

Warwickshire County Council

Guidance for educating children outside their normal academic year group.

This document provides guidance for applications to educate a child out of their normal year group. It is designed to support parents, schools and Local Authority officers.

Warwickshire County Council Education and Learning School Admissions Service

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1 INTRODUCTION

WHO THIS GUIDANCE IS FOR

This guidance is for parents (considering a request to educate their child in a year group below, or above, their chronological age group), Schools, Admission Authorities and Local Authority officers.

The document explains Warwickshire County Council's (the 'Local Authority') process regarding educating pupils outside of their normal year group, the risks and disadvantages for children educated out of year group, advice for schools and admission authorities (regardless of whether they have chosen to adopt the LA's processes), and the duties of LA officers when undertaking these duties.

The processes herein apply to all schools where the Local Authority (LA) is the admissions authority i.e. all Community and Voluntary Controlled schools. Parents can check whether the school(s) they wish to apply for is Community or Voluntary Controlled by selecting the school on the <u>Find a School</u> section of Warwickshire's website.

Where the school is located within Warwickshire, but the LA is not the admission authority (for example, Voluntary Aided Schools or Academies), parents must refer to the relevant school(s) admission arrangements which must explain the process for dealing with applications for education out of year group. Own admission authority schools are required to publish their determined admission arrangements on their website each year.

Although it is strongly recommended that this guidance is endorsed by all own admission authority schools, there is no duty on the school/admission authority to do so. Some schools have chosen to adopt the processes within this guidance, and this will be stated within their arrangements.

Parents **must** do their own research into the benefits and pitfalls of educating a child out of year group, using this guidance and other referenced documents as a starting point. Links to all key documents from the DfE can be found within this document.

This guidance does not relate to situations where children attend a school that operates mixed age classes. Mixed age classes are where two, or more, year groups are mixed and taught together in a classroom. Where this arrangement does not impact the age at which the child will transfer to the next key stage (i.e. from an infant to a junior class), then the child is not considered to be 'educated outside of their year group'.

We would strongly advise that parents read the following guidance before making a request for their child to be educated outside of their chronological year group.

2 PRINCIPLES

The LA believes that in most cases, children should be educated in the year group appropriate to their chronological age. Being educated with peers of their age supports the development of physical and emotional maturity, as well as social and interactional skills and a child's ability to respond to a curriculum which is age-appropriate, as well as suited to their abilities.

The LA promotes and provides inclusive teaching. Teachers are expected to match the learning objectives to the whole class, and the learning activities planned to meet the differing abilities, aptitudes and individual needs of the children. This ensures all children are enabled to make good progress in their normal age group for admission.

The Early Years Foundation Stage Curriculum, and the Programmes of Study in the National Curriculum, incorporate flexibility within, and between, each key stage to support a diverse range of children's needs. Where a child's abilities are significantly out of step with other

children of their age, then individual provision should be planned. This could include addressing any special educational needs. In almost all cases, such individual provision will be made within the child's own year group.

The SEND Code of Practice outlines a 'graduated response' of special provision, assessments and review within schools which does not normally require children to be educated out of their chronological year group.

All children have an entitlement to the Early Years Foundation Stage curriculum and the Programmes of Study of the National Curriculum, designed for their age group. The LA and all schools within this authority have a legal duty to make sure this is available. The Early Years Foundation Stage curriculum can be delivered either by a nursery school or setting, or by a Reception class.

A long-term view should be taken of the child's educational needs. The LA would wish to avoid the adverse consequences which can arise if children are educated out of their year group which will be explained in more detail later in this document.

Educational research has not demonstrated that accelerating more able children into higher year groups, than their chronological age group, is in their best interests. Such acceleration inevitably brings emotional and social pressures which are not conducive to the well-being of the young person concerned. The advantages of accelerating the normal academic milestones, from developments in early years through to public examinations, have not been shown to outweigh the personal and social costs which can be involved.

However, there will be circumstances where it is deemed in a child's best interest to be educated out of their chronological year group.

Being granted the opportunity for a child to be educated out of year group, however, does not guarantee a place at any particular school. Normal admissions criteria still apply, and this will be explained in further detail later in this document.

The overriding message in this guidance is that most children will do well at school by starting in their normal age group.

There is no statutory barrier to children being admitted outside their normal age group. However, parents do **not** have the right to insist that their child is admitted to a particular age group.

3 THE LAW RELATING TO REQUESTS FOR EDUCATION OUT OF YEAR GROUP

All admission authorities are legally required to follow the procedures as set out in the School Admissions Code (September 2021). This guidance follows the latest Admissions Code and will be updated in line with any amended national guidance.

The following extracts are taken from the School Admissions Code, in relation to the education of children outside of their chronological year group:

- **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 of 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.
- * The term summer born children relates to all children born from 1 April to 31 August. These children reach compulsory school age on 31 August following their fifth birthday (or on their fifth birthday if it falls on 31 August). It is likely that most requests for summer born children to be admitted out of their normal age group will come from parents of children born in the later summer months or those born prematurely before 37 weeks gestation.

The following Department for Education (DfE) guidance documents should be read by parents and decision makers in relation to requests for education out of year group.

Summer born children starting school: advice for parents - GOV.UK (www.gov.uk)

Making a request for admission out of the normal age group - GOV.UK (www.gov.uk)

Guidance on handling admission requests for summer born children - GOV.UK (www.gov.uk)

4 TYPES OF REQUESTS - STARTING SCHOOL

Children ordinarily start school full-time, in Reception, in the September following their fourth birthday. Throughout this guidance, we refer to this as a child's normal/chronological age group as shown in the table below.

School Year Group, starting 1 st September	Chronological age reached within the relevant school year	Relevant Key Stage to which National Curriculum will be focused	
Nursery	4	FOUNDATION	
Reception	5		
Y1	6	KEY STAGE 1	
Y2	7		
Y3	8	KEY STAGE 2	
Y4	9		
Y5	10		
Y6	11		
Y7	12	KEY STAGE 3	
Y8	13		
Y9	14		
Y10	15	KEY STAGE 4	
Y11	16		
Y12	17	CIVILI	
Y13	18	SIXTH FORM/POST-16	

However, a child does not reach **compulsory school age** until the "prescribed day" (31 December, 31 March, and 31 August) following their fifth birthday, or on their fifth birthday if it falls on a prescribed day.

