



Department
for Education

Advice on the admission of summer born children

**For local authorities and school
admission authorities**

September 2020

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Summary

About this departmental advice

This is advice from the Department for Education. It is non-statutory, and has been produced to help admission authorities understand the framework within which they must operate when responding to parental requests for summer born children (see below) to be admitted out of their normal age group. It will help admission authorities fulfil the duties imposed on them by the statutory School Admissions Code.

It replaces the earlier advice of the same title dated December 2014.

It should be read in conjunction with the School Admissions Code which came into force on 19 December 2014.

This advice is for:

- local authorities
- school admission authorities

There is separate advice for parents of summer born children.

Expiry or review date

This advice will be reviewed within 3 years from the date of publication.

Key points

- As mandated by paragraph 2.16 of the School Admissions Code ('the Code'), school admission authorities are required to provide for the admission of all children in the September following their fourth birthday, but children do not reach compulsory school age until on or after their fifth birthday. For children who are under compulsory school age, once a school place has been accepted, parents may, if they wish agree with the school a pattern of part time attendance or a deferred start until later in that school year (but not later than the beginning of the summer term). These arrangements should be discussed with the school.
- Children born from 1 April to 31 August - summer born children - do not need to start school until the September after their fifth birthday, a full year after they could first have started school.

- Where a parent delays their child's start until the September after their 5th birthday, they may request their child is admitted out of their normal age group¹ in order to start in reception rather than in year 1. In this situation, the school admission authority is responsible for making the decision on which year group a child should be admitted to *but it is the parent who has taken the decision to delay their child's start at school*. Paragraph 2.17A of the Code requires an admission authority to make a decision about which of reception or year 1 the child is admitted to on the basis of the circumstances of the case and in the best interests of the child concerned.
- Alternatively, a parent delaying their child's start until the September after their 5th birthday, could make an in-year applications for a year 1 place for their child that year. In that case the child would miss reception year and be taught in their normal year group.
- There is no statutory barrier to children being admitted outside their normal age group, but parents do not have the right to insist that their child is admitted to a particular age group. This decision is for you, as the admission authority.

This updated advice:

- highlights the relevant provisions in the School Admissions Code 2014
- suggests a process that may be used at a local level for handling parental requests for summer born children to be admitted out of their normal age group
- details the precise decision admission authorities must make
- provides more advice for secondary schools
- highlights some of the implications for children admitted out of their normal age group.

Commitment to amend the School Admissions Code

In September 2015, we committed to amend the School Admissions Code ('the Code') so that summer born children can automatically be admitted to a reception class at the age of five where that is what their parents want, and can remain with the cohort with which they are admitted throughout their education. We remain committed to making that change when a legislative opportunity is available.

The School Admissions Code

For the purpose of this advice, the relevant paragraphs of the Code are paragraphs 2.17, 2.17A and 2.17B. These paragraphs relate to any circumstance in which a parent

¹ We will use the phrase 'normal year group' to mean the year group a child would have been in had they entered school in the September following their fourth birthday.

requests their child is admitted out of their normal age group. This advice, however, relates specifically to parental requests for summer born children to be admitted to reception rather than year one at the age of five.

The Code includes the following requirements in relation to parental requests for children to be admitted out of their normal age group:

- Admission authorities must make their decision in the child's best interests and must take account of the views of the head teacher of the school concerned. The Code also provides further information about the matters an admission authority should take into account when considering the circumstances of the case.
- To improve clarity and transparency for parents, admission authorities are required to make clear in their admission arrangements the process for requesting admission out of the normal year group.
- If refusing a request, they must also clearly set out the reasons for their decision. Parents should easily be able to understand why their request has been refused.
- Where a parent's request is agreed, the local authority and admission authority are required to process the application as part of the main admissions round. An application must not be given lower priority on the basis that the child is being admitted out of their normal age group.

Parental decision to delay their summer born child's admission to school until compulsory school age

While most parents are happy for their child to start school in the September following their fourth birthday, some parents will have concerns about whether their child will be ready for school at this point and will consider delaying their entry until compulsory school age. Whilst there are circumstances in which some summer born children will benefit from a delay, the majority will thrive in reception aged four. We do not believe it should become the norm for summer born children to begin reception at the point at which they reach compulsory school age. We have published some advice for parents to help them make an informed decision about their child. When receiving an enquiry about delayed entry to reception, you should ensure parents have read this advice in the first instance.

Parents should be encouraged to visit the schools to which they intend to apply. Teachers will be able to explain the provision on offer to the children in the reception class, how it is tailored to meet the needs of the youngest children, and any other support that is available. They may also be able to allay any concerns the parent may have about their child's readiness for school or help a parent consider whether a child needs more time to develop before starting school.

