

## Deferred and part-time entry and Admission of children outside their usual age group

### Purpose of this Policy

This document explains the approach taken by the London Borough of Barking and Dagenham (“the Council”) and schools in Barking and Dagenham when parents request either:

- (i) delayed or part-time entry to Reception; or
- (ii) admission outside a child’s normal chronological year group.

This policy is based on:

- The School Admissions Code 2021
- The Children and Families Act 2014
- The SEND Code of Practice
- Current Department for Education guidance

Relevant DfE guidance:

School Admissions Code 2021

<https://www.gov.uk/government/publications/school-admissions-code--2>

Summer born children: starting school – advice for parents

<https://www.gov.uk/government/publications/summer-born-children-school-admission/summer-born-children-starting-school-advice-for-parents>

Guidance on handling admission requests for summer born children

<https://www.gov.uk/government/publications/summer-born-children-advice-for-admission-authorities/guidance-on-handling-admission-requests-for-summer-born-children>

There is no statutory barrier to a child being educated outside their chronological year group. However, there is no duty on an admission authority to agree such a request and a parent cannot insist that their child is educated outside their normal age group.

Each request will be considered on its individual circumstances and in the best interests of the child.

This policy separates the arrangements into two parts. **Part A** explains rights relating to deferred entry and part-time attendance in Reception. **Part B** explains admission outside the normal age group, including requests by parents of summer born children to start Reception at compulsory school age.

## **Key Definitions**

A child's "normal age group" means the year group they would ordinarily be taught in based on their date of birth.

"Admission outside the normal age group" includes any request for a child to be placed in a year group different from their chronological year group.

"Summer born children" are those born between 1 April and 31 August. Parents of summer born children may request that their child starts Reception at compulsory school age (the September following their fifth birthday) rather than entering Year 1.

The decision-maker for admission outside the normal age group is the admission authority for the school concerned. For community and voluntary controlled schools, the Council is the admission authority. For academies, voluntary aided and foundation schools, the governing body or academy trust is the admission authority.

## **Part A**

### **Deferred Entry and Part-Time Attendance in Reception**

#### **Deferred Entry to Reception**

Parents may choose to delay their child's start in Reception until later in the same academic year. This is separate from admission outside the normal age group.

Parents must still apply for a Reception place in the normal admissions round.

A child must start school no later than the point they reach compulsory school age, unless they are being educated otherwise than at school.

Where deferred entry is agreed, the child remains allocated to their Reception place and will join Reception later in the same academic year.

Children whose fifth birthday falls:

Between 1 September and 31 December may start in January.

Between 1 January and 31 March may start in April.

Between 1 April and 31 August may start in April or the following September, at which point they would enter Year 1 unless a request under Part B has been agreed.

Infant Class Size legislation applies regardless of the start date.

## **Part-Time Attendance in Reception**

Parents may request part-time attendance in Reception for a limited period before moving to full-time education.

Practical arrangements are agreed with the school. Schools are not required to offer flexible attendance patterns but will confirm the part-time arrangements available.

Children attending part-time in Reception cannot simultaneously access funded early years provision elsewhere.

## **Part B**

### **Admission Outside the Normal Age Group**

#### **Scope**

This section applies where a parent requests that their child be admitted to a year group other than their chronological year group.

This includes requests for summer born children to start Reception at compulsory school age rather than entering Year 1.

#### **Legal Framework and Decision Test**

Admission authorities must decide requests on the basis of the individual circumstances of the child and in the child's best interests.

There is no presumption for or against admission outside the normal age group.

Each request must be considered individually. A blanket policy either to agree or to refuse such requests would be unlawful.

In reaching a decision, the admission authority must:

Take account of the parents' views.

Consider information about the child's academic, social and emotional development.

Consider any relevant medical history or professional information provided.

Take account of the views of the headteacher.

Set out clearly the reasons for its decision.

For summer born requests, the focus is whether the child's needs would be best met by starting Reception at compulsory school age rather than entering Year 1.

## **Evidence and Information**

Parents may provide any information they consider relevant.

There is no requirement for parents to obtain professional reports in order for a request to be considered.

A request will be considered even where no professional evidence is available. However, the admission authority may take account of any relevant information available when determining the child's best interests.

Requests will not be refused solely because they are not accompanied by professional evidence.

## **Children with EHCPs, Looked After Children and Children Known to Social Care**

Parents of looked after or previously looked after children, children known to social care, or children with SEND are encouraged to discuss any request with the relevant professional.

Where a child has an Education, Health and Care Plan (EHCP), decisions about placement and year group are made through the statutory framework set out in the Children and Families Act 2014 and the SEND Code of Practice.

Requests relating to education outside the normal age group for a child with an EHCP will therefore be considered through the EHCP review or amendment process in accordance with the Children and Families Act 2014 and the SEND Code of Practice, rather than solely through the general admissions process. Parents should contact their EHC Coordinator to discuss any such request.