Children born between 1 September and 31 December will reach compulsory school age on 31 December and **must** be receiving full-time education at the start of the Spring term (i.e. after the Christmas holidays, in January).

Children born between 1 January and 31 March will reach compulsory school age on 31 March and **must** be receiving full-time education by the start of the Summer term (i.e. after the Easter holidays, in March or April).

Children born between 1 April and 31 August (known as Summer Born) will reach compulsory school age on 31 August and **must** be receiving full-time education at the start of the new school year (i.e. after the summer holidays, in September).

The LA coordinates the application process and allocation of all Warwickshire school places for Reception entry. All schools, including those that are their own admissions authority follow the agreed coordinated admissions process administered by the Admissions Service.

For Warwickshire residents who wish to apply for a school in another county, applications are submitted to Warwickshire Admissions Service who will coordinate with the relevant local authority.

PART TIME ATTENDANCE OR DEFERRED ENTRY

In some cases, it may be more appropriate that a child starts school on a part-time basis initially or starts later in the school year. For example, in the Spring or Summer Term. This is referred to as **Deferred Entry**.

There are many reasons that it may be appropriate for the child to start Reception on a part-time basis or later in the school year. These could concern a child's medical issues or special educational needs (which are either confirmed or being assessed), or parents may be concerned that their child is just not ready to start school in the September following their fourth birthday.

If parents decide to agree a pattern of part time attendance with the school where their child has been offered a place or defer their entry until later in the school year, the child **must** be attending full time by the dates set out above.

SUMMER BORN CHILDREN

Parents of summer born children (born between 1st April and 31st August) can also decide to delay their child's entry to school by a whole year until they reach compulsory school age.

If parents choose to delay their child's entry to school, until the following academic year (meaning the child would not start school at all during the academic year after their fourth birthday), they **must** make a request for their child to be **educated out of year group**. If agreed, this would enable parents to apply for a Reception place the following year.

If parents do not make a request for their child to be educated out of year group, or their request is refused, the child would enter school at **year 1** with their chronological age group, missing Reception.

The DfE supports the right of parents to decide not to send their child to school until they reach compulsory school age but do not believe it should become the norm for summer born children to begin reception at 5 years old as many summer born children will thrive if they begin reception when they are 4 years old.

Any decision to agree to a child being educated out of year group does not guarantee the child a place in a particular school. They must follow the relevant application process.

DELAYED ENTRY

Parents of children, who are not summer born, can request that their child's start is delayed until the following academic year, for reasons such as a medical or special educational need or disability (SEND). Where the summer born admission guidance does not apply, parents must make a request to delay their child's admission to start school (known as **Delayed Entry**) until the following academic year. Parents should provide evidence to support their request where possible.

Having a special educational need or a disability does not necessarily mean a child should delay starting school. It may be in their best interest to start school before they reach compulsory school age so they can access the support available there.

All teachers are trained to support all children to succeed, including those with SEND. Every mainstream school must have a special educational needs coordinator (SENCo) - a qualified teacher with an additional SEND qualification.

ACCELERATED ENTRY

In very rare cases, where a child has exceptional abilities, parents can request for them to start their school journey 1 year earlier than is normal for their chronological year group (referred to as **Accelerated Entry**). However, a child starting Reception at the age of 3 could face other issues which will be set out later in this document.

5 OTHER REQUESTS FOR EDUCATION OUT OF YEAR GROUP

ACCELERATION AND DECELERATION OF A CHILD ON ROLL

Requests for education out of year group is not limited to when a child is starting school. Parents can also make a request for children who are already on a school roll, to be educated out of year group, in a year group above (**Acceleration**), or below (**Deceleration**) their chronological year group.

This could be for reasons such as the child is gifted and talented, and their needs cannot be met in the year group with their peers, or, where a child has experienced problems, such as ill health, that has caused them to miss a large portion of the curriculum.

Where a child is attending a school, and will continue to do so, the decision maker is the **Headteacher**.

Where the request coincides with a child's move to a new school, the decision maker is the relevant admission authority. However, the views of the headteacher of the relevant school must be considered.

CHANGING SCHOOLS

When it becomes time for a child, being educated out of year group, to move to another school, the new school does not have to agree to continue to educate the child outside of their normal year group.

This applies to any change of school, whether the child is moving within Warwickshire, coming into Warwickshire from elsewhere or moving to a new local authority, including transferring to a different educational phase (infant to junior, junior/primary to secondary).

Where the EOYG Panel has agreed to the child being educated out of year group, and the school the child is moving to is either a maintained or voluntary controlled school, or the school has adopted Warwickshire's guidance for dealing with such requests, then this arrangement will normally continue, as long as the reasoning for being educated out of year group in the first instance still applies.

However, if the new school does not agree that it is in the child's best interests to educate them out of year group, there is no legal requirement to comply with any previous arrangements and the child could be placed with their chronological year group.

6 THE EOYG PANEL AND WHAT THEY WILL CONSIDER

An admission authority must decide about the age group to which a child should be admitted before it can decide whether a place can be offered in that age group.

All education out of year group requests for voluntary aided and community schools, as well as those own admission authority schools who have adopted this guidance, are considered by the Education Out of Year Group (EOYG) Panel. The panel comprises of representatives from the Admissions Team, the Assessment Team, The Early Years Team and the Special Educational Needs and Disabilities Team.

The Panel will consider each case individually based on the available information. Once a decision is reached, this will be communicated to parents in writing along with information on what parents should do next.

The following information sets out the factors that the Panel should consider (where available) when reaching its decision.

SUMMER BORN CHILDREN

For summer born children, the decision of the panel is not whether it would be in the child's best interest to delay their start to the following academic year, but whether the child should start in year 1, with their chronological year group, or if it would be in their best interest to be educated out of year group in Reception, when they do start school.

