



Education Committee

Oral evidence: [Evidence check: Starting school, HC 1039](#)

Wednesday 4 March 2015

Ordered by the House of Commons to be published on 4 March 2015.

Written evidence from witnesses:

- [Department for Education ‘Evidence check’ memorandum – School Starting Age](#)
- [Department for Education ‘Evidence check’ memorandum – Summer Born Children](#)
- [Summer Born Campaign Group \(STS0011\)](#)

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Members present: Mr Graham Stuart (Chair), Neil Carmichael, Alex Cunningham, Bill Esterson, Pat Glass, Siobhain McDonagh, Caroline Nokes, Mr David Ward, Craig Whittaker

Questions 1 – 157

Witnesses: **Tammy Campbell**, Researcher and Analyst, UCL Institute of Education, **Dr Claire Crawford**, Assistant Professor of Economics, University of Warwick, and Research Fellow of the Institute for Fiscal Studies, **Helen Kirrane**, Campaigns and Policy Manager, Bliss, and **Michelle Melson**, Summer Born Campaign, gave evidence.

Q1 Chair: Good morning. Welcome to this Education Committee sitting that forms part of our evidence-check process, in which we decided to ask the Department for evidence first and then ask everyone else to comment on that. We looked at a number of different areas, one of which was the age at which children start school and the related issues. Before we begin, I would like to say how grateful the Committee is to all those who made submissions to us. Many parents have told us about the battles that they feel they have had with local authorities to get what they felt was the appropriate education provided to their children. Indeed, in one case a parent told us about a child born at 11 pm on 31 August and their difficulties in getting any changes from their local authority.

Thank you very much for coming today. Should all children have the right to delayed entry into school until their parents think they are ready, or should it be only summer-born children?

Michelle Melson: The main point here is that we have a compulsory school age in England, so children should be able to start at the beginning of school at compulsory school age. I don't think they should be forced to miss reception class, which is when places are allocated. It is a case of parents being forced to enrol their child in school early, prior to compulsory school age, in order to have a reasonable chance of gaining a place at their preferred school. They are also living under the threat of their child being made to miss a year of school. I think people don't really get that it is not only reception class that they can be made to miss. Even if they are fortunate enough to start at the beginning of school in reception class, they can be made to miss years 1, 2, 3, 4, 5, 6 and 7—that has happened and the Department is aware that it has. Parents are currently being threatened with their child having to miss year 7 if they start their child in reception class at compulsory school age. We also have cases where parents have fought for a couple of years against the child being made to leapfrog a year.

Q2 Chair: What are the drivers of that? You would think that, given the data showing summer-born children do less well academically, it would be in the interest of both the school and the local authority to optimise their education, because it would be not only great for the individual but good collectively for the league table positions and the relative performance. So why would they do something that, on the face of it, is so against their own interests in terms of having a high-performing set of schools locally?

Michelle Melson: Because they are so focused on educating in chronological batches.

Q3 Chair: So it is a sort of administrative driver, and not about cost but about fitting in with the way we do things here.

Michelle Melson: Anything else is smoke and mirrors; it's purely bureaucratic. And there is a bullying culture in local authorities, too.

Q4 Chair: Anyone else want to comment on my first question? Tammy.

Tammy Campbell: Another driver might be the general push, which is not necessarily evidence-based, to educate formally as early as possible.

Dr Claire Crawford: I would add two points from our research. One is that it is clear that it is not just a summer-born phenomenon. So, for every month that you are younger than someone born in September, there is a small penalty associated with that.

I guess the second point is that, from our research, we know that the main driver of the differences in test scores that we see is related to when you are taking the test. So, while I agree that maybe we want to offer parents the most flexibility we can, our research suggests that that is not going to solve the problem.

Q5 Chair: Right. Is there an issue around maturity, though? Wherever you draw the line, there is going to be a line, but if it leads to a later start there will be fewer children who are simply unready for a more formal education. Is there any truth in that, Claire?

Dr Claire Crawford: It is very difficult to tell from the international evidence what the benefit would be of shifting everybody starting from four to five.

