



## Unfair Penalties for Summer Born Children Exposed in LIAAG Paper to All London Authorities: Forced to Miss 'any' Year of their Education Unless they Start School Early

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The *Summer Born Campaign* (SBC) group has seen a 2014 internal document sent by Graham Carter, Chair of the **London Inter-Authority Admissions Group** (LIAAG), to all London admission authorities, which not only contains legislation inaccuracy, but also exposes the adversarial battle parents must endure when trying to enrol their summer born child in Reception class **AT** compulsory school age (CSAge), and the arbitrary intention to return these children to their "*correct age group*" later on – **thereby missing a whole year of their education at any point, – even when requests are granted.** SBC has since been forwarded recent correspondence from London councils to parents, advising them that this pernicious policy *will* be implemented. Worse still, other threats have been made too, in an attempt to dissuade parents from applying for entry at CSAge and force early enrolment in school.

The 2014 LIAAG document (attached and cited below) communicates **an expectation that all children should start school at age 4**, and be educated in strict chronological age cohorts, unless there are *very* exceptional circumstances. It also emphasises that even requests for deferrals later on in the Reception class year *for any 4 year-old child* (not just summer born) should not ordinarily be allowed, and while publication of a new School Admissions Code by the previous coalition government in December 2014 (the Code) strengthened parents' rights to *defer* or choose *part-time* enrolment, it did nothing to stop admission authorities from forcing summer born children to miss either their Reception year or any other year after that, against their parents' wishes, simply because their child did not start school **before CSAge.**

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### EXAMPLES OF LONDON ADMISSION AUTHORITY COMMUNICATION WITH PARENTS:

**Lewisham**, July 23, 2015: "*It is **recommended** that any decision to educate a child outside their normal cohort is reviewed annually and **the child is accelerated to their normal year group at the earliest opportunity.** Should you decide to pursue your request for your child to be out of their normal cohort you are also advised that **a headteacher of any other school including secondary school is not obliged to honour this arrangement.***"

**Lewisham**, August 27, 2015: "*This [own admission authority school's] decision cannot be imposed on any other admissions authority, so, **if you wish to apply for other schools during the 2016 admissions round, you will be required to obtain consent from the governing body of those schools too... Should [child] join the reception class in September 2016 the school he is admitted to will be expected to review the arrangement regularly and it should not be expected that he necessarily remain outside his normal age group throughout his primary education.***"

**Merton**, August 11, 2015: "*delayed entry for your [premature Aug 29 born child] has not been agreed. Any offer made for [child] will be for a Year 1 place starting in September.*" [August 14, 2015:] "***You could have placed your [premature Aug 29 born child] in Reception at a later point in the academic year on a full or part time basis but have not done so. Therefore the decision to miss Reception year has been made by yourself, not by the Local Authority.***" **Note:** This family relocated to a different county for Reception entry.

**London Local Authority** (parent requested full anonymity), April 23, 2015: "***The Code doesn't require a consistent approach across LAs; London LAs have agreed that agreement to requests must be exceptional...***"

**Ealing** own admissions authority primary school, June 26, 2015: "***We [the attached nursery] only take children that are 3 before 31st August in the current year that they attend.***" [June 29, 2015:] "***If you decide to delay your son's start he would go in to Year 1... However we would not recommend this as he would miss an important school year.***"

**Barking & Dagenham**, July 24, 2015: "The panel was unable to agree to your request... **A child does not have to attend the reception year and can start school the following September 2016 in year 1**". [July 28, 2015:] The local authority "will only agree to educate children out of year group if there are exceptional circumstances... There are no reports from professionals stating that [your child] would benefit by not starting school in September 2015... **The local authority is not suggesting it is in [child's] best interests to miss his reception year. [It] has the view that it is in the best interests of each child to attend the reception year at school... If you choose to start [child] in school in September 2016 he will have to start in year 1, this will be his correct chronological year group.**"

**Barking and Dagenham**, April 23, 2015: "Children born between 1 September 2010 and 31 August 2011 are due to start school in September 2015. If you do not want your child to go to school until September 2016, **your child will be joining at Year 1, not Reception.**" [July 23, 2015:] B&D "will agree that [child] is able to participate in the September 2016 admissions round... **It is recommended that...the child is accelerated to their normal year group at the earliest opportunity**".

**Lambeth**, July 15, 2015: "decisions will be made by Lambeth's MEDSOC Panel... comprised of a team of senior managers within the local authority... The panel were in agreement that [child's] **needs could be met within the normal chronological year group with the right support**, something that any school can offer. However, as [x] School had agreed that [child] would be admitted, the panel considered the school's decision should not be over ruled in this instance... **a similar request will need to be sought during the secondary transfer application process.**" [Parent:] "We were limited on our application to listing only two preferred schools where we'd found flexible head teachers, which put our child at a huge disadvantage in such an oversubscribed area."