The following factors will be taken into consideration by the Panel:

- parental views
- headteacher views
- information about a child's academic, social, and emotional development
- where relevant, a child's medical history and the views of a medical professional
- whether a child would naturally have fallen into a lower age group if they had not been born prematurely
- the potential impact on the child of being admitted to their normal age group (in year
 and therefore, missing a year of their education as a consequence.

There do not need to be exceptional circumstances, and a child does not need to have a medical need or SEND for it to be in their best interests to be admitted out of their normal age group.

OTHER REQUESTS FOR EDUCATION OUT OF YEAR GROUP

For accelerated or delayed entry requests (not summer born), or accelerated/decelerated requests for In Year moves, or at the point of transfer to junior or secondary schools, the panel will consider whether it appears, on the balance of probabilities, that the child will be better able to progress if they were to be educated outside of their chronological year group (or continue to be educated out of year group).

The following factors will be taken into account by the Panel:

- parental views
- headteacher views
- information about the child's academic, social and emotional development
 - if the child's development is significantly below the expected level for their age range, so much so, that their academic needs could not be met in their normal age group
 - o if the child is remarkably gifted and talented so much so that their academic needs

- could not be met in their normal age group
- whether the child is delayed emotionally and therefore unable to make adequate relationships with their peer group
- any other evidence that supports the child being educated out of year group would substantially increase the probability of successful inclusion, in the short, medium and long term
- any other evidence that the child's needs would be met more effectively out of their chronological year group that within it
- where relevant, the child's medical history and the views of a medical professional
 - whether the child has experienced problems which have resulted in them being out of education for a substantial period of time
- whether the child would have naturally fallen into a lower age group if they had not been born prematurely
- whether the child has previously been educated out of their normal age group; and
- the potential impact on a child of being admitted to their normal age group, after previously being educated out of year group and missing a year of their education as a consequence.

DfE guidance states admission authorities should not expect parents to get evidence they do not already have and must still consider requests that are not accompanied by evidence from professionals. Authorities should not refuse a request solely because it is not accompanied by professional evidence.

All requests will be considered on an individual basis, in line with this guidance. When reaching a decision, the panel must be satisfied that:

- The proposed action responds to the educational needs of the child, based on available evidence
- The proposal has the strong support of all parties with a legitimate interest in the child's education, including where relevant, the child
- It has been clearly demonstrated that the educational progress, which could reasonably be expected, of the child cannot be achieved by remaining with their normal age group by making reasonable adjustments

DfE guidance states, unless there are sound educational reasons to do otherwise, the assumption should be that a child transferring between school phases (e.g. from primary to secondary) who is already educated out of year group, will remain outside of their normal year group, as to do otherwise would result in the child missing a year of school.

However, parents are reminded that there is no duty on a school/admission authority, that has chosen not to adopt this guidance, to agree to a request for education out of year group, even if a previous request to do so has been agreed.

7 RISKS AND DISADVANTAGES FOR CHILDREN EDUCATED OUT OF YEAR GROUP

Regardless of the reasons, or the point at which a decision that it is in a child's best interest to be educated outside of their chronological year group is made, there are always consequences.

This section highlights the potential difficulties a child educated out of year group can face as they move through the years.

FEELING DIFFERENT TO THEIR PEERS

If at the point of starting school, the Panel agrees a child is to be educated out of their chronological year group, they could find that there is almost two years difference between them and their peers. For example, children born in April will reach the age of 6 before those children in the year group born towards the end of the summer term who may not reach 5 until the summer holidays.

If a child is permitted to start school a year before their normal entry, there could be an adverse impact on the development of their social and interactional skills due to mixing with children, in some cases, almost 2 years older than them.

In either case, this could affect the child on a long-term basis, both psychologically and emotionally, as they mature and begin to recognise that they are different to many of their classmates.

CHANGING SCHOOLS

Whether entry is delayed or accelerated, or a child is decelerated/accelerated after starting school, when it becomes time to move to a new school, there is no guarantee that the new school will continue with the educated out of year group arrangements.

If the admission authority of the new school refuses to continue an education out of year group arrangement, the child would be admitted to their chronological year group causing a decelerated child to miss a year of their education and an accelerated child to repeat a year.

STATUTORY ASSESSMENTS

Children are usually assessed when they reach the appropriate point in their education, not when they reach a particular age. However, the exception for this is the phonics screening check, which should be taken in the year the child turns 6, but only if they have completed the year 1 programme of study.

SATs and GCSEs are sat in years 6 and 11.

If a child is required to move from year 5 to year 7, because the receiving school's admission authority refuses a request for education out of year group, the child will miss the opportunity to sit SATs.

STATUTORY LEAVING AGE AND FURTHER EDUCATION

Young people cease to be classed as being of compulsory school age the last Friday of June in the school year in which they turn 16 years of age. For a decelerated child, this means they could legally leave school in year 10, before they have had the opportunity to acquire external qualifications (GCSEs), and the school will not be able to enforce attendance.

Should the young person remain in school until the end of year 11, this could impact their ability to move onto further education settings or courses as they will be a year older than the normal entrance age for which the setting usually provides education.

Although there is an obligation to be in education or training until the age of 18, a pupil who spends an additional year in school may reduce the time they spend in post-16 education or training which may limit their capacity to achieve qualifications.

An accelerated child would still be 15 at the time their peers turn 16 and leave school. Not only would they have to remain in school until the end of the academic year, they would also have to negotiate transfer early to sixth form or Further Education college, which would not be guaranteed, otherwise they would face having to repeat year 11 until they reach the legal leaving age.

GRAMMAR SCHOOL SELECTION TESTS

Entrance to a grammar school requires children to sit a selection test to assess academic ability. It is important to bear in mind that a child's opportunity to sit the test will likely be impacted by being educated out of year group.

11+ tests are held annually, and scores are standardised based on the child's actual age. Where a child falls outside of that age range, there is no guarantee that the 11+ test for that year of entry will be adaptable.

All grammar schools within Warwickshire are Academies, meaning that they are their own admission authorities. The school would have to be in agreement that a child, educated out of year group, could be tested alongside peers of the year group for which admission is being sought.