Michelle Melson: That is not going to happen. It is not going to shift, because of the flexibility there for parents to start their children in school early, at age four. Not every parent is going to do it; it will not open the floodgates. What these parents are doing is not delaying, but they are not starting their child at school early. They are not delaying; they are starting their child on time, at compulsory school age. And if they are not allowed to do that, and start at the beginning of school, essentially that means that our compulsory school age has been lowered to four—

Q6 Chair: So you think the descriptors are part of the problem. If everyone who started before compulsory age was described as starting early, rather than having someone who starts at the perfectly legal, normal age being somehow put down as “delaying”, it might help counter to some of this administrative approach?

Michelle Melson: Yes, I think that is the problem. And I think all the media headlines don’t help. “Should children be allowed to delay their school start?” Well, they can; they can delay. In fact, it is not delay.

Q7 Pat Glass: I have come across two separate cases over many years where a child who has been in a year below their chronological age gets to the end of year 10, is 16 and says, “I’m leaving school.” Would that concern you? As I say, I have come across two cases of this, but is it fairly widespread or very unusual?

Dr Claire Crawford: I have not come across any cases like that. I guess that with the change in the education leaving age to 18, perhaps that would not be permitted to happen in future. Just drawing on our research, if that child had stayed on and done GCSEs, if they were a summer-born child, for example, they might have scored slightly lower on average as a result of being younger when they take those tests.

Helen Kirrane: Bliss’s interest in this issue is purely with regard to children who are born premature. So, our expertise is more in the issue of when that particular group should start school rather than the general—

Chair: The broader issues?

Helen Kirrane: Yes.

Chair: Fair enough. Thank you.

Q8 Bill Esterson: Tammy, you used this phrase, “push to educate early”. What is the evidence base for the difference it makes between countries with different compulsory school ages?

Tammy Campbell: As Claire said, I don’t think we have robust absolute comparisons at the moment. However, I think the international evidence provides no indication that it would be detrimental for all children to start later. So there is no reason not to try it, based on the international evidence. I think that in this country we lack evidence, because it has not happened; we have not had any natural experiments where we can compare starting later.

Related to that, however, we have evidence that formal education is starting too early, in terms of the curriculum content in reception. For example, children are expected to learn phonics in reception, but developmental evidence shows that it is not developmentally normal to be able to pronounce at four a lot of the sounds that children are expected to pronounce in phonics, so there is the related question of what the curriculum actually expects of children at that age.

Q9 Bill Esterson: Does that have an impact on academic or non-academic achievement later in life?

Tammy Campbell: Because we have had these shifts in the curriculum recently in terms of the phonics reading test being introduced and that putting downward pressure on phonics teaching, we don’t know yet, because we don’t yet have the longitudinal evidence to say for definite. However, the research would support the idea that this is going to have a detrimental effect on children. If they are being put in a position where they are being set up to fail in what they are doing when they enter school, it does not take much extrapolation to think that this may have a negative effect later on.

Michelle Melson: Sometimes people say really glib things like, “Reception is just play-based. It’s like pre-school. It’s just sand and water play.” I asked our group, “Tell me what your children are doing in reception class”, and it was quite varied. Some of it was play-based, but some parents said that their children get worksheets with things like, “ $3 - 1 = 1 + ?$ ” This is in reception.

We do have some local authorities that tell parents that, for the year their child would ordinarily be in reception, if they are not going to start them early, the pre-school year will count as their reception year. Some head teachers are telling parents, “We will not let your child start in reception. They will start in year one, but we will send work to your pre-school.”

Q10 Mr Ward: What is the difference between your four to five-year-old and your average four-year-old? Is there a big difference, or is there simply a difference between any average five-year-old and any average four-year-old? Are we overstating the difference?

Dr Claire Crawford: There is a full age range within any academic year cohort, I guess, so the children who were born in September versus August are almost a year apart in age. That will obviously matter a lot more when they are four or five than when they are 15

or 16, but our research shows substantial gaps early in children's education in terms of their test scores. Those effects diminish over time as that relative age gap diminishes. The importance of that year as a proportion of their life reduces as they get older, but there are still gaps.

Q11 Alex Cunningham: I am interested to know how much that gap shrinks over time. Can you describe that?

