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Guidance

# Guidance on handling admission requests for summer born children

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**Applies to England**

## About this guidance

This is non-statutory guidance to help local authorities and other school admission authorities respond to parents' requests for summer born children to be admitted out of their normal age group.

It will help authorities fulfil the duties imposed by the statutory [School Admissions Code](#), and should be read in conjunction with this.

This guidance does not apply to children with education, health and care (EHC) plans. If a summer born child has an EHC plan and parents would like them to be admitted to school at age 5 to start in reception, the local authority will need to discuss this with them.

The Department for Education (DfE) no longer intends to change the law on the admission of summer born children. This is because the system is working much better than in the past. We will keep this position under review.

The Parliamentary Under-Secretary of State made a statement on the admission of summer born children in July 2022. This is available on [The National Archives](#).

## Overview of admissions for summer born children

Paragraph 2.17 of the [School Admissions Code](#) requires admission authorities to provide for the admission of all children in the September following their fourth birthday. Most parents are happy for their child to start school at this point.

Children are not required to attend school until they reach [compulsory school age](#). Children born from 1 April to 31 August – known as summer born children – do not need to start school until the September after their fifth birthday, a year after they could first have started school.

A parent may request their summer born child is admitted out of their normal age group at this point – to reception rather than year 1.

If a child is admitted to primary school out of their normal age group, the parent may make further requests, for example, when they transfer from primary to secondary school.

The admission authority of each school must make a decision based on the circumstances of the case and in the child's best interests. It should be rare for an authority to refuse a parent's request.

An admission authority may not decide that a child should start school before compulsory school age - that is the parent's decision.

The government believes it is rarely in a child's best interests to miss a year of their education, for example, by beginning primary school in year 1 rather than reception, or secondary school in year 8 rather than year 7.

## Supporting parents' decision making

DfE supports the right of parents to decide their child will not start school until

compulsory school age, but does not believe it should become the norm for summer born children to begin reception at age 5.

Most summer born children will thrive if they are admitted to reception aged 4.

Some parents will be concerned that their child is not ready for school at age 4 and may need support to decide what is right for their child. We have published [advice for parents of summer born children](#), to help them make an informed decision.

Admission authorities should encourage parents who are considering delaying their summer born child's admission until compulsory school age to visit the schools they wish to apply for. Teachers will be able to explain the provision on offer in the reception class and how children's individual needs are supported.

Authorities should encourage parents who are worried their child may have a learning difficulty or disability that will make school challenging for them to meet the school's special educational needs co-ordinator. They will be able to explain the school's approach to supporting children with special educational needs and disabilities (SEND).

Some children born prematurely (before 37 weeks' gestation) have social, emotional, physical and intellectual development behind that of their peers. Some may have health problems associated with their prematurity. The more prematurely a child was born, the more likely it is they will have developmental or health concerns.

If a parent of a child born prematurely is considering delaying their admission, you should encourage them to discuss the options with their child's specialists.

## Handling requests for admission out of normal age group

A request for admission out of the normal age group is separate from an application for a school place. An admission authority needs to make a decision about the age group to which a child should be admitted before it can decide whether a place can be offered in that age group.

Admission authorities should ensure parents:

- are aware of when and how they can make requests
- know what information they need to provide
- know the outcome of their request in time to make an informed decision about whether their child will start school before compulsory school age

Paragraph 2.18 of the [School Admissions Code](#) requires authorities to make clear the process for requesting admission outside of the normal age group in their admission arrangements. This applies in relation to all mainstream schools, including secondary schools.

It is for local authorities and admission authorities to decide what their process should be.

For primary school admissions, we recommend that the process:

- expects parents to make an application for a school place in their child's normal age group at the usual time
- enables parents to submit a request for admission outside the normal age group at the same time
- ensures parents receive the response to their request before primary national offer

day

Secondary schools might adopt a similar process. For example, they might:

- expect parents to secure agreement from the admission authority of their preferred schools for their child to continue to be educated out of their normal age group when their child begins year 5 (before the normal admissions round closes on 31 October)
- ensure parents receive the response to their request before the normal secondary admissions round closes

Admission authorities must still consider requests that are made outside the timescales set out in the process.

