

Southampton City Council

Guidance for Admission Outside of the Normal Age Group 2022



Underlying Legislation: [School Admissions Code 2021](#)

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Contents:

| | |
|---|---|
| Definitions | 2 |
| Legal Framework | 3 |
| Acceleration | 5 |
| Deceleration | |
| <i>Deceleration of Summer Born Children</i> | 7 |
| The Making and Consideration of Requests for Education Outside of the Normal Age Group | 9 |

Definitions

- **Parent** - Any reference to 'parent/s' in this document relates to the definition as set out in the Education Act 1996 and includes any person
 - a) who is not a parent of the child but who has parental responsibility for the child, or
 - b) who has care of the child
- **Acceleration** – being educated in an older year group.
- **Deceleration** – being educated in a younger year group.
- **Summer born children** – those born between 1 April and 31 August.
- **Compulsory School Age** – the point at which it is a legal requirement for children to be in full-time education, the term following a child's fifth birthday.
- **Defer** – to delay a child's entry for a term or two terms (i.e. until they are of compulsory school age) so that they don't start straight away in the September following their fourth birthday – e.g. they might start in the January following their fourth birthday, in the allocated reception class.
- **Phase transfer** - starting reception year, moving from infant to junior, junior to secondary, primary to secondary school.
- **In-year application** – an application to a school during the academic year and at a time when your child should already be attending school.
- **Main round application** – an application to a school during phase transfer.

Legal Framework

The legal framework for the process of education outside of the normal age group is laid out within the School Admissions Code 2021.

As with all elements of educational law, this framework is further underpinned by other legislative acts, including:

- The School Standards and Framework Act 1998
- The Education Act 2011
- The Equalities Act 2010

Local Authorities, admission authorities and educational settings must all also heed the tenets of Keeping Children Safe in Education.

Section 2 of the School Admissions Code 2021 states:

- 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.

In 2014, the serving Minister of State for Schools indicated an intent to amend the School Admissions Code 2014 to allow for the parents of summer born children to admit their children directly into Year R at Compulsory School Age (CSA) without the need for application or approval from the admissions authority. This proposed change has not been presented to Parliament and was not within the scope of the consultation or amendments to the School Admissions Code 2021. It has further not been alluded to within the education 'white paper' published in 2022. In the absence of any change being proposed or made, admission authorities must follow the legislation as it stands as to do otherwise would be unlawful.

Acceleration

Acceleration is the term given to educating a child in a year group higher than that of their normal age group.

A parent may consider acceleration if their child is particularly able and feels they are 'ahead' in their academic development.

Some considerations to bear in mind with acceleration are:

- A child's intellectual strengths and achievement may not be universally ahead of age expectation and while they may be more able in some subjects, this may not be true of all areas of education.
- Alongside educational needs, a child's pastoral needs must also be considered. It may be that the physical, emotional or social demands of a child cannot be appropriately met if they are accelerated, even if their educational needs are met.

It should also be noted that children do not cease to be of statutory school age until the last Friday of June in the school year they turn 16 years of age and must be in a form of education, employment or training until the age of 18. Should a child be accelerated and educated ahead of their normal age group, and complete their education before they cease to be of statutory school age, an early transfer to sixth form or further education college would need to be negotiated. This may not always be possible due to the insurance or safeguarding concerns of such settings.

All children are entitled to access a school place from the September after they turn 4. Because of the nature of this entitlement, it is not possible to accelerate a child into school before the September following their 4th birthday (i.e. a 3 year old child being accelerated into Year R).

Southampton City Council champion and insist on the highest quality of teaching within their schools. By its nature, such teaching ensures that the needs and capabilities of all students are met through the differentiation of the curriculum. No child should be disadvantaged by their abilities to not access a level of education that is appropriate for them without the need for acceleration.

Deceleration

Deceleration is the term given to educating a child in a year group lower than that of their normal age group.

A parent may consider deceleration if their child is demonstrating some delay in their development.

Some considerations to bear in mind with deceleration are:

- Children are seldom uniformly delayed in their intellectual development. Areas of cognitive or physical ability are at risk of not receiving appropriate stimulation if a child is placed in a younger year group and a reduced set of general expectations applies.
- Physical, emotional and social expectations may be inappropriate where a child is taught in a younger year group.

It should also be noted that children cease to be of statutory school age on the last Friday of June in the school year they turn 16 years of age and must be in a form of education, employment or training until the age of 18. If a child has been decelerated, there will be the potential for them to leave school before the normal point of GCSEs or the completion of sixth form or further education college courses, placing risk on their ability to secure qualifications. Where a child is educated in a younger year group, they may find that their post-16 entitlement is reduced from 3 years to 2 years which may impact on attainment and opportunity post-16.

Southampton City Council champion and insist on the highest quality of teaching within their schools. By its nature, such teaching ensures that the needs and capabilities of all students are met through the differentiation of the curriculum. No child should be disadvantaged by their needs to not access a level of education that is appropriate for them without the need for deceleration. All schools are equipped to admit summer born children or children with developmental delays that may have impacted on their overall school readiness such as anxieties, toileting issues or speech and language delays.