The school would also have to be in agreement that, if the child achieved a qualifying score, they could enter the school either a year above or below their chronological age group. There is no guarantee, and no legal requirement, that such an agreement will be made or that there will be an available school place.

Parents must check the admission arrangements for any grammar schools they are considering applying for and submit a request for their child to be admitted out of the normal age group (subject to them achieving a qualifying score) before they sit the test.

Parents are also encouraged to submit their request before the child reaches the end of year 4, so, in the event that the request is refused, the child can sit the test at the beginning of year 5 and submit an application for year 7 (missing year 6) with their chronological year group.

To avoid children sitting the test unnecessarily, parents should make the decision whether to request their child be educated out of year group before the test takes place in the autumn term.

SCHOOL TRANSPORT ENTITLEMENT

Statutory eligibility for transport assistance is based on a child's age, not the year group they are in.

Therefore, a child being educated out of year group, whether summer born, or decelerated due to extenuating circumstances, who qualifies for free transport, will see their entitlement finish at the end of the academic year in which they turn 16. As the child will no longer be of compulsory school age, parents will be responsible for getting them to school once transport comes to an end at the end of year 10. This may include having to purchase a bus pass (where available) on transport that they have previously received for free.

Children whose entry is accelerated will not be entitled to transport assistance until the year in which they reach the age of 5. Therefore, parents would be responsible for getting them to school for the first year, even if they meet the other eligibility criteria for transport assistance.

8 PART TIME ADMISSIONS OR DEFERRED ENTRY

Admission authorities **must** provide for the admission of all children for whom an application is received, in the September following their fourth birthday. Where a place has been offered at a school, parents can decide:

- that their child attends full-time in the September following their fourth birthday
 most children will follow this route.
- that their child attends part-time until later in the school year but not beyond the
 point at which they reach compulsory school age Part time arrangements
 must be agreed with the school and the child must be attending full time by the
 start of the term after their fifth birthday.
- the child's start date is deferred 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 the place has been offered this
 means that if a place has been excepted, even if the child is summer born, they
 must start school at the beginning of the summer term.

Although there may be justifiable reasons why a child should start their education in Reception, on a part-time basis, or defer their start to later in the school year, Parents should give this route careful consideration prior to notifying the school, where their child has been offered a place, of their decision.

Part-time admission may mean that the child will miss out on a range of learning opportunities carried out in the Reception class, as well as some of the play-based curriculum.

They may also take more time to develop the required physical stamina to meet the demands of attending for a whole school day.

It is important for children to access the Early Years Foundation Stage (EYFS) curriculum and for the setting to undertake the EYFS Profile which must be completed for all children by 30 June in the term in which they reach the age of five. Whilst part-time admission will still give the child access to all relevant learning opportunities, there will be less time for the child to practice them.

The EYFS Profile is a statutory assessment of children's development normally undertaken in Reception (although it can be undertaken in a Nursery or other early Years setting). Each child's level of development is assessed whether they are meeting the level of development expected at the end of the EYFS, or if they are not yet reaching this level and should be assessed as 'emerging'. The Profile is intended to provide a reliable and accurate summative assessment of each child's development at the end of the EYFS in order to support children's successful transitions to year 1.

Where children are attending part time or do not start until later in the school year, it may not be possible for teaching staff to provide an accurate professional judgement for the EYFS Profile.

It is also worth bearing in mind that deferring a child's entry, until later in the year, will mean that the child will miss out on a range of class activities which are administered at the start of the Autumn term, designed to help the children settle into school life and the routines of the school day.

They will also miss the pivotal time at the start of term when friendships are formed. This may hinder the child's opportunity to form bonds, when they do start school, as friendship groups will likely be established. This could leave them feeling isolated.

Parents are responsible for sourcing any childcare provision required prior to their child starting school. However, the child will still receive their free entitlement to 15 or 30 hours of government funded childcare (eligibility criteria applies for 30 hours) until they do start.

Attending part time will impact any entitlement to school transport assistance as transport is only provided at the beginning and end of the school day.

Before making the decision for a child to start school part time or deferring their start until they reach compulsory school age, parents must first apply for a school place.

Information on making an application for a school place can be found by visiting the Admissions Service webpage – Applying for a primary school place

All parents who submit an application for a school place by the closing date of 15 January in the relevant year, will receive an offer of a school place on National Offer Day. If it is not possible to offer a place at any of the schools listed on the application, an unplaced offer will be made at the nearest school, to the child's home, with a place.

Late applications will not be considered until after National Offer Day which means a place will not be offered until after all on time applicants have received their offer. Late applicants are much less likely to receive a place at one of their preferred schools, so it is important that school applications are received on time.

Once parents have received their child's offer, they must decide whether their child will attend full time at the start of term with their peers or discuss with the relevant school the wish for their child to start part time or later in the academic year.

9 SUMMER BORN CHILDREN

Although parents of summer born children have the right to decide not to start their child at a school until they are of compulsory school age, the law only provides the right to **apply** for them to be educated (out of year group) in Reception when they do start. It does **not** guarantee that this will be granted and could mean the child has to start school in **year 1** with their chronological year group.

APPLYING FOR EOYG

Even if parents have decided to delay their summer born child's entry, until they reach compulsory school age, the following academic year, they should still apply for a school place in the normal round following their child's fourth birthday.

Information on making an application for a school place can be found by visiting the Admissions Service webpage – Applying for a primary school place

Applications for summer born children, to be educated out of year group in Reception the following academic year, should be submitted at the same time as the school application and by the National Closing Date of 15 January in the relevant year.

The form to request EOYG for a summer born child can be found here.

Parents should contact all the schools where they wish to apply for a Reception place the following academic year. The headteacher of each school will have an opportunity to express their views but the EOYG panel will make the decision.

The EOYG Panel will meet and make its decision which will be communicated to parents by the end of March in the relevant year. This will ensure parents receive the decision prior to National Offer Day

WHAT TO DO IF THE REQUEST IS APPROVED

If the request for the child to be educated out of year group is agreed, the application for a school place in the normal age group must be withdrawn before a place is offered on National Offer Day (16 April unless this falls on a weekend).