Dr Claire Crawford: Our research suggests that at key stage 1, at about age seven, the gap is something like 25 percentage points in terms of the proportion of September and August-born children reaching the expected level. By 16, it is about a six percentage point difference in terms of how likely you are to get five A* to C grades, and even about two percentage points in terms of how likely you are to go to university. So they are diminishing substantially, but they are still present.

Q12 Alex Cunningham: As a statistician, how significant do you think that is?

Dr Claire Crawford: They are statistically significant, as we would say. I think personally they are educationally significant. A two percentage point difference from a proportion of the cohort going to university of about 30 percentage points is not negligible.

Q13 Alex Cunningham: My question, before we got into the statistics, was about what is happening in the classroom. Michelle described different things that happen in different places, but is it not the right thing if the teacher in school is judging where the child is and developing a curriculum to support the individual child in order to help close the gap?

Michelle Melson: There is probably top-down pressure.

Tammy Campbell: DfE guidance recommends that children are taught phonics at four, at an age when it is normal not to have the capacity to say the sounds they need to say to learn phonics.

Michelle Melson: Top-down pressure like that is creeping into our pre-schools as well.

Q14 Bill Esterson: How widespread would you say inappropriate early formal education is?

Tammy Campbell: I don't think we know. It is something we need to know more about. I know it is a researcher's cliché, but we do need more monitoring and research on this to find out what is actually happening in each reception classroom and in pre-schools.

Q15 Bill Esterson: The World Bank suggests that there seems to be a global shift from a starting age of seven to six. Is there any international evidence on the effect of a change in a country's compulsory starting age on children's academic performance?

Dr Claire Crawford: Not that I am aware of. The problem with a lot of the international evidence is that it is based on cross-country comparisons, and many other things will differ between countries, as well as school starting age.

Q16 Bill Esterson: Have places like Denmark or Iceland, which have done this, seen benefits or problems?

Michelle Melson: I don't think we can decontextualise this too much in terms of what is happening outside England. These countries have a later starting age, and they have a less formal education. In Denmark and Finland, at age 6, it is more about the physical, social, emotional and moral development of children. In England, summer-borns that started early are in year 2 by age 6.

Q17 Bill Esterson: We are always looking for recommendations. You seem to be recommending that there should be advice to look at more informal learning, certainly in the early years. At what stage should that be?

Michelle Melson: I don't know, but I don't think we should be forced to send our children to school before compulsory school age.

Tammy Campbell: In terms of looking at when so-called formal learning starts, there needs to be a solid mapping exercise looking at what is actually happening in reception classes and at the evidence about what is developmentally appropriate, and then comparing the two. There is a disconnect at the moment, and it is not efficient and not good for individual children.

Q18 Neil Carmichael: We have covered quite a lot of the ground I intended to probe. In response to your last point, Tammy, can I ask what matters more—the age a child starts school or the degree of formality when he or she gets there?

Tammy Campbell: I don't think you can really separate the two. If children started at four, but it was really, truly, entirely play based, it would be a whole different situation to a child starting at four and learning phonics, maths and writing. There is such an interaction between the two that we cannot really separate them.

Chair: Anyone else? This is a really important question.

Michelle Melson: A lot of people would agree that it is too much, too soon, but from the campaign's point of view, we nevertheless have a compulsory school age. It might make parents feel a bit better if there was less formal teaching at age four, but it is not for the state to decide whether children start early.

Q19 Chair: But surely, if what you consider to be school is in fact much more play based and age appropriate, it doesn't really matter, does it? Some 95% of children are taking up their entitlement to the three and four-year-old offer, so we have seen an expansion of provision in recent years. But there are tensions there, because early years tends to be less well funded than school, and we know that graduate-led environments tend to have better results. So there you have a mix between the work force, the setting and the content.

Can you help us to navigate through those things and move towards the most effective system? Does it have to be that children do not go to school till later, or do we have to change what there is in school? Surely, there is nothing fundamental that means that school cannot meet a young child's needs—it is perhaps just pressure from the top, or wherever, that leads to that. Can you help us to explore those issues? Claire, do you have any evidence? If you haven't, please don't feel obliged.

Dr Claire Crawford: It is a tricky question. I do not have a lot to say about the content of the curriculum—I am afraid that is not something we have researched. But a concern that might be raised if there was increased flexibility over when people could start school is the extent to which parents from different backgrounds might or might not be able to take advantage of that flexibility. Obviously, if parents only have pre-school care on offer to them—say, 15 hours a week, as opposed to 25 for school—they might have to take into account other considerations in deciding whether they can afford to take advantage of increased flexibility.