If a child is moving house, a request may be submitted alongside an in-year admission application. Authorities should consider whether there are good educational reasons for a child to join their normal age group, otherwise the child should remain with their adopted year group.

If a parent's request is agreed, they may withdraw their application for the normal age group before a place is offered. They will need to make a new application for a school place during the following admissions round.

If a request for admission out of the normal age group at a primary school is refused, the parent will have to decide between 2 options:

- accept the offer of a place in a reception class in the school year following their child's fourth birthday
- refuse the offer of a place in reception class and make an in-year application for their child to be admitted to year 1 in the September following their fifth birthday

It is rarely in the best interests of a child to miss a year of school. If, however, a request for admission out of the normal age group at a secondary school is refused, the parent will have to decide between 2 options:

- accept the offer of a place in year 7 in the school year following their child's 11th birthday (meaning they would progress from year 5 to year 7)
- refuse that offer and make an in-year application for their child to be admitted to year 8 in the September following their 12th birthday (meaning they will progress from year 6 to year 8)

This means the child will have no option but to miss either year 6 or year 7.

Authorities should encourage parents to make a request for admission outside the normal age group at each school they wish to apply for, in case their preferred school is unable to offer their child a place.

## **Selective schools**

Selective schools should ensure their arrangements allow for a child who is being educated out of their normal age group to sit their entry test. They should not refuse requests to sit the test because the child is a different age than children usually are.

To avoid children unnecessarily having to sit selection tests, we recommend that admission authorities:

- encourage parents to submit their request for their child to be admitted out of the normal age group (subject to them passing) before they sit the test
- encourage parents to submit their request before their child reaches the end of

year 4, so, in the event that the request is refused, the child can sit the test at the beginning of year 5 and submit an application for year 7 (missing year 6)

- make their decision before tests take place in the autumn term

## Evidence provided by parents

Admission authorities can reasonably expect parents to provide information about why they think their child should be admitted out of their normal age group, to enable them to make a decision in the child's best interests.

In some cases, parents may have evidence from professionals involved in their child's care or treatment that it would be appropriate for them to submit, for example:

- a speech and language therapist
- an occupational therapist
- a social worker
- a paediatrician
- the child's nursery or childminder

Admission authorities should not expect parents to get evidence they do not already have, and must still consider requests that are not accompanied by evidence from professionals. Authorities should not refuse a request solely because it is not accompanied by professional evidence.

## Making a decision

Paragraph 2.19 of the [School Admissions Code](#) requires an admission authority to decide which age group the child should be admitted to. They must make this decision on the basis of the circumstances of the case and in the child's best interests. They must also take account of the views of the school's headteacher.

An admission authority will need to decide whether a child's needs can best be met in reception or year 1, for a child starting primary school. For a child transferring to secondary school, an authority will need to decide whether their needs can best be met in year 7 or year 8.

Factors an admission authority will need to consider include:

- parents' views
- information about a child's academic, social, and emotional development
- where relevant, a child's medical history and the views of a medical professional
- whether a child would naturally have fallen into a lower age group if they had not been born prematurely
- the potential impact on a child of being admitted to their normal age group and missing a year of their education as a consequence

An authority should take into account if a child has already been educated out of their normal age group and is transferring to a new school.

Unless there are sound educational reasons to do otherwise, the assumption should be that they will remain outside of their normal year group, as to do otherwise would result in the child missing a year of school.

There do not need to be exceptional circumstances, and a child does not need to

have a medical need or SEND for it to be in their best interests to be admitted out of their normal age group.

## Decision-making panels

Some admission authorities have found it useful to convene panels to make decisions, but they are not mandatory.

A mix of professionals may help in reaching a balanced decision. Panel members may include:

- the school's headteacher
- an early years professional (where the child is starting primary school)
- a health care professional
- an educational psychologist
- an admissions officer

Authorities may wish to invite parents to attend panel meetings.

## Notification of the decision

Paragraph 2.19 of the [School Admissions Code](#) requires the admission authority to set out clearly for the parent the reasons for their decision.

If an authority refuses the request, they will need to explain why they believe it is in the child's best interests to be admitted to their normal age group, even though this means they will miss a year of their education.

