

REPORT TO: Cabinet

MEETING DATE: 10 September 2019

BY: Depute Chief Executive (Resources and People Services)

SUBJECT: Deferring Entry to Primary One

1 PURPOSE

The purpose of this report is to:

- I. inform the Council of the national guidance on deferring entry to primary one as outlined in The Standards in Scotland's Schools etc. Act 2000, Children and Young People (Scotland) Act 2014 and the Association of Directors of Education Services Pre-fives Sub Committee – Guidance on Deferrals to Primary School Education; and
- II. provide an overview of deferring entry to primary one procedures within East Lothian.

2 RECOMMENDATIONS

2.1 The Council is asked to:

- i. note the contents of the report.
- ii. agree that the Education and Children's Service intends to review the East Lothian guidance on deferring entry to primary school as part of the ongoing review of all education related policies and guidance after full implementation of the 1140 hours Early Learning and Childcare for all 3 and 4 year olds. An Integrated Impact Assessment will be carried out when reviewing the guidelines.

3 BACKGROUND

3.1 The Standards in Scotland's Schools etc. Act 2000 imposes a statutory duty on education authorities to secure the provision of pre-school

education for such categories of children as may be prescribed by the Scottish Ministers by order. In addition the Standards in Scotland's Schools etc. Act 2000 (Commencement No 5) Order 2002 and the Provision of School Education for Children under School Age (Prescribed Children)(Scotland) Order 2002 requires all local authorities to secure provision of a free, part-time education place for all three and four year olds. Children become eligible to receive pre-school education in the term following their third birthday. Furthermore, the legislation extended the duty where parents of children with birthdays in January and February who choose to defer their child's entry to primary school would be provided with an additional year of free pre-school education. However, authorities would retain discretion over the provision of additional pre-school funding for children with September to December birthdays.

- 3.2 Following a report by the ADES Deferrals Working Group set up by the Scottish Government new arrangements came into force from the start of the school year 2001/2002. Where children have birthdays between September and December local authorities shall continue to have discretion over making additional pre -school provision if their entry into primary school is deferred i.e. such children will not be able to claim Early Learning and Childcare funding when deferring entry to Primary 1.
- 3.3 The Children and Young People (Scotland) Act 2014 imposes the duty to secure provision of early learning and childcare and that in pursuance of its duty secure that the mandatory amount of early learning and childcare is made available for each eligible pre-school child belonging to its area. The current mandatory amount is 600hrs. Authorities still retain discretion over the provision of additional pre-school funding for children with September to December birthdays.
- 3.4 East Lothian Council reviewed its Deferred Entry Guidelines for Staff and Parents, for August 2019, to ensure transparency and rigor throughout the process and a training session was provided for all Early Learning and Childcare settings.
- 3.5 Where a deferred year is being considered the guidance to schools advises that the focus will be on the key aspects of the child's development and learning. There should be ongoing, recorded observations and assessment of children during the Early Learning and Childcare (ELC) year and discussions held with parents. Activities can be planned to develop the child's knowledge and skills in any identified areas of concern and transition records should reflect all aspects of the child's learning and development. Communication should take place between the ELC setting and the child's catchment primary school to identify supports available to meet the child's needs in both settings.
- 3.6 By the time children reach the age of 4 or 5, there are already differences in each child's development, learning and levels of independence. Schools are very experienced in supporting these differences through the individualised planning to meet learners needs delivered within the context of Curriculum for Excellence.

- 3.7 When considering requests to defer entry into primary school and, therefore, to support an Early Learning and Childcare placement, account is taken of the evidence supplied by the parents and nursery alongside the following:
- Approach and attitude to learning
 - Ability to communicate own needs, feeling and ideas
 - Levels of independence and self help
 - Emotional and personal development, including self-confidence and esteem
 - Relationships and friendships with other children and adults in regards to the criteria
- 3.8 Requests for a further year of Early Learning and Childcare (ELC) for children with birthdays between the first day of the school and end of February will be considered by the ELC Panel. The Panel consists of 3 members of staff, Quality Improvement Officer, Educational Psychologist and Early Years Outreach Teacher.
- 3.9 Where parents disagree with the outcome of the ELC Panel a further moderation of their application will be considered. Those participating in the further moderation will not have been involved with the initial decision.

4 POLICY IMPLICATIONS

The Education Service intends to review the East Lothian deferred entry to primary one guidance for education staff after full implementation of the 1140hrs of Early Learning and Childcare for all 3 and 4 year olds. An Integrated Impact Assessment will be carried out when reviewing the guidelines.

5 INTEGRATED IMPACT ASSESSMENT

- 5.1 The subject of this report does not affect the wellbeing of the community or have a significant impact on equality, the environment or economy.

6 RESOURCE IMPLICATIONS

- 6.1 Financial – none associated with this report
- 6.2 Personnel - none associated with this report

7 BACKGROUND PAPERS

- 7.1 Children & Young People (Scotland) Act 2014
- 7.2 Standard in Scotland's Schools etc Act 2000 – Section 34 Guidance on Pre-school education
- 7.3 ADES Pre Fives Sub Committee

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