Helen Kirrane: One thing I would add is that, for premature-born children who delay their start at school by a full year, there is gap in terms of access to early years provision. If the child starts at the earliest point they can to access their free 15 hours a week, they will run out of free entitled early years before they start school if they delay a full year. There is a gap that we believe needs addressing, but we do not believe that the answer has to be the child being forced to start school before they are developmentally ready.

Q20 Chair: As a recommendation, that seems nice and clear. Are there any reasons to believe that that would not be a fair and reasonable thing to do—make sure that there is no gap in provision for children who are born prematurely and may have suffered developmental costs as a result? If they then lose support before they go to school, it looks on the face of it to be plain wrong.

Michelle Melson: They should not lose support, because all three and four-year-olds are funded. The problem is some local authorities—Bliss has had a case where the local authority said, “Yes, your child can start in reception class but you'll have to delay their pre-school start.” That child still only has three terms, whereas an autumn-born child automatically gets five terms. We are talking about the cost of one term if a child uses their three and four-year-old funding and then starts reception.

Q21 Neil Carmichael: In Europe, we have four different school starting ages: four, five, six and seven. Scandinavia tends to be later than most others. Is there any evidence from

research on that age range to suggest that there is a difference in the attitude and behaviour of children depending on the age they start and the formality of the schooling?

Chair: Rather than academic performance, there are broader issues as well.

Neil Carmichael: Yes—behavioural and social activities.

Chair: Do we know whether kids are happier if they start later rather than earlier, based on international evidence?

Tammy Campbell: Sorry, international evidence is not really my area.

Dr Claire Crawford: I do not know how strongly related it is to school starting age, but the recent reports about children's happiness across the world picked up some countries in Scandinavia where they were the most unhappy and where they also tend to have older starting ages. There is obviously no perfect correlation between the two.

Michelle Melson: I might be wrong—I will have to check—but that might be because they have a culture of going into nurseries at a younger age. They are separated from their families at a younger age.

Q22 Neil Carmichael: That would apply to Denmark, for example?

Michelle Melson: I think so.

Q23 Neil Carmichael: It does. In that case, I am wondering whether you are thinking of doing some research on that subject, because the question I have asked is actually quite relevant to this whole debate. Do you have any thoughts?

Tammy Campbell: That would definitely be interesting research—trying to unpick that using the available data. It would probably be cross-sectional and open to interpretation, but it would certainly be good to see whether there is a relationship.

Q24 Alex Cunningham: The international tables show that Scandinavian countries do well if not better than other parts of Europe and the western world. How do we take the fact that they arrive in schools so much later there and yet achieve so much better?

Tammy Campbell: That is my point about why we have no pressing reason not to try a later school starting age in this country. We do not have robust direct evidence that it would work, but we do not have any evidence to the contrary either. As you say, there is suggestive evidence that it might be beneficial.

Q25 Chair: There could be negative economic impacts, I imagine. We have just reached the highest level of female engagement in the work force in the history of this

country. It may be that a later starting age gets in the way of that. Is that one of the drivers of resisting a rise in the starting age?

Tammy Campbell: That relates to what we were just talking about—what the hours of provision should be. If there were hours of provision of pre-school, play-based child care rather than formal education, it would not prevent people from working.

Q26 Bill Esterson: My son went to a school for three to 11-year-olds, so he had nursery and the full foundation stage. Is one way of doing it changing what happens in those early years—we could call it the curriculum—without having a fundamental overhaul of the system?

Tammy Campbell: Yes, possibly. Reviewing what is actually appropriate for that young age and changing the curriculum might be a way of doing it.

Q27 Caroline Nokes: On the face of it, there is pretty good evidence that academic attainment is affected by month of birth. Is there any evidence showing that children born in the summer might make less progress from year to year?

Dr Claire Crawford: Actually it is the opposite because, effectively, they are catching up over time. The gaps start very big when they are young. By the time they get older, the gap is much smaller. Effectively, they are making more progress over time. There are differences in other non-cognitive type skills as well. They tend to regard themselves as being less academically able, have lower self-esteem, are slightly more likely to be bullied, and are more likely to engage in risky behaviours. It is not just educational attainment. There is a whole host of things that might affect children's well-being that differ on average between children born in different months.