It is then the parent's decision whether to delay their child starting school until the September after they turn five. The parent may also request that the child is then admitted outside their normal age group – to reception rather than year 1. Parents choosing to delay their child starting school until the September after they turn five have a choice about whether or not they request that their child is admitted outside of their normal age group – and so request a reception start. Alternatively, a parent could make an in-year application the following year for their child to start school in year 1. You may wish to provide guidance to assist parents in what time of year is best to make an in-year application.

Admissions authority decision about whether a delayed summer born child should be admitted outside their normal age group

The government agrees that, in general, children should be educated in their normal age group, with the curriculum differentiated as appropriate, and that they should only be educated outside their normal age group in very limited circumstances.

Parental requests for summer born children to be admitted to reception rather than year one at the age of five are different from any other parental request for admission out of the normal age group. This is because parents have the right to decide whether their child will start school before compulsory school age and these parents must be able to make this decision confident that, if they decide not to send them to school until age five, the decision about the year group they should be admitted to at that point will be made in the child's best interests.

If a parent of a summer born child makes this request, the admissions authority is responsible for making the decision about whether the child should be admitted out of their normal age group.

This will require the admission authority to take account of the child's individual needs and abilities and to consider whether these can best be met in reception or year one. In effect, this means that the authority is making a decision about whether it would be in the child's best interest to miss the reception year. It will also involve taking account of the potential impact on the child of being admitted to year one without first having completed the reception year. The views of the head teacher will be an important part of this consideration.

Question: What factors are we to take into account in making a decision?

Answer: Whilst it is not possible to provide an exhaustive list, the School Admissions Code requires admission authorities to consider:

- Parent's views
- Information about the child's academic, social and emotional development
- Where relevant, the child's medical history and views of a medical professional

- If the child is moving, or going to move, from an infant to a junior school or a primary to secondary school or has just moved into your area, the year group they have been educated in up to that point
- If the child was born prematurely, what age group the child would have fallen in, if the child had been born on time.
- The view of the head teacher **must** be taken into consideration.

This could include looking at evidence or issues such as:

- Any evidence from a health or social care professional who is involved in the care or treatment of the child for example speech and language therapist, occupational therapist, social worker, paediatrician.
- The view of any nursery or other early years setting the child attends and any records of the child's development.
- Whether the child's premature birth has caused health problems or developmental delays that mean the child would benefit from a delayed school start.
- The progress the child has made in an early years setting, including the rate of progress.
- What can the nursery setting provide the child that a reception class would not?

We are aware that, in making a decision, many admission authorities focus on whether the child has any particular medical or special educational needs which mean their development is significantly below the expected levels for a child of their age. However, it is not necessary for a child to have medical or special educational needs in order for it to be in their interests to start reception age 5. Equally, there will be circumstances in which it is better for a child with developmental delay to start school before compulsory school age so that they are in a school where they can fully access the support available. All schools and teachers are trained to teach children with special educational needs and schools must use their best efforts to make suitable provision available for all pupils who have SEN or a disability as set out in the [Special Educational Needs and Disability Code of Practice: 0 to 25 Years](#). Where a parent is seeking to delay admission because they are worried that their child may have a learning difficulty or a disability that will make school more challenging for them, it is important to encourage them to meet with the school's SENCo who will be able to describe the school's approach to helping children with SEN and disability.

Children born prematurely²

Not all children born prematurely will have significant developmental delay but some children born prematurely have social, emotional, physical and intellectual development

² A child born prematurely is defined as one born before 37 weeks gestation.

behind that of their peers. Some children may also have additional health problems associated with their prematurity. Where parents of children born prematurely are considering deferring their start at school, parents are advised to discuss the options with your child's specialists.

In addition, as a consequence of being born before their due date, a child may fall into a different age group than if they had been born at full term. When considering the circumstances of the case, admission authorities should take account of the age group into which the child would have fallen if born at full term.

The submission of evidence by parents

It is reasonable for admission authorities to expect parents to provide them with information in support of their request – since without it they are unlikely to be able to make a decision on the basis of the circumstances of the case. This should demonstrate why it would be in the child's interests to be admitted to reception rather than year one.

In some cases, parents may have professional evidence that it would be appropriate for them to submit this, for example, when a child receives support from a speech and language therapist. However, there should be no expectation that parents will obtain professional evidence that they do not already have. Admission authorities must still consider requests that are not accompanied by professional evidence. In such cases the supporting information might simply be the parent's statement as to why they have made their request. A lack of professional evidence, or limited evidence, does not mean that requests should be refused outright.

