

## London Borough of Bromley Guidance on Admission of Summer Born Children outside their Normal Age Range

In September 2015, the government released information on their proposal to change the right of parents of summer born children to delay their start in reception until the Autumn term after they become 5 years of age. This proposal is, however, not yet mandatory as it is subject to a consultation period, following which a decision will be made by the government as to when this will take effect. Until then, the correct information and procedure is contained in the guidance below. For quick reference please see Q & A's at the end of this document.

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### **Seeking a school place for a child outside his/her normal age group**

- Parent/carers of summer born children may ask to defer their child's entry to school outside his/her normal age group to start in Reception in the September when the child will have already reached compulsory school age. The table below illustrates when a child reaches compulsory school age and the date by which they must enter school, in accordance with:

<b>Child's date of birth</b>	<b>Date child reaches compulsory school age (prescribed date)</b>	<b>Latest point of entry into primary school</b>
1 September 2015 – 31 December 2015	31 December 2020	January 2021 (start of spring term)
1 January 2016 – 31 March 2016	31 March 2021	April 2021 (start of summer term)
1 April 2016 – 31 August 2016 ("summer born children")	31 August 2021	The start of the academic year commencing September 2021 into Y1

Children born between 1 April and 31 August 2016 and offered a place for admission after their 4<sup>th</sup> birthday in the academic year commencing September 2020, will be expected to join the school by the beginning of the following summer term. Where entry is deferred within that academic year, admission authorities must hold the place for that child and not offer it to another child.

Once a place has been offered, the parent would not, however, be able to defer entry beyond the beginning of the term after the child's fifth birthday, nor beyond the academic year for which the original application was accepted.

#### **Please note:**

**No legislation currently exists which would force a school to admit a child out of his/her usual year group. The Admissions Code does not state that schools must offer a place to a child out of year once the admissions criteria has been fulfilled. If schools were to be forced to comply with a request, it would necessitate a change to The Code.**

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### **Requesting admission outside a child's normal age group**

Summer born children (delaying entry to Reception until September 2021)

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).

Parents of children born between 1 April and 31 August (referred to as summer born children) may decide that they want to delay their child starting school until the September after the child has reached compulsory school age (CSA) into Reception Year instead of Year 1. There is, however, no automatic right to this.

- The table below illustrates when a summer born child reaches compulsory school age and the date by which they must enter school, according to their date of birth:

<b>Child's date of birth</b>	<b>Date child reaches compulsory school age (prescribed date)</b>	<b>Latest point of entry into primary school</b>
1 April 2016 – 31 August 2016 ("summer born children")	31 August 2021	The start of the academic year commencing September 2021

When parents successfully request a "summer born" deferral, any place already achieved for the child in reception year in the usual way cannot be held for that child for the duration of that school year. Parents would need to re-apply for admission in Reception for the following academic year.

If deferral is not agreed and a start in the next academic year is still required, parents/carers have to re-apply through the In Year process for a Year 1 place. Parents/carers should keep in mind that there is a high possibility that there may not be any availability in that year group. Such applications will be considered with all other applications in the usual way, with the oversubscription criteria for that year applied as necessary. In such cases, where a place cannot be offered in a preferred school the School Admissions team will then seek to offer the child a Year 1 place at the nearest Bromley primary school to their home with a vacancy.

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### **The process for requesting admission outside of the child's normal age group for Summer born children (delaying entry to Reception until September 2021)**

Parents/carers must initially submit a primary application by the relevant closing date for the child's school place within the child's normal age group. This is to ensure a school place is made available for the child in his/her normal age group should the request to delay be refused.

Parents/carers who wish their child to be admitted in the Reception year of any Bromley Primary School outside his/her normal age group in September 2020 must contact the relevant school (s) with relevant documents .

Each school will make a decision, having taken into account the circumstances of each case and in the best interests of the child concerned. The decision process takes account of the parents views and any supporting information available, this can include 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; or whether they may naturally have fallen into a lower age group if it were not for being born prematurely.

