

PROPOSED GUIDANCE ON PLACEMENT OF PUPILS OUT OF THEIR CHRONOLOGICAL AGE GROUP

1. INTRODUCTION

This paper aims to clarify best practice guidelines in Stockton on Tees for pupils being educated in a group different from that of their chronological age. There has been an increase in the number of pupils being kept out of their year group over the last few years and, whilst decisions will have been made for significant reasons, the impact of this decision has not always been considered. A decision to educate a child outside his or her chronological age group has significant impact on the pupil, their family, the host school and future school.

2. Inclusion

- a) Inclusion is about the quality of children's experiences; how they are helped to learn, achieve and participate fully in the life of the school. It requires positive attitudes towards children who have difficulties in school, a greater responsiveness to individual needs and a willingness amongst all staff to play their part. 'Removing Barriers to Achievement' is the Government's Strategy for Special Educational Needs and sets out clearly the expectations on schools in respect of becoming more inclusive.
- b) In addition, 'Every Child Matters' sets out the strategy for ensuring the well-being of all pupils. The 5 outcomes for all children are integral to promoting educational inclusion. The 5 Outcomes are:
 - **Being healthy:** enjoying good physical and mental health and living a healthy lifestyle
 - **Staying safe:** being protected from harm and neglect
 - **Enjoying and achieving:** getting the most out of life and developing the skills for adulthood
 - **Making a positive contribution:** being involved with the community and society and not engaging in anti-social or offending behaviour
 - **Economic well-being:** not being prevented by economic disadvantage from achieving their full potential in life.

3. Principles of inclusive practice

- a) The principles behind educational inclusion stress the importance of all pupils being educated alongside their peers in their local communities. The emphasis is on schools meeting individual needs, including those of pupils with Special Educational Needs, through personalised learning.
- b) Expectations of good practice are based upon a child's entitlement to be educated alongside their age equivalent peers. The responsibility for addressing individual needs lies with the school through an appropriately differentiated curriculum. Personalised learning is at the heart of ensuring that the provision that is made meets the individual pupil's needs.
- c) The needs of the child or young person need to be viewed holistically. The individual's social and emotional development and well-being need to be considered alongside educational needs.

- d) Where a child has Special, Additional or Individual Educational Needs, then their educational programme should be enhanced with any appropriate support. For pupils with SEN, this support will often be outlined in an Individual Education Plan or through provision mapping
- e) The placement of a child or young person out of their chronological year group is not an appropriate strategy for meeting Special Educational Needs.
- f) The ways in which a pupil's needs can be met without resorting to a placement outside of their chronological age group are outlined in the following sections.

4. Early Transfer of Pupils to Secondary Schools

Research has shown that early transfers are not necessarily beneficial to all children and long term studies have shown that educational underachievement can sometimes follow. Such outcomes seem to relate to a number of factors in addition to the child's academic or cognitive ability. Generally, it is not only the ability of pupils that should be considered but also their social and emotional development as well as their home and educational environment.

There are many considerations that should be taken into account in order that parents/carers feel that their request has been dealt with in a 'fair' way. It is important that everyone concerned, that is the parents/carers, the child's primary school, the attached member of the Advisory Service, the receiving secondary school, the LA and, if appropriate, the educational psychologist or other professionals, work together to ensure that the best outcome is achieved for the child.

The LA would not normally agree to transfer a pupil early to secondary school unless exceptional circumstances apply. There would have to be clear, written evidence from appropriate professionals, that the pupil would be disadvantaged if the early transfer did not go ahead.

The following guidelines have been set up to ensure that schools and parents/carers are aware of the process that needs to happen before the LEA will accept a request for early transfer.

Proposed guidelines

- The LEA would only consider parental applications for an early transfer to secondary school in exceptional circumstances.
- All requests would have to be supported by the Primary School that the pupil attends.
- The views of the Secondary School should always be sought.
- The Primary School should have sought and implemented advice through the attached member of the Advisory Service regarding the provision of a curriculum offering greater breadth and challenges than would normally be expected at Key Stage 2. Such a curriculum and further extensions of it should have been in place and monitored for at least 12 months.
- There should be clear evidence that further curriculum extensions are not reasonable or that the pupil would be disadvantaged if such a transfer did not go ahead.
- Regular meetings should take place between the school staff and parents/carers prior to any application. Such discussions should be recorded in the form of an Action Plan which emphasises what steps the school will take to provide curriculum extension and challenges. Progress against these can then be reviewed at subsequent meetings.
- In addition to educational skill levels there needs to be clear evidence that the pupil has the necessary levels of social and emotional maturity to cope with the transfer.