Nothing in this policy excludes any category of child from making a request.

## **Decision-Making Arrangements**

In Barking and Dagenham, a panel may be used to support consistent and lawful decision-making. The panel may include officers and professionals with relevant expertise.

The panel supports the admission authority in ensuring that decisions are child-specific, evidence-based and properly reasoned. The formal decision is taken by the relevant admission authority in accordance with paragraph 2.19 of the School Admissions Code.

## **Outcomes**

The admission authority will provide a written decision.

If a request is agreed, the child may be admitted outside their normal age group, subject to the normal admissions process and oversubscription criteria.

If a request is refused, the reasons will be clearly explained.

There is no statutory right of appeal against a refusal to admit a child outside their normal age group. Parents retain the right of appeal against refusal of a school place.

## **Applications and Timing**

Parents are encouraged to make requests as early as possible.

For Reception admissions, parents should apply in the normal admissions round by 15 January, even if considering a summer born request.

Requests may be made before or after national offer day.

Admission authorities must consider requests made outside recommended timescales.

## **Oversubscription**

Where a request is agreed, the application will be processed in accordance with the determined admission arrangements and oversubscription criteria. It will not be given lower priority because the child is being admitted outside their normal age group.

## **Future Transfer Points**

Where a child has been educated outside their normal age group, a further request may be required at transfer to junior or secondary school. The relevant admission authority at that stage must make its own decision based on the child's best interests.

If a request is not agreed at secondary transfer, the admission authority may determine that the child joins their chronological year group. Parents should therefore consider the longer-term implications when making an initial request.

## **Complaints**

If a parent is dissatisfied with the way a decision was made, they may use the admission authority's complaints procedure.

Complaints procedure link:

<https://www.lbbd.gov.uk/council-and-democracy/complaints-and-compliments>

## **FAQs**

### **Application process for summer-born deferment**

All families considering Summer-born deferment should speak to the professionals who work with their child to get a full picture as to whether deferring reception for a year would be in their best interests for both the short and the long term.

### **Children who are Looked After, or have an Education Health and Care plan or social worker**

Families or carers should discuss their possible deferment request with the relevant professional before submitting their application to defer. They may be able to help with supporting evidence or completing your application if they believe deferment will be in the best interest of the child.

- Looked After children - Virtual School at the local authority responsible for the child.
- Education Health and Care plan - Barking and Dagenham Education Health Care Team. Please see section 10 for more information for pupils with an EHC plan
- Social worker

All of these should provide you with support in making your application and the admission meeting if they believe it will be in the best interest of the child to start reception a year later than expected.

### **How to apply for summer-born deferment**

In Barking and Dagenham there are two options – pre and post offer.

#### **Option 1 (before school offer is made)**

The Department for Education recommends we should expect Barking and Dagenham families to make a reception application for their child's normal age group at the usual time (national closing date 15 January preceding the September of the year the child would usually be expected to start) - even if they are considering applying for summer born deferment. At the time of this application the family can apply for summer born deferment.

If you choose this option, you will be advised before offer day if summer-born deferment will be granted at any of your preferred schools (named on the application).

It must be noted at this time you will not be aware what school will be offered and it is possible that the child will not be offered a place at any of these schools but allocated another. This means for example that your 1st preference school may not grant your summer born entry then your 2nd and 3rd preference may offer.

Under the rules of admission, we must offer the place at the highest preference school that is possible based on child's priority for a place at each of their preferred schools. So, it is possible that your 2nd preference will agree summer born, but your 1st will not and then the Admissions Team establish we can offer a place at the first preference school meaning summer born will not be granted to the child.

Parent/legal guardians who want to apply for Summer-born before offer should submit their request for summer born deferment immediately after submitting their reception application using this form.

### **Option 2 (after school offer is made)**

Where a family wants to know to what school has been offered before making a decision, they should submit their request for summer born deferment immediately after they receive their offer letter using the application form.

### **What happens after applying**

#### **If delayed admission is agreed**

The offered place is withdrawn and offered to the next child on the interest list. The family must apply for a reception place the following September (when the child would normally be entering Year 1). The existing application for a reception place would be withdrawn and a new application for the next reception year would need to be submitted. There is no guarantee a place will be offered at the school where you received approval to defer.

#### **If your request is refused**

You will receive a decision in writing to your request for delayed admission for each school you are interested in if you applied before offer day. If you applied after offer day you will receive an outcome from the school you have been offered a place. These decisions will be made following the panel meeting.

### **What is summer born deferment?**

In addition to the legal right to defer (delay) the reception class start date, for Summer-born children (born from 1 April to 31 August) families can apply to defer entry to reception until the next September when the child would normally be starting Year 1.