It may also be helpful to inform parents what they need to do next. For example, where a request is agreed, the parent needs to withdraw their application for a place in their child's normal age group and make a new application in the following admissions round.

## Complaints and appeals

Parents who wish to challenge a decision to refuse their request for admission out of the normal age group may submit a complaint using the schools complaints procedure or the local authority's complaints procedure in the case of community and voluntary controlled schools.

If a parent is unhappy with the way a local authority or maintained school has handled their complaint, once they have exhausted the local complaints process, they may complain to the [Local Government and Social Care Ombudsman](#).

If they are unhappy with the way an academy has handled their complaint they may [complain to the Department for Education](#), once they have exhausted the local process.

Parents whose request for delayed entry is refused have no statutory right to appeal this decision. The statutory admission appeals process does not cover a decision to refuse delayed entry to school.

# Considerations when a request is agreed

Once a decision is made to admit a child out of their normal age group, there are considerations for admission authorities to be aware of across the rest of the child's time in education.

## Early education

All 3 and 4 year olds, and the most disadvantaged 2 year olds, are entitled to [15 hours early education](#) a week for 38 weeks of the year. This rises to 30 hours a week for 3 and 4 year olds with eligible working parents.

When a parent chooses to delay their child's admission to school, the child remains entitled to receive early education until they reach compulsory school age.

## Moving children to their normal age group

Headteachers are responsible for deciding how best to educate the children in their school. On occasion, this may include deciding any child should be moved to a different age group. Such decisions should be based on sound educational reasons and made in consultation with the parents.

There is no expectation that children who were admitted out of their normal age group should be moved to their normal age group. As with other children, they should remain in the age group to which they were admitted unless there are sound educational reasons to do otherwise.

## Funding for children out of normal age group

The school funding formula for pupils in reception up to year 11 is based on the number of pupils in each key stage, not on the age of pupils. Schools are funded for the number of pupils they have on roll in each key stage, regardless of their age.

A 16 to 18 year old student is defined as a student who is aged 16, 17 or 18 on 31 August at the start of the funding year when they begin a learning programme. Such students are normally eligible for the Education and Skills Funding Agency (ESFA) young people's funding, subject to the [16 to 19 funding regulations](#).

A student who was aged 16, 17 or 18 on 31 August at the start of the funding year when they began a learning programme, as recorded on their learning agreement, continues to be funded under the 16 to 19 funding regulations.

Students who become 19 years old or over during their learning programme are funded under the 16 to 19 funding regulations to complete their learning programmes.

## Tests and performance tables

Children are usually assessed when they reach the appropriate point in their education, not when they reach a particular age. There are no age requirements as to when children must take GCSEs or other assessments.

The exception is the phonics screening check, which should be taken in the year the child turns 6, but only if they have completed the year 1 programme of study.

Schools should report the results of children educated out of their normal age group to DfE in the same way as any other child in that age group. A school is required to report on pupils' performance when they reach the end of key stages 1 and 2 – regardless of their age.

## Admissions register

Regulations require schools to include a child's date of birth and the date they were admitted to the school on the admissions register.

The regulations do not require them to record the year group in which a child is being educated, but schools will need to record this for their own administrative purposes. Where a child is being educated out of their normal age group, they should be recorded as such.

## School leaving age

A child reaches school leaving age on the last Friday of June in the school year they turn 16. A child educated in the age group below their normal age group, will be in year 10 when they reach school leaving age.

They are required to continue in education or training until the end of the school year in which they turn 18, but need not attend school to fulfil this requirement. They cannot be obliged to attend school during year 11 (in the same way that a child educated in their normal age group could not be required to attend school during year 12 or 13) but the school will continue to receive funding for them if they do.

A local authority's duty to arrange suitable education (for example by arranging alternative provision) for certain children who would otherwise not receive a suitable education does not apply to children who have reached school leaving age.

Local authorities have a duty to support and encourage young people to participate in education or training and should ensure there is sufficient provision available for all young people aged 16 to 19.

A local authority's duty to arrange free travel to school for eligible children does not apply to children who have reached school leaving age. Authorities may choose to arrange travel for such children, but they are not required to do so.

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