child who is already on roll at the school, the headteacher will make the decision and will inform the parent of the outcome.

#### **a) Request agreed**

##### **Request for a younger year group as part of a normal admissions round**

For normal round admissions, where a request is agreed for entry to a younger year group, any preferences named for the child's correct chronological year group will be withdrawn. The parent will be required to reapply, via a paper application, which will be sent to the parent by the Admissions Team. The parent is expected to apply at the appropriate time for the requested year group in order for the child's application to be considered alongside other applicants in that year. Parents should ensure they are aware of the application deadlines for the year group in which they will be seeking admission, as missing the relevant deadline could result in the child missing out on an offer of a place.

If an offer has already been made for the chronological year group then this will be withdrawn as offers cannot be carried forward from one academic year to the next.

##### **Request for an older year group as part of a normal admissions round**

For normal round admissions, where a request is agreed for entry to an older year group, any preference will continue to be processed for entry to the school. The application will be considered alongside all applicants seeking entry as part of the same admissions round. The parent will be notified of the outcome of their application once it has been processed, usually on the national offer day if the application was made on time.

##### **Request for in-year admission**

For in-year admissions, where an out-of-year group request is agreed, the admission authority will consider whether or not a place is available in the selected year group. If a place is available it will be offered. If a place is not available the parent will have the opportunity to be placed on the waiting list for the school.

##### **Request where the child is already on roll at the school**

Where an out of year group request is agreed for a child who is already on roll at the school, the headteacher will arrange placement in the agreed year group at the earliest opportunity, in liaison with the parent.

#### **b) Request declined**

##### **Request for a younger year group as part of a normal admissions round**

For normal round admissions, where a request is declined for entry to a younger year group, the admission authority must set out their reasons. For summer-born children, the admission authority must also confirm the year group that it considers will be in the child's best interests to start when the child turns five years old.

Any preferences named for the child's correct chronological year group will continue to be processed until such time as a place is offered or the parent indicates they wish the preference to be withdrawn.

If a place is offered, the parent will be notified of this, usually on the national offer day if the application was made on time. The parent can then choose whether to accept or decline the offer, although parents are advised to only decline a place once alternative suitable education provision has been organised.

### **Request for an older year group as part of a normal admissions round**

For normal round admissions, where a request is declined for entry to an older year group, the admission authority must set out their reasons. The parent's preferences will be withdrawn and the parent can then reapply for a place the following year for the correct chronological year group.

### **Request for in-year admission**

For in-year admissions, where an out-of-year group request is declined the admission authority must set out their reasons. The admission authority will consider whether or not they can offer a place in the child's correct chronological year group. In some cases, the child may not be of an age eligible for entry to the school, such as where a child's chronological year group is Year 7 and the parent is seeking entry to a primary school in Year 6. In such cases, the school would be unable to consider the child's admission in the correct year group and the school has no further duty to process an application for the school.

### **Request where the child is already on roll at the school**

Where an out of year group request is declined for a child who is already on roll at the school, the child will remain within their correct chronological year group.

## **8. Important factors to consider following a decision**

- Agreement to consider a child for admission out of their chronological year group does not guarantee an offer of a place at a particular school as an offer will be dependent on whether a vacancy exists and whether or not other children have a higher priority for a place when ranked against a school's oversubscription criteria.
- Decisions are made individually for each school. There is no guarantee that different admission authorities will come to the same decision regarding a request and one admission authority cannot be required to honour a decision made by another.
- Where admission to a younger year group is sought, parents should consider carefully the likelihood of gaining a place at their preferred school should a request be agreed upon and their application for admission at the correct time is withdrawn. If a child is not able to secure a place at their preferred school in the following year, there is no guarantee that other schools will accept an out-of-year group application at that time.
- Where it is agreed to place a child out of their chronological year group, this will not normally be for more than a single National Curriculum year. In the case of vertically grouped classes, this will apply to the age range of the class rather than a single chronological age.

## **9. Will a child be expected to remain out of their chronological year group?**

Where it is deemed in the best interests of a child, a school may seek to move a child back to their chronological year group. In a few cases, it may be deemed appropriate to further decelerate or accelerate a child's year group.

However, in many cases, it will be appropriate for a child to remain educated out of chronological year group. In these cases it is not possible to plan comprehensively for transition as in each case transition will be subject to:

- a separate out of year group decision being made by the admission authority for the new school, an application being submitted by the parent, and a place being offered according to the school's admission criteria; or
- a child's Education, Health and Care Plan.

At each transition, the decision regarding entry out of chronological year group must be considered by the admission authority for the new school. However Lewisham's expectation is, where a child is currently educated out of their chronological year group within the English educational system, the child should remain out of year group unless there is any significant evidence or information to the contrary.

## **10. Appeals and complaints**

Parents do not have a right to appeal against the decision not to allow their child to be educated out of their normal year group. However, a parent may make a complaint about:

a) an admission authority's decision not to admit their child out of their chronological year group:

- in the case of academies, free schools and foundations, trust and voluntary aided schools parents may make a complaint using the school's complaints procedure.
- in the case of community and voluntary controlled schools parents may make a complaint to the local authority.

b) a headteacher's decision on whether or not to place a child, who is already on roll at a school, in a year group different to that of their chronological age. In all such cases, parents may make a complaint using the school's complaints procedure.

If a parent is unhappy with the way a local authority or a maintained school has handled their complaint, the parent may refer their complaint to the Local Government and Social Care Ombudsman.

If a parent is unhappy with the way an academy or free school has handled their complaint they may complain to the Education Funding Agency which will consider the complaint on behalf of the Secretary of State for Education.

## **Glossary**

### **Cohort**

This is the age range of a group of children. The age range relates to those children born between 1 September in one year and 31 August the following year. For example, children born between 1 September 2022 and 31 August 2023 are the cohort of children expected to start reception class in September 2027.

### **Deceleration**

If your child is decelerated, it means they have delayed their admission to school.

**Deferred admission**

This is when a parent accepts a school place in the correct cohort and arranges for the child to start reception class later in the same academic year.

**Delayed admission**

This is when a child is admitted outside their normal cohort and applies for a school place a year later than expected.

**Summer born**

A summer-born child is one born between 1 April and 31 August.