Parents should therefore take these factors into account when writing their request and considering what supporting documentation to provide. This will enable the parent to make an application for the correct year group if the request is denied. **There is no mandatory requirement for requests to be met.**

Where the request is agreed, the parent will be required to make an application in the following reception year and the application will be considered with all other applications, applying the oversubscription criteria as necessary. **However, parents need to be aware that there is a possibility that they will not be offered a place at that particular school if they do not meet the relevant criterion.** If this happens the parent will be required to make the request to other schools to ensure the child is in education by compulsory school age. **Again there is no guarantee and other schools may not agree to the delayed start. It is therefore advisable to apply for a deferred start to more than one school.**

If the request for delayed entry to start in the September after the child becomes 5 is not agreed and the parent chooses not to take up the option to defer the child's start in the Summer term of the reception year, then the parent would have to apply for a year 1 place for the September after the child is 5. Taking into account that all places are likely to have been offered in the reception year it is very doubtful that a preferred place would be available. The child would also have missed out a year's education with their peer group in reception.

### **Process for considering requests for admission outside of the child's normal age group**

- When applying for deferment, the parent/carer must set out the reasons why they are seeking a place for their child outside his/her normal age group. The request must be accompanied with relevant evidence which may include:
  - The parent/carer's views;
  - Recent information about the child's academic, social and emotional development;
  - Medical history accompanied with recent medical professional evidence
  - Whether the child may have naturally fallen into a lower age group if it were not for being born prematurely.
- Schools are required by the DfE School Admissions Code 2014 to take into account the views of the head teacher of school/s concerned, the parent/carer may be invited to attend a meeting at the school. The purpose of the meeting will be to discuss the parent/carer's request and the needs of the child concerned.

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### **The decision**

- Based on the information provided, once a decision has been reached on the year group the child should be admitted to, the relevant authority will write to the family, clearly setting out the reasons for their decision.
- Should the parent/carer's request to admit the child outside of their normal age group be agreed, this will only be relevant to that school and there can be no guarantee that a school place would be available at that school as it will be dependent on whether the child fulfils the oversubscription criteria and the number of applications the school has received.
- In such circumstances the parent/carer must contact the school admissions team to discuss the availability of places at other schools in Bromley. Please note however that this still does not guarantee a school place outside of the child's normal age group unless a school has previously agreed to the delay and there is availability.

- In addition to the factors stated above, where the school agrees to admit a summer born child into the Reception year in September 2021, the parent/carer must withdraw their child's primary application for 2020. They must then re-apply using a paper primary application form for a school place in the following year, attaching a copy of the decision letter.

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### **Appealing against the decision to refuse admission outside of the child's normal age group**

- Parent/carers have a statutory right to appeal against the refusal of a place at a school for which they have applied. However, the right to appeal does **not** apply if the child is offered a place at the school but the place offered is not within the parent/carers preferred age group.

### **SUMMER BORN CHILDREN Q & As**

In line with legislation, all children can start in reception in the September following their fourth birthday. However, where a child is born between 1 April and 31 August they are classed as summer born children and parents can request that the child starts in reception in the September after their 5<sup>th</sup> birthday. Please see the Questions and Answers below:

Q1 When does my child legally have to start school?

A1 A child reaches compulsory school age on the prescribed day following his or her fifth birthday (or on his or her fifth birthday if it falls on a prescribed day). The prescribed days are 31 December, 31 March and 31 August.

Q2 My child's birthday is between 1st April and 31st August. Is my child classed as summer born and when do they have to legally start school?

A1 Yes, and the date would be the start of the autumn term in September after they are 5.

Q3 Do I have the right for my child to delay their start in a reception class until the September after he/she is 5?

A3 No, but you do have the right to request this to the school you prefer. However, there is no automatic right for this to be agreed by the school.

Q4 What happens if the school does not agree to a delayed start in the September after my child is 5?

A4 You should apply in the normal round for admission in the September after your child is 4.

Q5 If I do this does my child have to start in that September?

A5 No you can request that your child has a deferred start, please see section 1. Once a place has been offered you would not be able to defer entry beyond the academic year (ending 31<sup>st</sup> July) for which the original application was accepted.

Q6 What happens if my request to delay is refused and I choose not to let my child start in the reception year before they are 5?

A6 You would have to apply for a year 1 place when the child is 5.

Q7 Would I be guaranteed a place at my preferred school?

A7 No as all places would have been allocated during the reception application process and those children would still be at the school transferring into year 1. You would be relying on places becoming available.

Q8 What happens then?

A8 The Admission team would have to find you a place at the nearest school with a vacancy.