Parents must then re-apply for a Reception place the following academic year within the relevant admissions round. Parents are unable to apply for a school place, where the child is to be educated out of year group, using the parent portal. Therefore, they must contact the Admissions Service for a paper application form.

Parents should contact any own admission authority schools not previously consulted, where they wish to apply for a place, prior to the relevant round opening to avoid delays. They can **only** name voluntary controlled and maintained schools, own admission authority schools that have chosen to adopt this guidance and own admission authority schools that agree to accept a child educated out of year group if a place is offered.

The school application will be considered with all other applications for that year of entry against the admission arrangements for each school. There is no guarantee that the child will get a place at any of the named preferences when the parent re-applies.

All parents who submit an application for a school place by the closing date of 15 January in the relevant year, will receive an offer of a school place on National Offer Day.

If the LA is unable to offer any of the preferred schools, the Admissions Service will endeavour to allocate a Reception place at the nearest community or voluntary controlled school with a vacancy, or an own admission authority school that is willing to accommodate a child requesting a place out of their normal year group.

However, the child may be required to enter Year 1 directly, with their chronological year group (skipping Reception), if the LA is unable to facilitate education out of year group at a school within a reasonable distance from the child's home.

Late applications will not be considered until after National Offer Day which means a place will not be offered until after all on-time applicants have received their offer. Therefore, late applicants are much less likely to receive a place at one of their preferred schools, so it is important that school applications are received on-time.

Although the LA's EOYG Panel may agree to a parent's request, schools where the admission authority has chosen not to adopt this guidance are not bound by the panel's decision.

WHAT TO DO IF THE REQUEST IS DECLINED

Should the EOYG Panel refuse the request for the child to be educated out of year group in Reception (rather than year 1), parents would have to decide either:

 to accept the offer of a place for the normal age group (to start in the September after their fourth birthday) made on National Offer Day - parents can accept the offer, and then consider a part time timetable or defer entry until later in the school year (see section 8 for more details). However, the child must take up the place and begin attending the school full time by the beginning of the summer term.

Or

 Refuse the offer of a place in Reception and make an In Year application for admission to year 1 for the September following the child's fifth birthday – However, this would mean the child misses their first year of schooling.

Any school place offered for the September after the child's fourth birthday will be lost if the child does not start by the beginning of the summer term.

If parents decide to have their child start school in year 1 following their fifth birthday, it is important they make an In Year school application. It is possible that the year 1 class in the school where a Reception place was previously offered will be full so parents should consider making an application to more than one school.

Information on making an In Year application can be found here

It is also important that the child attends an Early Years setting, such as a nursery, prior to starting school in year 1. This will enable them to access the Early Years Foundation Stage (EYFS) curriculum and for the setting to undertake the EYFS Profile which **must** be completed for all children by 30 June in the term in which they reach the age of five (normally undertaken in Reception)

10 DELAYED ENTRY REQUESTS

As with summer born children, even if parents plan to request to delay their child's entry until the following academic year, they should still apply for a school place in the normal round following their child's fourth birthday.

APPLYING FOR DELAYED ENTRY

Applications for delayed entry should be submitted at the same time as the school application and by the National Closing Date of 15 January in the relevant year. The Application for Delayed Entry Form can be found here.

Information on making an application for a school place can be found by visiting the Admissions Service webpage – Applying for a primary school place

Parents should contact all the schools where they wish to apply for a Reception place the following academic year. The headteacher of each school will have an opportunity to express their views but the EOYG panel will make the decision.

The EOYG Panel will meet and make its decision which will be communicated to parents by the end of March in the relevant year. This will ensure parents receive the decision prior to National Offer Day

WHAT TO DO IF THE REQUEST IS APPROVED

If the request for delayed entry is agreed, the application for the normal age group must be withdrawn before a place is offered on National Offer Day (16 April unless this falls on a weekend).

Parents must then re-apply for a Reception place the following academic year within the relevant admissions round. Parents are unable to apply for a school place, where the child is to be educated out of year group, using the parent portal. Therefore, they must contact the Admissions Service for a paper application form.

Parents should contact any own admission authority schools not previously consulted, where they wish to apply for a place, prior to the relevant round opening to avoid delays. They can **only** name voluntary controlled and maintained schools, own admission authority schools that have chosen to adopt this guidance and own admission authority schools that agree to accept a child educated out of year group if a place is offered.

Although the LA's EOYG Panel may agree to a parent's request, schools where the admission authority has chosen not to adopt this guidance are not bound by the panel's decision.

The school application will be considered with all other applications for that year of entry against the admission arrangements for each school. There is therefore no guarantee that the child will get a place at any of the named preferences when the parent re-applies.

All parents who submit an application for a school place by the closing date of 15 January in the relevant year, will receive an offer of a school place on National Offer Day.

Late applications will not be considered until after National Offer Day which means a place will not be offered until after all on time applicants have received their offer. Therefore, late applicants are much less likely to receive a place at one of their preferred schools, so it is important that school applications are received on time.

If the LA is unable to offer any of the preferred schools, the Admissions Service will endeavour to allocate a Reception place at the nearest community or voluntary controlled school with a vacancy, or an own admission authority school that is willing to accommodate a child requesting a place out of their normal year group.

However, the child may be required to start school straight away, with their chronological year group, if they are of compulsory school age and the LA is unable to facilitate education out of year group at a school within a reasonable distance from the child's home.

WHAT TO DO IF THE REQUEST IS DECLINED

Should the EOYG Panel refuse the request for delayed entry, parents **must** accept the offer of a place for the normal age group made on National Offer Day. Once accepted, parents can consider whether a part time timetable or deferred start date would be more appropriate (see section 8 for more details). However, the child **must** take up the place and begin attending a school full time by the beginning of the term following their fifth birthday.

11 ACCELERATED ENTRY

APPLYING FOR ACCELERATED ENTRY

Where parents are requesting for their child to start school a year earlier (the academic year in which they turn 4), an application for accelerated entry, should be submitted at the same time as the school application and by the National Closing Date of 15 January in the relevant year.