**Bromley**, October 3, 2014: "If you decide to delay your child starting primary school in the year that is correct for his age, **he will miss out completely on his Reception year and would start school in Year 1. This may not therefore be an advantageous decision to take. Please consider carefully before you choose this option.**" [Parent:] "Is this the only option available to me?" "Unfortunately yes - **in Bromley we are unable to accommodate children other than in the appropriate year group for their age.**" **Note:** A blanket policy of Year 1 entry for CSAge summer born children was **unlawful** even under the 2012 Code.

**London Local Authority** (parent requested full anonymity) September 1, 2015: "At a meeting earlier in the year a senior Government Officer made it clear to us that it should not be assumed that a child will remain out of cohort throughout their education and should be moved into the correct year group at the earliest opportunity. **For everyone's sake let's hope that the next version of the School Admissions Code is not as ambiguous as the current one.**"

#### PDF DOCUMENT ATTACHED:

- January 15, 2014 LIAAG paper '**Requests for Deferred Entry or Admission Out of Cohort of Summer Born Children**', with SBC comments outlining inaccuracies and assertions that do not appear to have any basis in law.

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#### SBC LEAD CAMPAIGNERS PAULINE HULL & MICHELLE MELSON:

"While some admission authorities in England have taken the view that no child should miss any year of school, and understand that the decision **when/if** a child starts school is a parent's legal right (most recently Liverpool County Council,\*and also the National Governors' Association\*), many other authorities still insist on the bureaucratic neatness of children being educated in 'correct chronological age groups', at any cost (e.g. SEN diagnosis).

The 2014 Code does not go far enough in protecting summer born children from inequality and entrenched resistance – both during the admissions and application process but also throughout their education. The LIAGG even seeks compliance from parents that their CSAge child should miss a year of school later on if Reception class entry is agreed: "the feasibility and potential **willingness of parents to integrate the child into their correct age group before Year 6** in order to avoid potential difficulties at KS3 transfer".

Fortunately, the new Schools Minister, Nick Gibb, is taking this situation extremely seriously, and has expressed concern about children missing a whole year of their education. There are also positive signs within Department for Education communication to parents that action **will** be taken to resolve this unprecedented postcode lottery.

#### MEDIA INFORMATION:

- **\*Liverpool City Council Formally Supports the Summer Born Campaign** (September 1, 2015)  
<http://summerbornchildren.org/2015/09/01/liverpool-city-council-formally-supports-the-summer-born-campaign/>
- **\*NGA Deserves Praise for its Position on Summer Born Admissions** (July 21, 2015)  
<http://summerbornchildren.org/2015/07/21/nga-deserves-praise-for-its-position-on-summer-born-admissions/>
- **The 2014 Code** clearly states, "Admission arrangements means the **overall procedure, practices, criteria and supplementary information** to be used in deciding on the allocation of school places and refers to **any device or means used** to determine whether a school place is to be offered." And, "In drawing up their admission arrangements, admission authorities **must** ensure that the **practices** and the **criteria used to decide the allocation of school places are fair, clear and objective**. Parents should be able to look at a set of arrangements and understand easily how places for that school will be allocated." The LIAAG's paper was **not** readily available to parents, and was certainly not contained in any published admission arrangements, yet it provides clear evidence of the proposed **hidden admission practices and criteria** deterring parents of summer born
- **Neil Carmichael, Chair of the Education Select Committee**, wrote to a member of the SBC Group in August 2015 stating his personal view that "no child should miss out on a year of schooling, and admission decisions need to be made in the best interests of the child, not administrative neatness."
- **The United Nations Convention on the Rights of the Child** states, "If a legal provision is open to more than one interpretation, the interpretation which most effectively serves the child's best interests should be chosen." SBC maintains that summer born children's best interests are *not* the primary consideration if they are forced to miss a whole year of their education against their parents' wishes.
- **DfE spokesman** (quoted August 2015), "It is a myth that missing school even for a short time is harmless to a child's education. Our evidence shows missing the equivalent of just one week a year from school can mean a child is a quarter less likely to achieve good GCSE results." (12.08.15 The Independent, Richard Garner, *Truancy prosecutions for parents up by a quarter, say new figures*)
- **LIAAG covers:** Barking & Dagenham, Barnet, Bexley, Brent, Bromley, Camden, City of London, Croydon, Ealing, Enfield, Greenwich, Hackney, Hammersmith and Fulham, Haringey, Harrow, Havering, Hillingdon, Hounslow, Islington, Kensington and Chelsea, Kingston upon Thames, Lambeth, Lewisham, Merton, Newham, Redbridge, Richmond upon Thames, Southwark, Sutton, Tower Hamlets, Waltham Forest, Wandsworth and Westminster

#### IMPORTANT NOTE:

- There is **NO** expectation from the SBC group that a parent should be able to apply for a place for their summer born child at age 4 and then defer entry (i.e. hold on to the same school place) until the following academic year.

#### MEDIA CONTACTS:

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