Q28 Caroline Nokes: If summer-born children are capable of making faster progress, is there an incentive for schools to want to accept them?

Chair: We are moving to a more progress-based measure of accountability for schools. It could be the opposite of what I was suggesting earlier. They could have a perverse incentive to have them because, although they start at a low level and stay behind throughout, they will progress faster.

Tammy Campbell: Yes, in terms of how that works statistically in working out the school's value added, maybe there is an incentive. In practice—how would schools attract summer-borns?—I am not sure it would really happen.

Q29 Caroline Nokes: They certainly could discourage them from starting later, couldn't they?

Michelle Melson: Yes.

Q30 Caroline Nokes: Can I just move on? Have any of you looked at whether there is any evidence as to whether girls and boys are affected differently when they are summer-born, or whether socio-economic status has any impact?

Dr Claire Crawford: We have looked at that a little bit. Summer-born boys have the worst performance, on average, among girls and boys born in different months. We found in our research, I think—I can double check—that it was more beneficial for boys to start school a little bit earlier than it was for girls. In terms of socio-economic background, I think we found that the absolute differences were about the same. The difference between September and August was about the same for someone from a better-off background as someone from a less well-off background but, of course, people from the less well-off backgrounds have slightly lower performance on average.

Q31 Caroline Nokes: Can I just clarify what you said? Did you say summer-born boys perform worst but they benefit from starting earlier?

Dr Claire Crawford: If you have a policy where you have the option of children of starting in, for example, September, January or April within that reception year, we found that on average it is marginally better for them in terms of their educational attainment to start in September within the confines of that year. It sounds contrary to the other evidence that we gave, but within the confines of that year it is better to have slightly more schooling and start slightly younger than it is to have slightly less schooling and start slightly older. It does not say anything about whether it would be better for everyone to move from starting at four to starting at five. That is the kind of unknown counterfactual that we have been talking about—there just is not a lot of good international evidence on it.

Michelle Melson: I just want to make it clear that it would seem that more schooling is beneficial, so why make a child miss a year when they start at compulsory school age?

Q32 Caroline Nokes: Dr Crawford, your research has shown that there is a linear effect between those born in September and those born in August. Is there a cut-off point for concern about the summer-born children? If so, when is it?

Dr Claire Crawford: No, I do not think that there is a cut-off. Because it is linear, wherever you draw the line, the person born the day before will always feel like they have missed out on that extra support. There is a particular concern, of course, about those born towards the end of the academic year versus earlier but there is not an obvious point at which you say, “Okay, we’re no longer concerned.” Effectively, everyone born later than 1 December is marginally disadvantaged by that point.

Q33 Alex Cunningham: If the admissions system is not going to change and we are going to continue as we are, and we have the things you described a few minutes ago—everything from low aspiration to underachievement—what needs to happen in schools now to make sure that we do not have that gap at the end of the primary school range?

Dr Claire Crawford: There are two things. Practically, on the ground now, increased awareness of the issue is helpful. There is evidence—we have shown and the Department has shown—that August-borns are more likely to be labelled as having special educational needs. That may be of benefit to them or it may be a detrimental label for them, but greater awareness of how we are using those resources would help. What our research shows would have the biggest potential effect is trying to age-adjust people's scores. Let's say a child at the age of seven takes their key stage 1 test and achieves a certain score. If they achieve that score and have been born very late in the year, perhaps they should be given a more positive message about how they are doing for their age than someone who is older in the year.

Q34 Alex Cunningham: So you think that just by doing that the individual child will think they are doing better? But they can see the scores of their colleagues. They know that there are better numbers than theirs. Do you not still have the same problem? Isn't it a case of more education?

Dr Claire Crawford: It depends on the messages you are transmitting. If the main message is about how well someone is doing relative to their age, I am not sure how much awareness children have of other children's scores. Our research showed that age-adjusting test scores would probably go a long way towards helping some things such as lower self-esteem and lower self-perceived ability, but it would not go the whole way. There is still more work to be done on making sure that those individuals are not feeling bad about themselves, I guess, simply because of the fact that they are younger.