Only in very exceptional circumstances will the panel agree to a child starting school a year before their normal year of entry. The child may have ability, but not the physical and emotional maturity to cope with the school day and there is an expectation that every child participates fully in school life.

They may not have the stamina to manage such demands and may find the experience of formal schooling very stressful at that age.

Information on making an application for a school place can be found by visiting the Admissions Service webpage – <u>Applying for a primary school place</u>. Parents are unable to apply for a school place, where the child is to be educated out of year group, using the parent portal. Therefore, they must contact the Admissions Service for a paper application form.

The form to request accelerated entry can be found here.

Parents should contact all the schools where they wish to apply for a Reception place the following academic year. The headteacher of each school will have an opportunity to express their views but the EOYG panel will make the decision in relation to voluntary controlled and community schools and own admission authority schools that have adopted this guidance.

The EOYG Panel will meet and make its decision which will be communicated to parents by the end of February in the relevant year.

WHAT TO DO IF THE REQUEST IS APPROVED

If the request for accelerated entry is agreed by the Panel, the submitted school application will be processed.

All parents who submit an application for a school place by the closing date of 15 January in the relevant year, will receive an offer of a school place on National Offer Day.

The school application will be considered with all other applications for that year of entry against the admission arrangements for each school. There is no guarantee that the child will get a place at any of the named preferences if there are more applications than places available.

There is no duty on the local authority to make an unplaced offer, if a place cannot be offered at any of the preferences listed on the application form, as the child will not reach compulsory school age during the academic year in which accelerated entry has been requested.

Late applications will not be considered until after National Offer Day which means a place will not be offered until after all on-time applicants have received their offer. Therefore, late applicants are much less likely to receive a place at one of their preferred schools, so it is important that school applications are received on-time.

Although the LA's EOYG Panel may agree to a parent's request, schools where the admission authority has chosen not to adopt this guidance are not bound by the panel's decision.

WHAT TO DO IF THE REQUEST IS DECLINED

Should the EOYG Panel refuse the request for accelerated entry, the submitted school application will be rejected - there is no right of appeal as the school application will not be processed.

Parents would need to apply for a school place when the round opens for the child's relevant year of entry. This can be submitted online using the parent portal.

Information on making an application for a school place can be found by visiting the Admissions Service webpage – Applying for a primary school place

12 ACCELERATION OR DECELERATION FOR A CHILD ON A SCHOOL ROLL

Headteachers are responsible for deciding how best to educate the children in their school. On occasion, this may include deciding any child should be moved to a different age group. Such decisions should be based on sound educational reasons and made in consultation with the parents.

Parents should discuss their concerns with the headteacher of the school their child is attending and follow the internal process for requesting for their child's education to be accelerated or decelerated.

Occasionally headteachers and parents may agree an informal arrangement, for a child to be educated out of year group on a temporary basis. However, if the arrangement is likely to be long term, this must be formalised and should be recorded on the Admission register.

There is no legal requirement for headteachers to agree to parents' requests. Headteachers must ensure any decisions do not breach Infant Class Size legislation when considering accelerating or decelerating a child into an infant class.

Headteachers **must** inform the LA of decisions to accelerate or decelerate a child on their roll using the LA Notification Form which can be found <u>here</u>.

13 CHANGING SCHOOLS

FOR A CHILD ALREADY EDUCATED OUT OF YEAR GROUP

Where it has previously been agreed that a child is to be educated out of year group, and subsequently they need to change schools, either because of moving house or transferring to a new educational phase, the new school is advised that it is usually in the child's best interests to continue to be educated out of year group, unless there is a clear educational reason not to do so.

However, there is no guarantee that deceleration/acceleration will continue throughout the child's school life. Admission authorities are not required to honour a decision made by a previous admission authority.

Information on making an in-year application can be found here.

Information on making an application for transfer from infant to junior school can be found <a href="https://example.com/here.com

Information on making an application to transfer from primary provision to a secondary school can be found here.

Parents are unable to apply online via the parent portal for a school place, where the child is to be educated out of year group. Therefore, they must contact the Admissions Service for a paper application form.

To apply for education out of year group to continue at a new school please complete the EOYG Changing Schools Form which can be found here. Parents should apply for a school place in the relevant round for their child's chronological year group (so for transfer to secondary school this would be when the child begins year 5). This will ensure a place is offered, should the request for EOYG be refused.

Parents must check the admission arrangements for all own admission authority schools, where they would like to apply for a place, and follow the relevant process(s) for those who have chosen not to adopt this guidance.

Government guidance does recommend that unless there are good educational reasons for a child to join their normal year group (meaning they would miss a year of school), they should remain with their adopted year group.

However, this is not a legally binding requirement. Therefore, there is no absolute right for the child to remain outside of their normal year group throughout their school life.

If the EOYG Panel, or the admission authority of the new school disagrees that the child should continue to be educated out of their chronological year group, a decelerated child will miss a whole year of education when they are required to apply for a place in their child's chronological year group.

For example, if a request for admission out of the normal age group at a secondary school is refused, the parent will have to decide whether to accept the offer of a place in year 7 in the school year following their child's 11th birthday (meaning they would progress from year 5 to year 7) or refuse that offer and make an in-year application for their child to be admitted to year 8 in the September following their 12th birthday (meaning they will progress from year 6 to year 8)

This means the child will have no option but to miss either year 6 or year 7.

For accelerated children, the child would have to repeat a year, if the EOYG Panel or the admission authority of the receiving school refuses for them to continue being educated out of year group. Parents would have to apply for their child to transfer the following year with their chronological year group.

Please note, the LA is not the admission authority for <u>any</u> Warwickshire secondary schools.

FOR A CHILD PREVIOUSLY TAUGHT IN THEIR CHRONOLOGICAL YEAR GROUP BUT EDUCATION OUT OF YEAR GROUP IS REQUESTED AT THE NEW SCHOOL.

