

SERVICES FOR SCHOOLS

The placement of children outside their chronological year group

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The placement of children outside their chronological year group

Position statement

Hampshire County Council strongly believes that children should be educated with their chronological age group alongside their peers except in exceptional circumstances.

Definitions

The placement of children outside their chronological year group is sometimes referred to as acceleration or deceleration. It is never referred to as deferment, which is the arrangement whereby a Year R child's entry to school is deferred until later in the school year.

Glossary

Acceleration – the decision to educate a child in the cohort above their chronological peers.

Deceleration – the decision to educate a child in the cohort below their chronological peers.

Deferment – this is where the admission authority has offered a child a place at a school; 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 and not beyond the beginning of the final term of the school year for which the offer of the school place was made. The school must hold the place for that child and not offer it to another child.

When might a request for acceleration or deceleration be received?

- 1 At the point that the parent is considering their child's starting school arrangement – into Year R for the first time.
- 2 When a decelerated or accelerated child is transferring from one school to another at the main point of transfer or in-year.
- 3 When a family is applying for a Hampshire school from out of county or from the independent sector or from a pupil at a Hampshire school not decelerated who wishes to be decelerated and the current school has refused.
- 4 When the child is already attending your school and the parent has concerns that they are performing at a different level from their chronological peers.

For the first three scenarios above, the decision maker is the admission authority of the school:

Type of school	Who is the admission authority?
Academies	Academy trust
Community	Local authority
Foundation	Governing body
Voluntary aided	Governing body
Voluntary controlled	Local authority

In the fourth scenario, where the child is an existing pupil on the roll of your school, the decision about deceleration or acceleration is solely the responsibility of the headteacher.

When the decision maker is the admission authority

In all scenarios in which the child is **not** already attending your school, the decision maker about the appropriateness of acceleration or deceleration is the admission authority, taking into account the views of the headteacher of the school concerned.

Legal position

Where a parent requests their child is admitted out of their normal age group, the admission authority is responsible for making the decision on which year group a child should be admitted to. They are required to make a decision on the basis of the circumstances of the case and in the best interests of the child concerned.

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.

The pertinent section from the *School admissions code* (Department for Education) December 2014) says:

Admission of children outside their normal age group

2.17 *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.*

- 2.17A 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. 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.
- 2.17B 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 (ie 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 decelerated admission of summer-born children into Year R

The Department for Education 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 out of their normal age group in very limited circumstances. However, parental requests for summer-born (1 April to 31 August) children to be admitted to Reception rather than Year 1 at the age of five are different from any other parental request for admission out of the normal age group, as it is only in these circumstances that the child is being admitted to school for the first time.

School admission authorities are required to provide for the admission of **all** children in the September following their fourth birthday, but flexibilities exist for children whose parents do not feel they are ready to begin school before they reach compulsory school age. They may defer the date their child is admitted to school until later in the school year following their fourth birthday, providing they do not defer beyond the point at which they reach compulsory school age, or beyond the start of the final term of that school year. Alternatively, their child may attend school part-time until they reach compulsory school age.

Children born in the Summer Term are not required to start school until a full year after the point at which they could first have been admitted – the point at which other children in their age range are beginning Year 1. Should the parent wish their child to

be admitted to reception, rather than Year 1, at this point, they may request that they are admitted out of their normal age group.

A Reception class is defined by Section 142 of the School Standard and Framework Act (SSFA) 1998 as a class in which education is provided which is suitable for children aged five and any children who are under or over five years old whom it is expedient to educate with pupils of that age.

Hampshire's procedures

Parents of summer-born children requesting approval to make a decelerated application to Year R should be referred to the County Admissions Team. They will be advised to:

- 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
- complete a *Request for decelerated admission to Year R* form (available on the web page: www.hants.gov.uk/educationandlearning/admissions/applicationprocess/changeorlateapplication/summerborn).

They will be advised to 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. Their application to the school will be considered solely in accordance with the school's published admission criteria
- agreed deceleration to Year R does not guarantee admission outside of the normal age group when their child transfers to junior or secondary school. Parents must make a new request for deceleration. Hampshire County Council will make a decision based on the circumstances of the case and in the child's best interests
- if their child has been decelerated, he/she will no longer be of compulsory school age when he/she reaches Year 11 of secondary school. Their child will therefore be able to leave school before completing examinations.

The request form will be shared with the headteacher of the relevant school(s) by the County Admissions Team and they will be asked to provide their view.

The admission authority of each school must consider the request and ensure that the parent receives the response to their request before primary national offer day, setting out clearly for the parents concerned the reasons for their decision.

If their request is agreed, their application for the normal age group may be withdrawn before a place is offered. They must make a new application as part of the main admissions round the following year.

If their 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.

One admission authority cannot be required to honour a decision made by another admission authority on admission out of the normal age group. Parents, therefore, should consider whether to request admission out of the normal year group at all their preference schools, rather than just their first preference schools.

