

# EDUCATED OUT-OF-YEAR POLICY WINCLE C. E. SCHOOL



## Educated out-of-school Policy Wincle CE Primary School

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# EDUCATED OUT-OF-YEAR POLICY WINCLE C. E. SCHOOL

## **Aim of this policy:**

The aim of this policy is to clarify the procedure for requesting an out of year place for a school aged child or young person who attends Wincle CE Primary school for which the Governing Body is the Admission Authority.

*\*\*Please note: The definition of 'the school' in this instance being the head teacher in consultation with class teachers and relevant sub-committees with ratification from the full governing board. \*\*\**

## **Background:**

This policy has been produced in response to the requests from parents, carers and teaching staff for admission of children outside their normal age group – such as gifted and talented children, or those who have experienced problems or missed part of a year, for example due to ill health. The school must make the decision on the basis of the circumstances of each case, informing parents of their statutory right to appeal. This right does not apply if they are offered a place in another year group at the school.

As a general principle, the Local Authority guidance states that pupils should progress through schools with their chronological peer group. The assumption should always be that children remain in their age group and move up with their peers. There is no evidence that staying behind for an additional year leads to improved educational attainments; the argument that staying behind for an extra year will enable the child to 'catch up' has no validity.

It is vitally important that if a child is advanced, the implications in terms of transfer early to secondary school are considered. The child would be expected to transfer at the same time as their adopted year group. The co-ordinated admissions scheme for Cheshire East will apply to all children operating in year 6, whether that is their correct chronological age group or not. Primary schools need to be aware that they are making a decision that has an on-going implication for the child's secondary education. In addition, whilst the child may be intellectually ahead of their peer group, they may not be so advanced either socially or emotionally. Such advancement may indeed not meet their intellectual needs. These are very important factors to consider.

The needs of the child as an individual must be paramount, rather than school organisation, curriculum and assessment considerations. Parental views must be fully considered, but they need to be given the opportunity to discuss fully the long-term implications of any move out of year group. It is equally important to hear the views of the child and young person.

This means that if there is a request for a child to remain behind for an additional year/or transfer early, there needs to be very good reasons. This policy is an attempt to set out some of the circumstances that should be considered by staff if and when schools or parents seek their advice.

## **Relevant Documents:**

- \* Educating out of Year Best Practice Guidance – Cheshire East (see Appendix 1)
- \* SEN Code of Practice – November 2001
- \* School Admissions Code – Department for Education February 2012 (para 2.17)
- \* Ensuring Good Behaviour in Schools – Department for Education, September 2012
- \* Disability Rights Commission Code of Practice
- \* Children & Families Bill

## **Roles and Responsibilities:**

Parents will be responsible for raising their concerns/request with the school and for making themselves aware of the full implications of the outcome if their child is placed out of year. The Head teacher will be responsible for liaising with parents, the child or young person and other professionals to build a relevant range of evidence in order to reach a decision to request an out of year placement. The Head teacher is also responsible for explaining the full implications of out of year placements to parents and young people.

## **Monitoring:**

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The monitoring and evaluation of the policy will be undertaken by the full governing body.

## Appendix 1

### **Cheshire East - Best Practice Guidance - Placement of pupils out of their chronological/peer age group**

#### **Introduction:**

Year on year, within Cheshire East, there is a very small number of pupils who are placed and taught out of their chronological age group. The issue of placement of pupils out of chronological age group is often raised at phase transfer, particularly where the demands of the next phase are considered to be too great for the child or young person. It is recommended that these discussions take place the year prior to transfer for example during Y5 prior to transfer to KS3.

Parents and schools often justify their decision to place a child in a year group other than their chronological age group in one of the following ways:

- the pupil is gifted and exceptionally able and is isolated as a learner in their present peer group;
- the pupil is achieving at a level significantly below age-expectation;
- the pupil has a birth date in July or August or they are born prematurely; (see attached guidance)
- the pupil has an emotional delay and/or finds it difficult to make age-appropriate peer relationships, resulting in the risk of bullying and social exclusion;
- the pupil has missed a significant portion of a particular year's study through illness or other unavoidable absence;
- the pupil has had no pre-school experience and it is considered that they will benefit from an additional year in the early years setting of a Reception class.

The guidance set out below does not apply to decisions made in respect of children who have a Special Educational Needs Statement.