Where parents are requesting a school move in-year, and the child will remain in the same phase of education (primary or secondary) but parents believe it would be in the child's best interest for them to be accelerated or decelerated, parents must follow the relevant Accelerated In-Year Entry or Decelerated In-Year Entry process.

When making the school application, they would follow the in-year admissions process. More information about making an in year application can be found here. Parents are unable to apply online via the parent portal for a school place, where the child is to be educated out of year group. Therefore, they must contact the Admissions Service for a paper application form.

ACCELERATED IN-YEAR ENTRY

The form to request accelerated in-year entry can be found here.

The EOYG Panel will meet and make its decision which will be communicated to parents within 20 school days.

Parents should contact the school(s), where they wish to apply for a place, prior to making the school application to avoid delays. The headteacher of each school will have an opportunity to express their views but the EOYG panel will make the decision in relation to voluntary controlled and community schools and any own admission authority schools who have chosen to adopt this guidance.

WHAT TO DO IF THE REQUEST IS APPROVED

If the request for accelerated in-year entry is agreed by the EOYG Panel or relevant own admission authority, the submitted school application will be processed in line with relevant time scales.

If there is a space available, and the child is top of any waiting list, a place will be offered in the requested year group.

There is no duty on the local authority to make an unplaced offer, if a place cannot be offered at any of the preferences listed on the application form, unless the child cannot remain at their current school.

Please note, there is no duty for the child's current school to comply with the Panel's decision to educate out of year group, if the child is to remain there.

Although the LA's EOYG Panel may agree to a parent's request, schools where the admission authority has chosen not to adopt this guidance are not bound by the panel's decision.

WHAT TO DO IF THE REQUEST IS DECLINED

Should the EOYG Panel refuse the request for accelerated in-year entry, the submitted school application will be processed for the child's chronological year group.

DECELERATED IN-YEAR ENTRY

The form to request decelerated in-year entry can be found here.

The EOYG Panel will meet and make its decision which will be communicated to parents within 20 school days.

Parents should contact the school(s), where they wish to apply for a place, prior to making the school application to avoid delays. The headteacher of each school will have an opportunity to express their views but the EOYG panel will make the decision in relation to voluntary controlled and community schools and any own admission authority schools who have chosen to adopt this guidance.

WHAT TO DO IF THE REQUEST IS APPROVED

If the request for decelerated in-year entry is agreed by the admission authority, the submitted school application will be processed in line with relevant time scales.

If there is a space available, and the child is top of any waiting list, a place will be offered in the requested year group.

There is no duty on the local authority to make an unplaced offer, if a place cannot be offered at any of the preferences listed on the application form, unless the child cannot remain at their current school.

Please note, there is no duty for the child's current school to comply with the Panel's decision to educate out of year group, if the child is to remain there.

Although the LA's EOYG Panel may agree to a parent's request, schools where the admission authority has chosen not to adopt this guidance are not bound by the panel's decision.

WHAT TO DO IF THE REQUEST IS DECLINED

Should the EOYG Panel refuse the request for decelerated in-year entry, the submitted school application will be processed for the child's chronological year group.

APPEALS AND COMPLAINTS

APPEALS

There is no statutory right to appeal the decision to refuse to educate a child out of their chronological year group.

Parents do have a statutory right to appeal the refusal of a place at a school for which they have applied. However, this right does not apply if they are offered a place at the school, but it is not in the preferred age group.

When considering Admission Appeals, the purpose of the Independent Appeals Panel is to consider whether a child should be admitted to a particular school, it is not in the Panel's remit to decide in which year group the child should be educated. If an appeal is successful, it is for the headteacher of the school concerned to decide in which year group the child will be placed.

COMPLAINTS

Parents who wish to challenge a decision to refuse their request for admission out of the normal age group may submit a complaint using the local authority's complaints procedure (for community and voluntary controlled schools) or the relevant school's complaints process for own admission authority schools.

Formal complaints should be submitted through the following channels:

- Local Authority maintained schools (Community and Voluntary Controlled) Follow the Local Authority complaints procedure. Further information can be found on the website: www.warwickshire.gov.uk/complaints
- Own Admission Authority schools (Academies, Free, Foundation and Voluntary-Aided) Follow the published complaints procedure of the school for which an application to be educated out of year group has been refused.

If a parent is unhappy with the way a local authority or voluntary aided or Foundation school has handled their complaint, once they have exhausted the local complaints process, they may complain to the Local Government and Social Care Ombudsman.

If they are unhappy with the way an academy (including Free Schools) has handled their complaint they may complain to the Department for Education, once they have exhausted the local process.

If a child has an Education, Health and Care (EHC) Plan and a request for them to be educated outside of their chronological year group has been refused, Parents can appeal to the First Tier Tribunal Service. Further information can be found on the SENDAR website at: www.warwickshire.gov.uk/send

ADVICE TO ALL SCHOOLS (Including those with their own EYOG arrangements)

ADMISSION REQUESTS FOR SUMMER BORN CHILDREN

The DfE has issued a non-statutory document for local authorities and other school admission authorities called Guidance on handling admission requests for summer born children.

An admission authority may not decide that a child should start school before they reach compulsory school age - that is the parent's decision.

The admission authority (of the relevant school) must decide what age group a child should be admitted to if a place were to be offered. They must make this decision on the basis of the circumstances of the case and in the child's best interests. They must also take account of the views of the school's headteacher.

The admission authority will need to decide whether a child's needs can best be met in:

- reception or year 1 (with their chronological year group), for a child starting primary school
- year 3 or year 4 (with their chronological year group) for a child transferring from an infant to a junior school, or
- year 7 or year 8 (with their chronological year group) for a child moving from primary to secondary provision.

It should be rare for an authority to refuse a parent's request where the child has already been educated outside of their normal age group in the previous stages of their compulsory education.

The government believes it is rarely in a child's best interests to miss a year of their education, for example, by beginning primary school in year 1 rather than reception, or secondary school in year 8 rather than year 7. However, there is not a legal requirement for admission authorities to accept all such requests.