Parents/carers should see *Starting school in Hampshire – a guide for parents/carers and practitioners to help ensure the best possible start to school for Hampshire's children*:

<https://www.hants.gov.uk/educationandlearning/admissions/applicationprocess/changeorlateapplication/startingschool>.

When the decision maker is the headteacher

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. Therefore, it is important to realise that a decision to accelerate, or more usually decelerate a child, has significant implications not least for the child, the school and the subsequent school.

The reasons cited most frequently for placing a child outside their chronological year group tend to include:

- the child has exceptionally delayed/advanced cognitive/social/emotional skills and therefore cannot participate and engage effectively with the class
- the child presents the teacher with significant difficulties in curriculum differentiation
- the child may have missed a substantial part of the year through illness or other reasons
- the child is physically *frail* which appears to justify a less *robust* environment
- to provide an additional year's experience prior to transition.

And less frequently:

- the child has recently arrived in this country and has limited English language competence or could be isolated in their age-appropriate group.

These reasons may often be allied with strong parental preference for their child to be *decelerated*.

It is the view and policy of the Children's Services Department of Hampshire County Council that acceleration/deceleration should only occur in exceptional circumstances and only after detailed discussions with parents/carers and relevant professionals. The ultimate decision is made by the headteacher.

Where a child with an Education, Health and Care Plan (EHCP) – previously a Statement of Special Educational Need – is decelerated in a mainstream school and who subsequently moves to a special school, the local authority will usually expect them to rejoin the chronological year group of the special school.

Placement outside of chronological year group – advice and guidance for schools

Children’s Services Department of Hampshire County Council believes children should be educated within their chronological year group alongside their peers unless there are exceptional circumstances. The decision to accelerate or decelerate has significant implications for the child in terms of self-esteem, especially if decelerated, and their future educational pathway.

- Children are seldom uniformly delayed in their cognitive, physical, social and emotional development.
- In the case of summer-born children, it is important to note that this group tend to show lower levels of achievement and maturity, something that should be addressed through normal differentiation of the curriculum and the organisation of the classroom.
- Infant class size regulations limit a headteacher’s discretion to accelerate/decelerate a child in the infant phase if there are classes of 30 children. The local authority would not be in a position to provide the school with funding to employ a second teacher to ensure infant class size regulations are not breached.
- Following deceleration or acceleration, phase transfers, Statutory Assessment Tests (SATs), General Certificates of Secondary Education (GCSEs), work experience, other accreditation opportunities and activities are reached a year or more later or early. A young person who is Year 12 age in Year 11 is no longer obliged to go school and their parent can not be prosecuted for non-attendance.
- It should be remembered that young people in England are required to continue in education or training until at least their eighteenth birthday. This does not mean young people must stay in school. They can choose from:
 - full-time education (eg at a school or college)
 - an apprenticeship or traineeship
 - part-time education or training combined with one of the following:
 - employment or self-employment for 20 hours or more a week
 - volunteering for 20 hours or more a week.

As there is an obligation to be in education or training until the age of 18, a child 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. Additionally, it should be noted that Education and Skills Funding Agency (ESFA) funded post-16 providers are funded at a lower rate for students in academic Year 14 (except those who have a EHCP).

Hampshire County Council does not recommend deceleration (or acceleration) for any child, however, if it is to be considered the following factors must be taken into account:

- objective evidence justify any decision to deceleration/accelerate the pupil concerned
- the proposed action must respond to the **educational needs** of the **pupil** based on available evidence
- there is strong support of all parties with a legitimate interest in the pupil's education, including the pupil
- it can be clearly demonstrated and evidenced that the educational progress which could reasonably be expected of the pupil cannot be achieved by remaining with his or her chronological year group
- the pupil's physical, emotional and social development must not be seriously impaired if he or she was not placed in a different year group
- the pupil's age and chronological year group, and whether this proposal is being put forward at the most appropriate time (eg is a potential school transfer involved).

Some key considerations for specific groups include:

Children with special educational needs

- Special educational needs cannot, alone, be justification for deceleration/acceleration. However it is the most common reason given.
- For a child with an EHCP (previously a Statement of Special Educational Need), the analysis of these factors should typically take place at the child's annual review and be recorded in the record of the review meeting.
- It is important to realise that for pupils with significant learning difficulties or those who experience particular barriers to access (such as Downs Syndrome, congenital difficulties or physical disability), deceleration will not have the effect of providing an environment where the child's special needs will be any **less**. Issues of differentiation and support will remain just as important whichever year group the child is working in.

Children in the care of the local authority

- A child in the care of a local authority (Hampshire County Council or otherwise) cannot be accelerated or decelerated without the permission of the corporate parent. Therefore, if a child who is in the care of the local authority is being considered for deceleration or acceleration, there needs to be full involvement and consultation with the social care professionals who have responsibility for the child and his or her care plan. The headteacher of the Hampshire virtual school for children in care must be notified. Discussions should also include the school's designated teacher for children in care.

