



BRIEFING

SUBJECT: Deferred entry, admission of summer born children and educating children out of their normal age group	
RECIPIENT(S): Headteachers and Chairs of Governors of Infant and Primary C of E Schools (all Sections) Headteachers and Chairs of Governors of C of E Junior & Secondary Schools (Paragraphs 4.1-4.4)	
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1 INTRODUCTION

1.1 This briefing replaces that issued by the SDBE in January 2014. In December 2014, the Department for Education (DFE) revised the School Admissions Code and issued revised advice on the admission of summer-born children ([DFE advice on admission of summer born children 2014](#)). The revised Code has clarified the DFE’s guidance on deferred entry, summer born children and education out of normal age group. This briefing summarises the DFE guidance on these issues and highlights action that admissions authorities need to take on their admission arrangements for 2016/17.

2 COMPULSORY SCHOOL AGE

2.1 A child is considered to reach compulsory school age if s/he is five on 31st December, 31st March or 31st August (these dates are known as the “prescribed days” and are set out in legislation); if a child’s birthday does not fall on one of those dates, s/he will be of compulsory school age on whichever of those dates falls after his or her fifth birthday. In practice, this means that all children are required to start school at the start of the term after they are five years old: for example, a child born in November may start school in September aged 4 years 10 months, but **must** start school at the beginning of term in the following January.

3 DEFERRED ENTRY AND PART-TIME ENTRY TO RECEPTION

3.1 Schools must provide full-time reception places for children in the September after they are four years old (this follows the recommendation in the Rose Primary Curriculum Review in 2009) and most parents choose to send their child to school from September so that their child is educated alongside their peers. However, parents have the option to defer entry to a reception class until their child reaches compulsory school age (as defined above) and/or to request part-time attendance until their child reaches compulsory school age, but they are not permitted to *defer* entry beyond the end of the academic year, nor, if their child is summer born, can they defer beyond the start of the summer term. The DFE Admissions Code 2014 states:

Admission of children below compulsory school age and deferred entry to school:

*2.16 Admission authorities **must** provide for the admission of all children in the September following their fourth birthday. The authority **must** make it clear in their arrangements that, where they have offered a child a place at a school:*

- a) that child is entitled to a full-time place in the September following their fourth birthday;*
- b) the child’s parents can defer the date their child is admitted to the school until later in the school year but not beyond the point at which they reach compulsory school age and not beyond the beginning of the final term of the school year for which it was made; and*
- c) where the parents wish, children may attend part-time until later in the school year but not beyond the point at which they reach compulsory school age.*

3.3 Parents who wish to defer, should do so in writing to the headteacher who may then meet with the parent to discuss the options. It should be made clear to parents that the child will move up to year 1 in the following September, regardless of the start date. Deferral for summer-born children beyond the end of the school year is not an option. If a school receives a deferral request, the only options open to a parent are for the child to start in reception in the spring or summer term.

4 EDUCATION OUT OF CHRONOLOGICAL AGE

4.1 The revised Code (paragraphs 2.17-217B) requires governors to have a clear process for parents who wish to make a request to educate their child out of their normal (chronological) age group and governors must make this clear in their admission arrangements for 2016 entry onwards.

4.2 Generally, children are educated in school with their peers and should only be educated out of their normal age group in very limited circumstances. Parents may have different reasons for wishing their child to be educated out of their normal age group; for example, this may relate to the child being gifted and talented, or the child experiencing ill health. In some cases it may be that a statement or education, health care plan stipulates that education out of normal age group would be appropriate, but where there is no statement or EHC plan and once a child has been admitted, it is for the headteacher to decide how best to educate a child. The Code has clarified that decisions on educating a child out of their normal age group must be made:

- (i) in the best interests of the child; and
- (ii) on the basis of the circumstances of each case.

4.3 Where an application is received and a request for a child to be admitted out of their normal age group is submitted, admission authorities should take the following into account when determining the request:

- (i) the parent's views;
- (ii) information about the child's academic, social and emotional development;
- (iii) where relevant, the child's medical history and views of a medical professional;
- (iv) whether the child has previously been educated out of their normal age group;
- (v) whether the child may naturally have fallen into a lower age group if it were not for being born prematurely;
- (vi) the views of the headteacher.

4.4 If refusing a request for education out of normal age group, governors must set out clearly the reasons for their decision. If a school refuses to admit a child, parents have the right to appeal; however, if the governors offer a place and it is not in the year group that the parent wants, there is no right of appeal. In those circumstances, the parent may make a complaint in accordance with the School's complaints' procedure.

Summer born children

4.5 Where a child is summer born (ie, between 1st April and 31st August) and a parent wishes the child to be admitted to reception rather than year one at the age of five, slightly different circumstances apply since the child is being admitted to school for the first time. Parents must be able to demonstrate why it would be in the child's best interests to be admitted to reception rather than year one and they may have professional evidence to accompany their request, but it cannot be required.

4.6 Admission authorities must consider all requests from parents to admit their child out of their normal age group. Parents should be told to apply for a place for their child's normal age group during the normal admission round and at the same time submit a request for education out of the normal age group. Headteachers may wish to meet with the parent to discuss the advantages/disadvantages and in particular the differentiated curriculum on offer. Governors must make the decision in two separate stages:

- (i) decide on the age group the child should be admitted to, ie, decide whether, or not, to grant the parent's request for education out of normal age group, taking account of the advice in 4.2 and 4.3 above. Parents need to know the decision of the governors before the deadline for applications for their child's normal age group so that they can make an informed decision about whether their child will start school before compulsory school age;
- (ii) decide on the application in accordance with the oversubscription criteria.

4.6 If governors agree to the request for education out of normal age group, the parent should withdraw their application for reception in the normal age group. If the governors refuse the request, the parents can decide whether to accept the offer of a place for the normal age group (assuming their application is among the offers made), or reject the offer and make an in-year application for admission to year one for the September following the child's fifth birthday. There can of course be no guarantee of a place in year one, and the parent may not be top of any waiting list – the danger for the parent is that their child must be in school by 1 September and they might be without an offer of a school place. **(See also paragraph 4.4, above)**

5 ACTION FOR GOVERNORS

- (i) Ensure that your admission arrangements reflect the new Code in respect of deferred entry and part-time entry (schools with reception classes only). See SDBE briefing on the revised Code, or follow LA arrangements.
- (ii) Ensure that your admission arrangements include a paragraph on admission out of normal age group and that there is a clear process for parents to follow. See SDBE briefing on the revised Code, or follow LA arrangements.