ALL REQUESTS FOR EDUCATION OUT OF YEAR GROUP

As with summer born children, the admission authority of the school where parents requesting EOYG wish to apply, must decide what age group a child should be admitted if a place were to be offered.

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 headteacher of the school concerned.

Admission authorities **must** make clear in their admission arrangements the process for requesting admission out of year group. Those wishing to adopt the local authority's process, as set out in this guidance, can stipulate this in their arrangements and should link to the relevant page on the LA's website.

There is no expectation that children educated out of their normal age group should be moved to their chronological age group. DfE guidance states such children **should** remain in the age group to which they were admitted unless there are sound educational reasons to do otherwise.

Headteachers **must** ensure any decisions to accelerate or decelerate a child on roll at their school do not breach Infant Class Size.

EARLY EDUCATION

All 3 and 4 year olds, and the most disadvantaged 2 year olds, are entitled to <u>15 hours early education</u> a week for 38 weeks of the year. This rises to 30 hours a week for 3 and 4 year olds with eligible working parents.

When a parent chooses to delay their child's admission to school, the child remains entitled to receive early education until they reach compulsory school age.

MOVING CHILDREN TO THEIR NORMAL AGE GROUP

Headteachers are responsible for deciding how best to educate the children in their school. On occasion, this may include deciding any child should be moved to a different age group. Such decisions should be based on sound educational reasons and made in consultation with the parents.

There is no expectation that children who were admitted out of their normal age group should be moved to their normal age group. As with other children, they should remain in the age group to which they were admitted unless there are sound educational reasons to do otherwise.

Headteachers **must** inform the LA of decisions to accelerate or decelerate a child on their roll using the LA Notification Form.

FUNDING FOR CHILDREN OUT OF NORMAL AGE GROUP

The school funding formula for pupils in reception up to year 11 is based on the number of pupils in each key stage, not on the age of pupils. Schools are funded for the number of pupils they have on roll in each key stage, regardless of their age.

A 16 to 18 year old student is defined as a student who is aged 16, 17 or 18 on 31 August at the start of the funding year when they begin a learning programme. Such students are normally eligible for the Education and Skills Funding Agency (ESFA) young people's funding, subject to the 16 to 19 funding regulations.

A student who was aged 16, 17 or 18 on 31 August at the start of the funding year when they began a learning programme, as recorded on their learning agreement, continues to be funded under the 16 to 19 funding regulations.

Students who become 19 years old or over during their learning programme are funded under the 16 to 19 funding regulations to complete their learning programmes.

ADMISSIONS REGISTER

Regulations require schools to include a child's date of birth and the date they were admitted to the school on the admissions register.

The regulations do not require them to record the year group in which a child is being educated, but schools will need to record this for their own administrative purposes. Where a child is being educated out of their normal age group, they should be recorded as such.

REPORTING A DECISION TO THE LOCAL AUTHORITY

It is important that schools notify the local authority of all decisions relating to EOYG requests – with the exception of informal, temporary arrangements.

Headteachers **must** complete the <u>LA Notification Form</u> and return it to admissions@warwickshire.gov.uk.

STATUTORY ASSESSMENTS

Children are usually assessed when they reach the appropriate point in their education, not when they reach a particular age. There are no age requirements as to when children must take GCSEs or other assessments.

In Primary (and Infant/Junior) schools, statutory assessments occur in the following year groups:

- Reception Early Years Foundation Stage Profile
- Year 1 Phonics
- Year 2 Phonics Re-takes
- Year 6 SAT's Tests and Teacher Assessments Statutory testing occurs in Year 6 of Primary schools.

The exception is the phonics screening check, which should be taken in the year the child turns 6, but only if they have completed the year 1 programme of study.

Schools should report the results of children educated out of their normal age group to the DfE in the same way as any other child in that age group. A school is required to report on pupils' performance when they reach the end of key stages 1 and 2 – regardless of their age.

Children working outside of their chronological year group must be registered in the cohort which they are taught in.

All schools **must** notify the local authority Statutory Assessment Team when a child is educated outside of their chronological year group. Written confirmation will be sent to schools once reporting has been amended, this ensures children are not missed when results are reported.

Where a school does not comply with statutory reporting duties, or does not complete these correctly, this will result in incomplete data being submitted to the DfE.

SCHOOL LEAVING AGE

A child reaches school leaving age on the last Friday of June in the school year they turn 16. A child educated in the age group below their normal age group, will be in year 10 when they reach school leaving age.

They are required to continue in education or training until the end of the school year in which they turn 18 but need not attend school to fulfil this requirement. They cannot be obliged to attend school during year 11 (in the same way that a child educated in their normal age group could not be required to attend school during year 12 or 13) but the school will continue to receive funding for them if they do.

A local authority's duty to arrange suitable education (for example by arranging alternative provision) for certain children who would otherwise not receive a suitable education does not apply to children who have reached school leaving age.

Local authorities have a duty to support and encourage young people to participate in education or training and should ensure there is sufficient provision available for all young people aged 16 to 19.

A local authority's duty to arrange free travel to school for eligible children does not apply to children who have reached school leaving age. Authorities may choose to arrange travel for such children, but they are not required to do so.

USEFUL CONTACTS

School Admissions Service

Email: admissions@warwickshire.gov.uk

Website: www.warwickshire.gov.uk/admissions

SENDAR (Special Educational Needs, Disability and Review Service)

Telephone: 01926 742160

Email: sen@warwickshire.gov.uk

Website: www.warwickshire.gov.uk/sen

Family Information Service

Telephone: 01926 742274

Email: fis@warwickshire.gov.uk

Website: www.warwickshire.gov.uk/fis

IDS (Integrated Disability Service)

Email: idsteachingandlearning@warwickshire.gov.uk

Website: https://warwickshire.gov.uk/ids

EMTAS (Ethnic, Minority and Traveler Achievement Service)

Telephone: 01926 742623

Email: sarahdalli@warwickshire.gov.uk

WAS (Warwickshire Attendance Service)

Website: www.warwickshire.gov.uk/schoolattendance

Statutory Key Stage Assessment Team

Telephone: 01926 743015

Email: edassessmentteam@warwickshire.gov.uk