Chair: We will come to that later.

Tammy Campbell: Just to add to that, within the context of the question of what else can be done within the current system, as Claire said there are structural things that may be channelling month-of-birth effects, and another one is early ability grouping. We have evidence that ability grouping is happening at a very early age—at the beginning of primary school—and that summer-born pupils are highly disproportionately put in the lower ability groups. We have strong evidence that if you are in the lower ability groups your trajectory is depressed. We need to question at a higher level whether ability grouping in early primary school is a good idea, and look at the contribution of that to creating month-of-birth effects within the current system.

Q35 Caroline Nokes: Dr Crawford, a few minutes ago you gave a fairly depressing list of the non-academic effects of month of birth, including risky behaviours and likelihood of being bullied. Do you think that those problems could be tackled simply by better teaching rather than by a focus on the school starting age?

Dr Claire Crawford: Our research does not have anything specific to say about that point. What I would say is that part of this is being driven by what we call a relative age effect. The fact is that some children are just among the youngest in their cohort, so maybe they are the smallest and are the easiest to pick on—that kind of thing. It is very difficult to think how you would overcome those kinds of disadvantages structurally. As I have said, greater awareness among teachers, parents and so on about the potentially damaging effects

that summer-born children may face would, we hope, contribute towards some within-school ideas of how to overcome those issues.

Q36 Caroline Nokes: I have to say, as the mother of a child born at the end of July, some of those are fairly terrifying. Tammy, do you think the issue of summer-born children and their disadvantages is something that can be solved simply by a change in the compulsory school age, or is there a danger that that is simply hoping that the problem will fix itself?

Tammy Campbell: There is good evidence that it might make a contribution. I do not think that it would necessarily entirely fix the problem, but if, proportionally, there were a smaller gap within cohorts—less of a difference between the big and the small children, which is what we have just been talking about—that might make a difference. In terms of school readiness, behavioural maturity and readiness to access the curriculum as it stands, an older school starting age might help as well. When children enter school, it sets the foundations for the rest of their educational trajectory. If we can make changes at that stage there is good evidence that that might have an impact.

Q37 Pat Glass: Over the years, I have been into very many classrooms and talked to teachers about the high percentage of children who are summer-born who are on the SEN register. Yes, those children do have additional needs, but I have concerns about the issue of self-esteem and labelling. Teachers have said to me that there isn't anything else, and it puts a spotlight on these children. On balance, is it negative or positive to have summer-born children on the SEN registers?

Tammy Campbell: It depends on what that means in practice in that school. If it means that they are getting targeted, useful support, and that labelling and stereotyping are avoided, it might be helpful. However, my research shows that if a child has a diagnosis of SEN, teachers tend to think they are less able because of that diagnosis, so they would have lower expectations of them and they would be given less challenging work. There is a potential negative effect there.

If it were applied properly and usefully, being on the SEN register could help summer-born children, but in practice it probably is not a great deal at the moment, based on available evidence and the fact that we have this clear-cut evidence of disproportionality that may be a challenge.

Dr Claire Crawford: I would echo what Tammy said. In principle, there is the possibility that that means greater resources, and that a spotlight is put on those children, but there is also a negative labelling effect that we need to be wary of.

Q38 Pat Glass: Would it be helpful to have a category of summer-born children, with some kind of resources attached to it?

Tammy Campbell: Maybe, yes, but then you come to the problem that Claire said about it being an incremental effect. Where would you have the cut-off point for that?

Pat Glass: And just how far do we take it? I was in two schools on Friday. In one classroom there were two girls and another had three girls and 20 boys. What is the impact of that? Should we be making special arrangements for those girls? How far do we take it?

Q39 Mr Ward: I think we have covered in detail the deferred delayed differences, but there is a specific question around gifted children. Looking at that delay of starting a year late, is there an argument to be made for accelerating gifted children?

Michelle Melson: There is already that option in the system to move children about. Head teachers can do that, which is why we have a problem at the other end, because head teachers are making children skip a year. They should be able to meet the need, but there is an option to do that and head teachers do take it.

Dr Claire Crawford: The international evidence is decidedly mixed about the benefits of being able to hold children back or skip them forward. There is no obvious international evidence that says it is good for schools to be able to do that.