In some cases, parents may make a request for delayed entry as their child is undergoing assessment for an Education Health and Care Plan (EHCP). Evidence that this is ongoing, along with the professional evidence in support of an EHCP, should be sufficient to make a decision. There is no requirement for an EHCP to be finalised before you make your decision.

A process for handling parental requests

The School Admissions Code requires admission authorities to make clear in their admission arrangements the process for requesting admission out of the normal year group. It does not, however, prescribe a particular process that must be used. This is for local authorities and admission authorities to determine. It is important to note, however, that where a parent wants their child to be admitted out of their normal age group, the admissions authority's decision on what age group the child should be admitted to is separate to any decision on whether a place can be offered in that age group³.

³ This latter decision is taken on the basis of published oversubscription criteria.

This process should be set out clearly for parents including what information and evidence the parents should provide and when.

Decision-making panels

Although not a requirement of the Code, some admissions authorities have found it useful to convene decision-making panels to make these decisions. A mix of individuals with differing roles and responsibilities may help when considering the case and evidence presented. Suggested panel members may include:

- headteacher/s of the school/s preference
- an Early Years professional
- a health care professional
- an educational psychologist
- an educational professional (in addition to the head teacher of the school preference)
- an admissions officer
- the parent/s of the child

Panel members would examine and discuss the evidence presented and reach an informed and balanced decision. In some areas, parents are also invited to attend panel meetings.

When should parents make a request for admittance outside normal age group?

We acknowledge that it will not always be easy for admission authorities to make a decision about a child more than a year before the point at which they may be admitted, particularly as it is difficult to know what progress they may make in the intervening period. Nonetheless, parents should know the outcome of their request for admission out of the normal age group in time to make an informed decision about whether their child will start school before compulsory school age.

We therefore recommend that the process local authorities and admission authorities put in place:

- requires the parent to make an application for their child's normal age group at the usual time, but enables them to submit a request for admission outside the normal age group at the same time
- ensures that the parent receives the response to their request before primary national offer day.

If their request is agreed, their application for the normal age group may be withdrawn before a place is offered. If their request is refused, the parent must decide whether to accept the offer of a place for the normal age group (with the option of deferring entry to later in the school year or part time attendance initially), or to refuse it and make an in year application for admission to year one for the September following the child's fifth birthday.

Where a parent's request is agreed, they must make a new application for a school place during the main admissions round the following year.

Although it is best for parents or carers to make a request for delayed entry alongside an application for a school place in the normal admissions round, this is not always possible. Parents may not be aware of the possibility of delaying entry until the usual application deadline has passed or it may not become clear their child would benefit from a delay until later. The Code requires admission authorities to make decisions in the best interests of the child in any circumstances where the parent requests admissions outside the child's normal age group – this includes instances where the application is made outside of the authority's published deadlines.

Parental requests to multiple admissions authorities

An admission authority is not required to honour a decision made by another admission authority on admission out of the normal age group. Local authorities should therefore encourage parents to make a request for an outside normal year group place at each school to which they intend to apply for a place.

It is possible that different admission authorities may come to different conclusions and do so for good reasons. It is also possible that different head teachers who work for the same admission authority may disagree. Some schools may be more equipped to support a particular summer born child's needs if he or she starts school before compulsory school age than others.

Notification of the decision

As set out in the Code, when communicating a decision to parents, admissions authorities **must** set out clearly the reasons for their decision. Admission authorities may also wish to provide advice to parents on next steps.

Where a delayed start is agreed it would be helpful if the letter explains to the parent:

- That the parent will need to withdraw the admissions application for the chronological year group and will need to apply for a place in the following admissions round
- This does not guarantee a place in a particular school in the next school year

- This decision does not bind any other admissions authorities and so the parent will need to apply separately for education out of year group to any other schools.
- The parent will need to re-apply for education out of year group ahead of moving to a new school, for example transition to separate junior, middle or secondary schools. The parent should be advised to begin conversations with these schools early and to apply for outside year group education when the child's original year group would be applying to transition to a new school.

Where the request has not been agreed, it would be helpful if the letter explains that:

- Offers will be made in the usual way on 16 April for schooling in the child's normal year group.
- The parent is not required to send their child to school until the child reaches compulsory school age.
- It is then for the parent to confirm/decline this offer and if accepting the offer, to discuss any further arrangements with the school concerned (such as part time attendance) if the parent decides to send their child to school and not delay.

Transition to junior, middle or secondary school

As children whose school start has been delayed move through the system, they will reach transition points. For children who have attended an infant school, this will be when they move up to junior school. In some areas of the country, this could be when the child moves to middle school. For other children, this will be when they reach secondary age. Parents will need to apply once again for an outside normal year group place alongside an application for a school place and should do so when their child's 'correct' cohort are making applications for a school place. This means that for a summer born child who started in reception a year later than is usual, parents would apply for a secondary school place and for an out of year group place when the child is in year 5 rather than year 6.