Medical needs

- During medical absence from school, children may have accessed differing amounts of education and/or tuition and as a result may be better or less well prepared to re-engage with full-time education. Decisions made in respect of children who have been or are medically unwell will be made on an individual basis. In the case of children who have degenerative or terminal conditions, a multi-professional review meeting should consider what is in the best interests of the child.
- Although advice from health professionals regarding the medical needs of the child is welcomed, the discussion to decelerate or not should ensure that all evidence was considered fully as described above and the record should show this.

Gypsy, Roma and Traveller children

- Children from Gypsy, Roma and Traveller communities should be educated alongside their peers in their chronological year group unless they fall into a group listed above and there are exceptional circumstances.
- High levels of mobility are not, on their own, justification for deceleration or acceleration. Advice and support from professionals from the Hampshire Traveller Advisory Service (located within the Hampshire Ethnic Minority and Traveller Achievement Service – EMTAS) should be sought and they should be involved in any discussion.

Children learning English as an additional language (EAL)

With the exception of cases of decelerated entry into Year R as detailed above, which may apply to summer-born children whether EAL or not, EAL learners should normally be admitted to the chronological year group for their age.

EAL learners who are in the earlier stages of acquiring English are likely to be working below age-related expectations across the curriculum in terms of their application of language and their literacy levels in English for a significant part of their education.

Learning EAL is not in itself a reason for pupils failing to make progress at an acceptable rate and there should be the expectation that these pupils must make more than average rates of progress if they are ever to catch up with their peers, unless there are additional special educational needs and disabilities. Establishing a baseline and tracking progress should be done using an EAL-specific scale, such as the EAL Assessment Framework developed by the Bell Foundation.

Depending on their point of entry into the school system, most EAL learners are unlikely to be working at an appropriate level for statutory tests for a significant period. Decelerating children because they are not ready for statutory tests is not recommended and schools should refer to Department for Education guidance on test administration for detailed information about what to do in such cases.

Decelerating EAL learners is likely to have a negative impact on their self-esteem as they will be aware that they have been placed with learners younger than themselves. EAL learners are already at risk of marginalisation because they may look, sound and/or behave differently from their peers. Making friendships can be disproportionately hard for EAL learners because of linguistic and cultural barriers, and decelerating children, so if they have to repeat a year it may mean that they lose existing friends and have to make new ones. They may also be subject to subtle and/or overt bullying by peers on the basis that they are deemed to be less clever than children of their own age.

It is important that parents' views are established when considering a possible deceleration of an EAL pupil. When discussing deceleration with parents schools should:

- take account of the English language support needs of the parents/carers and make a judgement about whether or not an interpreter would be needed for meetings. Schools should bear in mind that surface control of social and conversational English may not fully equip parents/carers in terms of appreciating the complexities that may arise in a deceleration case
- ensure that any disadvantages of deceleration are effectively communicated so that parents/carers can make a fair judgement that ensures any decision to decelerate would make *“a clear difference to their child’s future education and life chances”*
- encourage parents/carers to fully engage with the school, preferably through a face-to-face meeting (supported by an interpreter if necessary).

In some cases, parents/carers of EAL learners may request that their child be decelerated. There may be a number of reasons for this, but often it is because the family has lived in a country where deceleration is a relatively common occurrence. Whilst schools must give this type of request due consideration, they should bear in mind the overwhelming drawbacks of deceleration. EMTAS staff can support discussions with parents around deceleration and offer advice to schools about EAL best practice.

For late-arriving EAL learners, ie pupils going into Key Stage 4, detailed assessment of the learner’s abilities (including their first language skills), support needs and future career ambitions is essential ,along with a flexible approach to timetabling in order to ensure provision meets the learner’s needs. Details about late arriving EAL students can be found on the EMTAS website:

www.hants.gov.uk/educationandlearning/emtas/primary-secondary-phase/latearrivingstudents.

Guidance and training on best practice in relation to meeting the needs of pupils for whom English is an additional language can be accessed from Hampshire EMTAS. EMTAS advice and support should be sought and they should be involved in any discussion.

Further guidance can be found at the following link:

www.hants.gov.uk/educationandlearning/emtas/assessment-and-send.

Children who are refugees and/or asylum seekers

- Decisions in respect of children who are refugees and/or asylum seekers need to be based on what is considered to be in the best interests of the individual child. In addition to the factors relevant to EAL learners, many may have experienced significant trauma and may need access to additional support.

The school should call a multi-disciplinary meeting and ensure they seek the advice and support of professionals from EMTAS, the headteacher of the Hampshire virtual school for children in care and social care especially if the child's actual age is unknown and an age assessment is required. Further guidance from EMTAS about asylum seekers can be found at:

www.hants.gov.uk/educationandlearning/emptas/new-referrals/asylum-refugee-guide.