Many deceleration requests are made at the point at which a child is due to start school for the first time. Other flexibilities exist when children are starting school following their fourth birthday, but before reaching Compulsory School Age. This is summarised in the Admissions Code 2021:

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

- a) that child is entitled to a full-time place in the September following their fourth birthday;
- b) the child's parents can defer the date their child is admitted to the school until later in the school year but not beyond the point at which they reach compulsory school age (5) and not beyond the beginning of the final term of the school year for which it was made (*the start of the summer term in Year R*); and
- c) where the parents wish, children may attend part-time until later in the school year but not beyond the point at which they reach compulsory school age (5).

Deceleration of Summer Born Children

Within the Admissions Code 2021, there are additional considerations given to those children considered 'summer born'. In these cases, parents may choose to enter their children at Compulsory School Age, starting school the September after they turn 5, rather than the normal point of entry (the September after a child turns 4). Some parents of summer born children may request that their child is admitted into Year R, instead of Year 1, when entering at Compulsory School Age.

Parents of summer born children requesting approval for deceleration to Year R should:

- Visit their preferred schools and talk to the staff about their starting school arrangements
- Make an application for their child's normal age group at the usual time, in the main admission round.
- At the same time, complete a Request for education outside normal age group form

Parents should consider:

- Any agreement by the admission authority to decelerate their child's admission to Year R does not guarantee a place at the preferred school, nor does it provide any priority for a place over other children applying for places. Requests will be considered in accordance with the school's published admission criteria.

Southampton City Council recommends that parents will be informed of the decision to their request before primary national offer day (Monday 16th April, or the first working day after that date).

If the request is agreed, their application for the normal age group can be withdrawn by parents before a place is offered. They must make a new

application as part of the main admissions round the following year. Applications will be considered alongside all others for that year and places will be allocated according to the school's published admission criteria. As such, there is no guarantee of a place being offered in your preferred school(s). It is also important to note that an agreement from one admission authority does not have to be honoured by another (for example, an academy school is not bound by a decision made by another admission authority, and vice versa.)

If the request is refused, the parent must decide whether to accept the offer of a place for the normal age group, or to refuse it and make an in-year application for admission to Year 1 for the September following the child's fifth birthday.

For information, between 2018-2020, Southampton City Council approved 44% of deceleration requests for summer born children (such requests making up the overwhelming majority of requests for education outside of the normal age group).

The Making and Consideration of Requests for Education Outside of the Normal Age Group

Requests for education outside of the normal age group for all maintained schools within the Southampton City Council should be made via the form on the Southampton City Council website. From here, they will be disseminated to the relevant admission authorities for those schools.

The admission authority for a school is based on the following structure:

| Type of school | Admission Authority |
|------------------------------|---------------------|
| Academies | Academy Trust |
| Community schools | Local Authority |
| Foundation schools | Governing Body |
| Voluntary aided schools | Governing Body |
| Voluntary controlled schools | Local Authority |

It is the responsibility of the relevant admission authority to consider the request, make a decision and communicate this to the parent. As per the Admissions Code 2021, the admission authority should consider each request 'on the basis of the circumstances of each case and in the best interests of the child concerned'. There should not be a 'blanket policy' of approval or denial.

When submitting a request, parents should include as much information as possible to help the admission authority in reaching a best interest decision. It is not necessary for parents to seek professional reports they do not already have, but any information about a child's progress or needs that is already available should be included.

Requests for education outside of the normal age group should be made alongside school place applications for the normal point of entry, or phase transfer, for that child, to avoid disadvantage if the request is not approved. Should a request be approved, such school place applications will be withdrawn and can be re-made at the appropriate time in the child's accelerated or decelerated educational career.

In considering the request, the following must be taken into consideration: '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 considering requests as the admission authority for community schools and voluntary-controlled schools, Southampton City Council will seek the views of the relevant head teacher(s) and convene a panel made up of representatives from the following teams: School Admissions, Inclusion, Special Educational Needs and Disabilities, The Early Years Specialist Advisory Service and Education Welfare. Consideration is also given to the prior professional experience and expertise of the members convened.

The panel consider the request submitted, as well as considering additional information that may have been received from specialist services, where relevant. The panel will consider both the potential advantages and potential disadvantages of education outside of the normal age group and determine best interest on the balance of probability.

The decision of the panel will be communicated to the parent in writing. Parents do not have a right of appeal if their request to be educated outside of the normal age group is not approved. However, they may make a timely complaint about an admission authority's decision not to admit their child outside their normal age group.

For all requests it is vital to understand that at each transition (starting reception, moving from infant to junior and primary to secondary) the decision whether to maintain the placement in a younger or older year group must be made by the admission authority for the school. As such, there is no guarantee that it will continue throughout the child's education and a new parental request must be made before each transition.

One admission authority cannot be required to honour a decision made by another admission authority on education out of normal age group.

Any agreement by the admission authority to educate a child outside of their normal age group does not guarantee a place at the preferred school, nor does it provide any priority for a place over other children applying for places. Requests will be considered in accordance with the school's published admission criteria.