Q40 Mr Ward: It was touched on when we talked about the academic performance but there are the emotional and developmental issues of older children being within a cohort and what schools do to address that.

Michelle Melson: I do not know.

Q41 Mr Ward: From personal experience, is it the boredom that older children can often find from being in a group of younger kids?

Michelle Melson: It depends on the teaching. I want to make a point about Alberta because that is always cited as having a good education system. Their admissions system is flexible and they have a wide age range in their classes. Kindergarten, though not compulsory, starts from age four or five. School start is age five or six. If they start at six they are not made to miss a year at any point.

Q42 Mr Ward: Is this really going back to good teaching? That applies to everything, I suppose. It is also about the age at which the assessments take place, as opposed to the development of the children within the cohort.

Dr Claire Crawford: Our research suggests that the idea of age-adjusting in the schools has the corollary of testing children when they are ready. It would speak to testing children at a particular age rather than within the confines of a year group.

On the point about the older children and the younger ones, as I have depressingly pointed out, the summer-borns and those born later in the year seem to be disadvantaged in a whole range of perspectives. I guess the other side of that is that older children seem to be at an advantage, although that does not get specifically at their feelings about being in a group of mostly younger children.

Q43 Mr Ward: Is this covered in teacher training?

Michelle Melson: No.

Dr Claire Crawford: It is possibly mentioned, but more emphasis could be put on it to prepare teachers, particularly those facing reception year groups, that it might be a big cause of differences in the performance of their children.

Q44 Chair: The DfE memorandum provides evidence against deferred entry for summer-born children. Is there any evidence relating specifically to the advantages or disadvantages of entry to reception as opposed to year 1 at age five?

Dr Claire Crawford: As I have said, our research suggests that on conditional or new starting at some point in the reception year, it is better for you to be in school earlier and having those extra terms of schooling, rather than waiting.

Tammy Campbell: We do not yet have the evidence on the delay, because—

Michelle Melson: It does not exist. If in the DfE's conclusion it is advantageous to start in September and have more schooling, surely it is not advantageous to make that child miss a year.

Q45 Chair: And is there evidence to back that up? That was my question.

Michelle Melson: There isn't any. If missing one term shows a marginal detriment, how can missing a whole year not be detrimental?

Chair: So, funnily enough, if you spend more time in school, as we know from truancy, you learn more. It's not rocket science.

Q46 Pat Glass: But if a child stays at home longer with the parent, the advantage is that they are getting one to one, or one to two, or whatever. Will that not have some positive impact, perhaps not on the formal stuff the child learns, but on the other things that are important—socialisation and so on?

Michelle Melson: I think so.

Q47 Pat Glass: Would that not negate part of the missing a year issue?

Michelle Melson: Not fully, because there is a huge shift between reception and year 1 and what is taught. Reception has become more formal and year 1 is even more formal than that. Another thing to take into account is that during the admissions process, reception is a relevant age group in primary legislation. It is the relevant age group at which children are admitted to school under the normal admissions round. If you try to start your child at

compulsory school age in reception class, it is a completely different process from what any other parent has to undertake.

Q48 Caroline Nokes: It is very common in small village primary schools for children to be taught in classes that span two years of age range. Have you looked at any evidence there might be on the impact of that on the younger cohort and the older ones?

Tammy Campbell: Yes, there is mixed evidence on the impact of the range within your cohort and the range within your class. I have not personally looked at that, but the evidence I am aware of on that is mixed. I do not know whether Claire or colleagues have done something.

Dr Claire Crawford: We haven't done any research on that. The problem is, as you have pointed out, that it is usually a relatively select group of children in England, for example, who are in a wider than usual cohort. Simple comparisons between those individuals and those in a smaller age cohort are challenging, because often the schools are quite different and the types of pupils who might go there are quite different. It is quite difficult to unpick the causal effects of that wider age band.

Chair: One thing we can all agree on is that it is fiendishly complex.

Q49 Siobhain McDonagh: We have touched on whether the age adjustment of test scores would address the summer-born problem, but I wanted to ask Helen whether the age-adjusted scores can address the additional disadvantage that premature children face. For example the due date could be used, rather than the birth date. Are due dates accurate enough for the purpose?