- In order to assist in providing the evidence, the school might wish to consider using some of their allocated educational psychology sessions. However, whilst an educational psychologist assessment is not an essential pre-requisite, it would be expected that the school had at least discussed the pupil and the circumstances with their attached educational psychologist.
- Each application should be well planned in advance so that it fits into the normal secondary school transfer application cycles, so as not to disadvantage the parents/pupil in seeking to secure a place in their preferred secondary school. Ideally this would be towards the end of Y4.

Once agreement is made then an application for secondary school will be made on the same basis as for Y6 pupils. The primary school must inform the LA's Admissions Section to ensure that the child is included in the relevant round of admissions, otherwise parents will not get the information they require to complete an application and might not get their preferred school.

Implications

Pupils may receive a higher level of intellectual stimulation and feel less frustrated than if placed in their chronological group. However this may not apply across all subject areas and the pupil's intellectual strengths and achievements may not be uniformly advanced.

However, sometimes physical, social and emotional maturity fail to match exceptional intellectual maturity, in which case a pupil may be presented with physical, emotional or social demands which they are unable to meet. The self-esteem and other negative emotional consequences of this may be considerable, particularly during adolescence. When overall maturity is broadly in line with intellectual maturity, the evidence is that placement a year ahead of chronological age can lead to successful outcomes for the pupil. However evidence suggests that these outcomes can also be addressed through an enriched curriculum within the same chronological age group.

Once the year/group change has been made, it is difficult to reverse, perhaps involving the repeat of a NC Year. One of the consequences is that the pupil reaches the next phase transfer, SATs or GCSEs and school leaving status a year or more ahead of chronological age. It is worth noting that pupils cannot finish their education at 15 years and so have to transfer early to a sixth form college or FE college.

5. Pupils 'retained' a year group below their chronological age group

The reasons for placing pupils below their chronological age group tend to be as follows:

- the pupil has exceptionally delayed intellectual skills and cannot productively engage in group learning tasks and presents teachers with major difficulties in curriculum differentiation;
- the pupil is very delayed emotionally and cannot make adequate relationships with their peer group, is at risk of isolation and possible bullying;
- a pupil may have missed a substantial part of a year through illness or other reasons;
- reasons associated with a child's physical condition or physical frailty, which appear to justify a 'less robust' environment than that found in the chronological age group.

Many pupils considered for retention, have a statement of SEN or are at School Action Plus (SA+) on the SEN register. They would therefore have either an Individual Education Plan (IEP) or have needs being met via Provision Mapping. These children's needs would normally be discussed via Annual Reviews or, for children at SA+, via internal school

reviews. The most recent review meeting should endorse any decision to move a pupil out of chronological age group.

Schools and involved professionals should satisfy themselves that the following apply:

- the pupil shows significant delay in intellectual development/educational skills across the subject areas, to an extent that curriculum differentiation is not reasonable
- the pupil's physical maturity does not place them in a position of being significantly developmentally different from their peer group
- the pupil shows a level of emotional development and social skills appropriate for a younger peer group.
- there is full parental support and agreement
- there is pupil support and agreement following explanation and counselling at a level the pupil is able to understand
- there are clear objectives and time scales to the change with plans in place to manage phase transfers and examinations if appropriate.

The pupil should not be expected to remain out of chronological age indefinitely. Any move out of the chronological age is expected to be managed within a key stage i.e. at the end of a key stage the pupil should be placed within their chronological age group.

Implications

As with children transferred early to secondary school these there are significant implications of decisions to retain pupils . Pupils are seldom uniformly delayed in their intellectual development. If a pupil is put into a younger age group and a reduced set of general expectations are in place, then areas of strength are at risk of not receiving appropriate stimulation. Similarly, physical, emotional and social expectations are likely to be inappropriate.

Summer born children present other challenges. This group may show lower levels of achievement and maturity, but normally this should be addressed within the class group through normal differentiation of the curriculum.