Admission authorities must consider these requests in the same way as the original request but must also take into account the fact the child has been educated in a different year group up until this point.

For many children, it will be right for them to remain with their adopted year group but it is possible that others may be better off joining their normal year group. All decisions should be made taking the circumstances of the case into account and considering all of the child's needs, including their social and emotional needs.

Unless there are sound educational reasons to do otherwise, the assumption should be that children remain outside their normal year group (that is, in the year which they have been educated so far).

If it is decided that a child would be better off being with their normal year group, you should ensure you have fully considered the impact of this on their wellbeing.

Further information

Free early education

All three and four year olds, and the most disadvantaged two year olds, are entitled to 15 hours of early education provision per week for 38 weeks of the year. Since September 2017, three and four year olds with eligible working parents have been entitled to 30 hours of early education per week for 38 weeks of the year. More information is available [here](#).

Where a parent chooses to defer or delay their child's entry to school, the child remains entitled to a funded early education place of 15 or 30 hours a week for 38 weeks of the year until they are admitted to school.

Funding for children educated out of their normal age group

The pre-16 funding formula is based on numbers at Key Stages rather than the age of pupils. Primary schools are funded for the number of pupils they have on roll, regardless of their age, though local authorities may choose to weight that funding according to age. Similarly, secondary schools are funded on the basis of the number of pupils they have in years 7-11, regardless of their age, which again may be weighted according to age by local authorities. Pupils are funded up until they are 19 years old; for 16-19 funding purposes a child who is a year behind his or her chronological age group will be entitled to two years rather than three years 16-19 funding.

Moving children to their normal age group

Once a child has been admitted to a school it is for the headteacher to decide how best to educate them. In some cases, it may be appropriate for a child who has been admitted out of their normal age group to be moved to their normal age group, but in others it will not. Any decision to move a child to a different age group should be based on sound educational reasons and made by the headteacher in consultation with the parents. In some primary schools, of course, children are educated in mixed age classes.

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.

Where required to do so (for example, at the end of key stages), schools report results to the Department for Education. There is no barrier to reporting the results for children who

are educated out of cohort so, although children may ordinarily take Key stage 2 assessments in the academic year in which they turn eleven, there is no barrier to these assessments being taken and results reported for the year in which they turn twelve. The department reports on pupils' performance when they reach the end of a key stage – regardless of age.

Parental appeals and complaints

Parents whose request for delayed entry is refused have no statutory right to appeal this decision. (The purpose of the appeals process is to consider whether a child should be admitted to a particular school, not the year group into which they should be admitted.) Admission authorities should ensure parents are directed to the relevant complaints procedure.

All schools have a duty to consider complaints about the school and must have a published complaints procedure in place. Local authorities will also have a complaints procedure. In the case of foundation and voluntary aided schools, academies and free schools, parents may make a complaint using the school's complaints procedure – because the governing body or academy trust is the admission authority. In the case of community and voluntary controlled schools, they may complain to the local authority – because they are the admission authority.

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

If they are unhappy with the way an academy has handled their complaint they may complain to the Education and Skills Funding Agency who will consider the complaint on behalf of the Secretary of State for Education. More information is available on www.gov.uk.

Implications of children turning 16 before year 11

A child ceases to be of compulsory school age on the last Friday of June in the school year they become 16⁴. If a child is educated outside their normal age group (i.e. is in year 10 when this date is reached) the school will continue to receive funding for that child but the child 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.

⁴ All young people are now required to continue in education or training until the end of the academic year in which they turn 17. Young people have a choice about how they do this. It could be through full time education in school or college, an apprenticeship or full time employment combined with part time education. However, compulsory school age remains unchanged.

Alternative Provision

Local authorities have a duty to make arrangements for the provision of suitable education, other than at a school, for children of compulsory school age who otherwise will not receive a suitable education, whether that is because they are ill, have been excluded, or for another reason. This duty will not apply in relation to a child who ceases to be of compulsory school age before they finish their GCSEs⁵.

Home to school transport

Local authorities have a statutory duty to provide free home to school transport to eligible children. To be eligible, a child must be of compulsory school age. If a child is eligible for free home to school transport, they will cease to be eligible for it when they cease being of compulsory school age even if they have not yet finished their GCSEs. Local authorities can choose to continue to provide free transport at this point, but they are under no duty to do so.

⁵ The duty also does not apply to a child who is of compulsory school age but will cease to be of compulsory school age within the next six weeks and has no public exams or assessments to complete.



Department
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