If the admission authority agrees it means the child will be in a year group below that determined by their date of birth.

Applying for Summer-born deferment does not take away a family's legal right to defer entry to reception.

### **Is summer-born deferment available to all families?**

No, only those with children born between 1 April and 31 August

### **Can I request Summer-born deferment in any year group?**

No, Summer-born deferment requests only apply when a family want to defer their child's expected start date into reception until the September of the following year, not other year groups.

### **What is the difference between deferment and Summer-born deferment?**

Deferment is a legal right and results in a child missing part of their reception year. Summer-born deferment gives families only a legal right to apply to start reception a year late.

### **What does this mean?**

If Summer-born deferment was agreed by the admission authority and Head Teacher the child will start reception when they would normally be expected to start in year 1. This means they will always be in a class with children a year below them based on age.

### **Things to consider**

Requesting a Summer-born deferment is a big decision that will impact on your child's education throughout their whole school career from reception to leaving school and not just starting reception. To ensure Barking and Dagenham families make the best decision for their child, if considering requesting a summer born deferment, we strongly advise you to read all the information and links included in this document, as well as all other available information on this subject and speak to family, friends and any professionals involved with your child before submitting an application.

A family's decision making should also consider the physical, social and emotional development of their child and the impact of them being in a class with younger children. A decision made by another family for their child to request a summer born deferment however successful for their child may not be the right decision for your child.

Families must also understand that any deferment will result in the allocated place being withdrawn and you will need to reapply again for the following year. This means when applying for reception for a second time (due to Summer-born deferment) it is possible that the same school may not be offered as other applicants this year may have a higher priority.

### **Will their agreed deferment continue throughout a child's education?**

Not in all cases. It is expected that deferment will continue to the end of primary phase school, (if a child attends an infant school the family will need to make an application to move to junior school). The family will need to apply again for deferment as the child moves to secondary school unless they attend an 'All Through' school where the process may be different. There is no guarantee that the secondary school would agree to the child starting in Year 7 and potentially this would mean starting in Year 8 therefore missing a full year at secondary school.

If the family wants to apply for schools in other boroughs, they will need to make an application to each borough/admission authority for a deferment as each borough/admission authority will have to make their own decision.

### **If summer born is agreed, can their year group be changed if the parent changes their mind?**

No, as the place would be withdrawn when Summer-born deferment was agreed. The only option will be to make an in year application, but there is no guarantee the same school will be offered as all places may have been offered to other children.

Where the child has already started their reception year (Summer-born) this will be a decision for the head teacher at the school they are attending as they will need to work with the family to consider the impact on the child.

For example, if in year 2 a family decides they were not happy with their child being in a lower year group than other children of their own age, it will need to be understood to all parties the impact of the child moving up a year as this will mean they lose a year's education. In some instances, a school may not have a vacancy in the child's correct year group and therefore there would need to be a further in year application with no guarantee that a preferred school has places available.

### **What will happen regarding a child's nursery place?**

Where Summer-born deferment is agreed by the family and the admissions authority. The family can request that the child can continue to attend their nursery. However, not all nurseries in LBBD are able to facilitate this. This must always be agreed by the Manager/Head Teacher of the nursery and will depend on the nursery policies and availability of places at the point the family advises they want to remain in nursery rather than moving into reception.

The child remains entitled to a funded early education place of 15 or 30 hours (dependant on family circumstances) a week for 38 weeks of the year until they are admitted to school. More information about free early education is available on GOV.UK

## **When will my child transition to secondary school?**

Where a child has been educated out of their normal age group, the parent may again request admission out of the normal age group when they transfer to secondary school. It will be for the admission authority of that school to decide whether to admit the child out of their normal age group. They must make a decision on the basis of the circumstances of each case and in the child's best interests and will need to bear in mind the age group the child has been educated in up to that point.

If a request is not agreed at secondary transfer, the admission authority may determine that the child joins their chronological year group. Parents should therefore consider the longer-term implications when making an initial request

## **What about tests and performance tables?**

Children are assessed when they reach the end of each key stage, not when they reach a particular age. There are no age requirements as to when children must take their GCSEs or other assessments.

## **School leaving age**

A child ceases to be of compulsory school age on the last Friday of June in the school year they become 16. If a child is educated outside their normal age group they will no longer be of compulsory school age during the school year in which most children take their GCSE examinations and cannot, therefore, be obliged to attend.

For the avoidance of doubt, this does not prevent a pupil from remaining in school with their cohort to complete Key Stage 4 and take GCSE examinations. In practice, pupils educated outside their normal age group would ordinarily be expected to remain in their agreed year group through to the end of Year 11, subject to individual circumstances.

Barking and Dagenham strongly recommends that all children take their GCSEs irrespective of their academic year group and compulsory school age.