The consequences of 'making up' a year can be very negative for the pupil. The alternative – delayed phase transfers, SATs, GCSEs and school leaving status can also be problematic. In some circumstances the child may miss a statutory right; a national curriculum year programme of work.

6. Admissions Implications for Schools and the LA

Primary Schools

- a) The decision to move a pupil out of year has implications for admissions when the next year is over subscribed. This can make it difficult for a school to plan pupil numbers for the following year. This is of particular significance at KS1, with the limits of class sizes that have been in force since September 2001. No infant class containing 5, 6 or 7 year olds may contain more than 30 pupils with one teacher. One pupil over 30 may necessitate the employment of an additional teacher or the reorganisation of class groups in Key Stage 1. It is recognised that the logistics of meeting the class size requirements are proving a particular issue for some schools especially where the schools are of a single-form entry size. There are exceptions to this laid out in the School Admissions Code of Practice but in most cases a class above 30 may only be above that number for the remainder of the school year. If a class remains above 30 then other strategies as mentioned above would need to be adopted.

- b) Pupils placed out of chronological age are not regarded as exceptions. Pupils who are kept down a year may cause additional costs for the school in respect of additional teaching staff. They may also block places for pupils due to be admitted and for whom placement may be appropriate or necessary. Uncertainties may create difficulties for receiving schools at the end of key stages.
- c) There is a difficulty about the legal requirement of an Indicated Admission Number (IAN) or Admission Number (AN) which in law reflects the minimum number of pupils that should enter into school or transfer to schools within the relevant age range. The IAN/AN is legally age related. If a reception class has a Published Admission Number (PAN) of 30 and can only admit 29 because a pupil is held down a year in Year R, this in effect takes away the legal right of another pupil to have a place in that year group. The maximum class size of 30 for KS1 prevents a class of 31 being created and, in the event of a parental challenge, the requirements to fund a further teacher would become necessary.
- d) In schools where there is a regular practice of moving children out of age for a year or more, staff should be alert to the fact that this may reflect issues in the school relating to curriculum differentiation or extension/enrichment.

7. Secondary Schools

- Impact on secondary schools when admitting pupils into Year 7 who have been retained out of year may be significant. Secondary schools may insist that the pupils enter in their correct chronological year group, which can mean that pupils have not had the appropriate experiences to enable them to engage in the curriculum on offer.
- Pupils not transferring with their cohort could be in the situation that the year group is full and the pupil then has a further denial of opportunities in terms of local school/choice of school and may have to travel out of area.
- The impact on management and organisation at transfer times is significant. Because of the inherited situation, receiving schools/key stages may not be able to accommodate the pupil within their structure.
- Specific and additional arrangements may need to be made to support the pupil, which might not have been necessary if their needs had been addressed through appropriate curriculum differentiation at an earlier stage.
- Pupils can take the National Curriculum Tests when the programme of study has been completed, not necessarily when the rest of the group/cohort take it.

8. Pupils with Special Educational Needs

- a) It should only be necessary in very exceptional circumstances for a pupil to be moved from their chronological age group.
- b) In no instance should this be more than a single National Curriculum year.
- c) For a pupil to be moved into a lower year group or retained for an additional year, it would be expected that this would be recommended by a review meeting (either Annual review for a child with a statement of SEN or an internal school review for pupils at School Action +. These meeting may involve other professionals/LA representatives and, if not, there should be consultation with appropriate professionals/LA representatives

d) Schools and involved professionals should satisfy themselves that the following apply:

- the pupil's educational, social and emotional well-being will be best met through retention
- the Annual or SA+ review process recommends retention
- there is full parental support and agreement
- there is pupil support and agreement following explanation and counselling at a level the pupil is able to understand
- there are clear objectives and time scales to the change with plans in place to manage phase transfers and examinations if appropriate.

The pupil's IEP should document how the return to their chronological age group will be managed

e) If a SEN pupil moves a year ahead of their chronological age, the LA's statutory duty does not end until the pupil is 19 years of age. However the statement lapses if the pupils transfers to a non-LA setting before the age of 19. Appropriate arrangements would need to be put in place for the pupil in the context of a sixth form or college of Further Education.

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