#### **Best practice guidance:**

- The responsibility for addressing the pupil's individual needs lies with the school. The Teachers Standards require teachers to:
  - \* Set high expectations which inspire, motivate and challenge
  - \* Promote good progress and outcomes
  - \* Demonstrate good subject and curriculum knowledge
  - \* Plan and teach well structured lessons
  - \* Adapt teaching to respond to the strengths and needs of all pupils
  - \* Make accurate and productive use of assessment
  - \* Manage behaviour effectively to ensure good and safe learning environment.
- Pupils placed and taught out of their age group, will be a rare exception, never being more than a single year's difference.
- Such a placement will only be considered as a desirable course of action if full consultation and agreement has taken place with all parties.

#### **Where pupils are educated in an older age group, it is expected that:**

- the gifted and exceptionally able pupil has demonstrated exceptional intellectual skills and achievement in all subject areas;
- there has been a full exploration of curriculum extension and enrichment;
- the pupil has a physical maturity sufficient to meet the needs of the curriculum;

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- the pupil's emotional and social maturity will enable positive peer relationships with an older age group;
- there is informed parental support and agreement;
- where appropriate following consultation and explanation, the pupil agrees with the potential implications;
- there are clear plans for phase transfer and examinations.
- the pupil will cease to be of compulsory school age on the last Friday of June in the school year they become 16.
- the pupil must continue in education or training until the end of the academic year in which they turn 17, up until 2014, and until their 18<sup>th</sup> birthday in 2015.

### **Where pupils are educated in a younger age group, it is expected that:**

- the pupil shows significant delay in all areas of educational skills, social and/or physical development to an extent that curriculum differentiation is not reasonable or sufficient;
- where appropriate following consultation and explanation, the pupil agrees with the potential implications;
- there are clear plans for phase transfer and examinations.
- there is informed parental support and agreement;
- the pupil will continue with their education even though they are above the compulsory school age. (A pupil ceases to become of compulsory school age on the last Friday of June in the school year when they become 16). The school will continue to receive funding for the pupil.
- the pupil must continue in education or training until the end of the academic year in which they turn 17, up until 2014, and until their 18<sup>th</sup> birthday in 2015.

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## **DfE Guidance - Summer Born Children**

Non-statutory advice has been issued by the DfE to help local authorities, admission authorities and parents understand the framework within which admission authorities must operate when dealing with the admission of pre-statutory school age.

The primary purpose of this DfE guidance is to remind all admission authorities that there is no legal basis for refusing requests to delay admission and that admission authorities should be flexible in their approach and should consider such requests on the basis of the circumstances of the case. The guidance acknowledges that some parents will feel their child is simply not ready to start school in the September following their fourth birthday. Parents can request that their child attends school part-time until they reach compulsory school age, or that the date their child is admitted to school is deferred until later in the same academic year. In addition, paragraph 2.17 of the School Admissions Code enables a parent to request that their child is admitted outside of their normal age group.

The guidance can be accessed online by following this link:

[http://media.education.gov.uk/assets/files/pdf/a/advice\\_summer\\_born\\_children.pdf](http://media.education.gov.uk/assets/files/pdf/a/advice_summer_born_children.pdf)

The key points (extracted from the guidance) confirm that;

- 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 at this point.
- School admission authorities are responsible for making the decision on which year group a child should be admitted to, but are required to make a decision based on the circumstances of the case.
- There is no statutory barrier to children being admitted outside their normal year group.

The guidance on summer born children should be read in conjunction with the School Admissions Code 2012.

## **Applying for School Places – Normal Admission Round**

Parents that decide to delay admission until the following school year, for example until the September after their child becomes of statutory school age, will first need to discuss their intentions with schools that they will be applying to in order that the relevant admission authority can be advised of the request and can determine if this can be agreed. The parent will then need to discuss their intentions with the Local Authority in order that arrangements can be made to include the child in the relevant application round, if this is agreed.

At this early stage, parents will need to be advised that a decision by the admission authority to agree delayed admission until the following year does not guarantee a place in the reception class at that school. The decision on the application for reception, which will need to be made through the normal admission round on the home local authority's application form, will be based on the published admission arrangements as for all applications. Therefore, parents need to be made aware that an application for an oversubscribed school could be unsuccessful, even though the application for delayed entry is supported by the admission authority.

In cases where parents will be delaying admission until the following year, an application must be submitted in accordance with the dates published for that application round. Unsuccessful applications have a legal right of appeal. Admission authorities need to be aware that this legal right of appeal does not apply if an applicant has been offered a place in a different year group to the one that they have applied. However, parents do retain the right to make a complaint, which must be made in accordance with either the school's or the local authority's standard complaints procedure, i.e. whichever of these has the role of admission authority.

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