

Guidance on the education of children out of their chronological year group

This policy is to provide best practice guidelines for governing bodies, admission authorities, parents and Hillingdon Council officers in respect of children being educated in a year group different from that of their chronological age.

These guidelines reflect the requirement of the School Admissions Code 2014 - Paragraph 2.17 states '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.'

As mentioned above 'Summer born children are those born between 1 April and 31 August'.

Local authorities and schools must provide for the admission of all children in the September following their fourth birthday. However a child does not reach statutory school age until the beginning of the term after their fifth birthday.

Due to this some parents will feel that their child is not ready to start school in the September after their child turns four, parents can request that their child attends part time until they reach statutory school age or that the date their child is admitted to school is deferred until later in the same academic year, but not beyond the start of the summer term of the academic year for which a place has been offered.

In addition, parents of summer born children (those born between 1 April and 31 August) can request for their child to be admitted to reception a year later outside of their chronological year group, thereby starting school in Reception only once they reach statutory school age. This does not apply to children born in the autumn and spring as these children must legally be in school full time in the term after their fifth birthday.

Implications for the child

Placement in an older year group

A child placed a year ahead of their chronological age may indeed receive in consequence a higher level of intellectual stimulation and feel less frustrated than if placed in their chronological group.

However, once the age shift is made, it is difficult to reverse, necessarily involving the repeat of a National Curriculum Year. However at each transition the decision whether to maintain the placement in an older year group must be made by the admission authority for the school based on the circumstances of the case and what is in the best interests of the child and as such there is no guarantee that it will continue throughout the child's education.

Where a placement in an older year group is maintained, the consequence is that the child reaches the next phase transfer, SATs or GCSEs and school leaving a year or more ahead of chronological age. Children do not cease to be of compulsory school age until the last Friday of June in the school year they turn 16 years of age and as such would have to transfer early to a school sixth form or Further Education college. In such circumstances the current funding arrangements do not allocate funding to a college for the underage student and a specific arrangement is required for funding to be transferred to the college from the secondary school otherwise being attended.

Placement in a younger year group

For a child placed a year behind their chronological age, at each transition the decision whether to maintain the placement in a younger year group must be made by the admission authority for the school based on the circumstances of the case and what is in the best interests of the child and as such there is no guarantee that it will continue throughout the child's education. However, the consequences of attempting to "make up" a year can be very negative for the child. Furthermore under the current legislation they are at risk of missing a statutory right to a national curriculum year programme of work, or being denied the ability to enter public examinations.

Where a placement in a younger year group is maintained, phase transfers, SATs, GCSEs and school leaving are reached a year or more late.

There may be cases when it will be appropriate for a child to remain educated out of chronological year group. In these cases it is not possible to plan comprehensively for transition as in each case transition will be subject to:

- a child's EHCP; or
- a separate out of year group decision being made by the admission authority for the new school, an application being submitted and a place being offered according to the school's admission criteria

Hillingdon's Expectations

The London Borough of Hillingdon has high ambitions for children and young people including those with special educational needs and disabilities (SEND). Our vision for children and young people with SEND is the same as for all children and young people - that they achieve well in early years, at school and in college, and lead happy fulfilled lives.

More widely our vision for people with disabilities mirrors that they are able to live fulfilling and rewarding lives within a society that accepts and understands them. They can have access to assessments and support if they need it, and they can depend on mainstream public services to treat them fairly as individuals, helping them make the most of their talents. This includes, having the opportunity to attend local good quality education settings with seamless transitions, including adult learning.

We recognise that well planned transitions between and within settings support children's well-being as well as continuity and progression in their learning. To enable all settings to effectively plan for children's transitions, the local authority has developed a guidance tool for educational settings and families to use. This can be accessed via the Hillingdon Local Offer web page via the Council website.

Hillingdon's expectations of good practice are based upon a child's entitlement to be educated alongside their age equivalent peers. The responsibility for addressing individual needs generally lies with the school through an appropriately differentiated/enriched curriculum. If this is problematic, schools are expected to seek support from other agencies (Schools and Learning, School Improvement team).

In the light of the above a request for a child to be educated out of their chronological year group the London Borough of Hillingdon will obey the law as it stands today. It has been highlighted within the media that the government propose alterations but any proposals have not yet gone through consultation or parliamentary approval. All admission authorities within Hillingdon will consider each individual request and give serious consideration to parental wishes

How to apply

- When a parent feels their child should be educated in a higher chronological age group, parents will need to apply for admission the year before the child would normally apply for school.
- Or when a parent would like their child educated in a lower chronological age group, parents would need to apply as part of the normal admissions round for a school, they should initially apply for a school place by 15 January in the year of the chronological cohort.
- In both instances, parents should put forward their request for their child to be educated out of their chronological year group along with any supporting evidence that they may have. Whilst there is no expectation for parents to obtain professional evidence that they do not already have, it may be useful to demonstrate why it would be in the child's best interests to be admitted out of their chronological year group.

This process will ensure that an in principle decision can be made in good time and that the child does not miss out on accessing a year of education should the request to educate out of the chronological year be refused. However, any offer of a place in a child's correct chronological year group cannot be held until the following academic year.

As such, if an admission authority agrees in principle that an out of year group placement would be appropriate, the parent would have to apply again in the following year in order for their child's application to be considered according to the admission criteria for that school alongside other applicants in that year. In addition, one admission authority cannot be required to honour a decision made by another admission authority. Parents should therefore consider whether to request admission out of the normal year group at all their preference schools rather than just their first preference.

Where requests are received the decision will be made according to the circumstances of the case and what is in the best interest of the child. In each case, the decision will be made by the admission authority for the school, taking into consideration the following;

- Parent's views
- Head teacher's views
- Information about child's academic, social and emotional development
- Relevant medical history and views of a medical professional
- Previous experience of education outside of the child's normal age group
- Premature children who would be in a lower age group if not born prematurely

Appeals and complaints

Parents who are refused a place at a school for which they have applied have the right of appeal to an independent admission appeal panel. As the purpose of the appeals process is to consider whether a child should be admitted to a particular school, parents do not have a right of appeal if they have been offered a place and it is not in the year group they would like.

However, a parent may make a complaint about:

a) an admission authority's decision not to admit their child outside their normal age group:

- In the case of academies, free schools and foundation, trust and voluntary aided schools parents may make a complaint using the school's complaints procedure
- In the case of community schools parents may make a complaint to the local authority

b) a headteacher's decision on whether or not to place a child, who is already on roll at a school, in a year group different to that of their chronological age. In all such cases parents may make a complaint using the school's complaints procedure

c) If a parent is unhappy with the way a local authority or a maintained school has handled their complaint, the parent may refer their complaint to the Local Government Ombudsman.

d) If a parent is unhappy with the way an academy or free school has handled their complaint they may complain to the Education Funding Agency who will consider the complaint on behalf of the Secretary of State for Education.