Helen Kirrane: I don't know that to date, there is specific evidence on age-adjusting tests or scores for premature-born children—I don't think the evidence exists for that group. Children born premature in the summer months are a very specific sub-group of the summer-born children cohort. We believe that the option must exist to be able to delay the school start for this group, as evidence on scoring does not exist.

Tammy Campbell: From a statistical point of view, that would be possible, because you have an apparent linear effect based on gestational age and you have the linear effect based on month of birth, so you could combine the two and do a statistical adjustment. However, whether that would actually be useful is very questionable, because you would then be adjusting the summer-born premature child's score so far from their actual manifest performance and competency in a given subject that it might just lose its relevance and use.

Dr Claire Crawford: One thing on the specific issue of premature births might be that, as a kind of agreed rule, they would enter school according to their due date, rather than their actual birth date. That would at least mean that those children did not have to go through the issue of negotiating with the local authority to be allowed to enter slightly later.

Q50 Chair: Siobhain also asked whether due dates are accurate enough. As soon as you make that into a formal policy, there is going to be a whole load of dispute about the accuracy of the due date, about what happens if you are four days early, about whether it applies to children who are born later as well as early, and so on. I should declare an interest, because my youngest daughter was born nine weeks early, in August.

Tammy Campbell: You could see lots of unwanted consequences of that policy, in terms of people planning inductions to fall in the right period and that kind of thing. That is another reason for not necessarily using age adjusting as a panacea to solve things.

Q51 Siobhain McDonagh: That brings me neatly on to my next question. Can the birth date effect ever be completely eliminated with either admissions flexibilities or statistical corrections, or with some other policy response?

Chair: Claire is shaking her head.

Dr Claire Crawford: My short answer would be no, because even if you made everyone have the same amount of schooling, allowed everyone to start on their birthday, and allowed everyone to take the test on their birthday—or adjusted the tests so that it looked like that was happening—you would still have this relative age effect. You will never be able to get around the fact that someone in a classroom or school is always going to be the youngest. That person will be, on average, at a disadvantage relative to the people who are older. You will never be able to solve the problem completely, but we could probably do things that would lessen it compared with what we have now.

Q52 Alex Cunningham: I want to expand a bit more on children born prematurely. Someone from Bliss made the following comment in the forum: “For children who have fallen into the wrong year because of their prematurity, developmentally they will be almost two years younger than the oldest of their peers, which significantly affects their ability to cope with all aspects of the school environment.” Can you expand on that, Helen, and tell us why Bliss also stated that the Department is failing to “recognise the needs of this particular cohort”?

Helen Kirrane: There is evidence that shows the impact of premature birth on a child’s educational outcomes. Quite a number of studies have looked at this and shown lower test scores and higher levels of SEN. Hundreds of families have contacted Bliss in the past couple of years to tell us about the battles they have had to engage in with education authorities for their child to be allowed to start at the right time for them developmentally. That is particularly true for the sub-group of children born premature in the summer months, who would be expected to start school aged just three, whereas some of their peers would be almost five.

The school system is currently failing those children because of the high degree of variation across the country in how admission authorities handle the issues. In some areas there seems to be greater recognition of the problems that premature-born children can experience, therefore they allow more flexibility, but in other areas they do not seem to know anything about the issue and they very much fight against parents’ being able to delay. Many

parents have told us about scare stories—being threatened that their children will miss years of schooling at a later stage. That does not have to be the case but, unfortunately, it is the case in some areas—if children move between different admission authorities, the new authority might make them miss a year; or when starting secondary school, that can also be an issue in terms of missing years.

Q53 Alex Cunningham: What guidance or rules would you have the Department for Education lay down specifically for premature-born children? You are saying that they are quite different from summer-born children.

Helen Kirrane: Yes, we believe they are a very distinct sub-group. The recently revised school admissions code and the advice that goes alongside it highlight that premature-born children should be able to delay, or are a group who should be considered for delay, in particular those who fall into the wrong school year owing to the accident of their early birth in the summer months, rather than being born in autumn. We think that is good and we are pleased with the measure, but it is not enough, because—

Q54 Chair: Are you satisfied with it? Consideration has to be given to all these things, but the trouble is that it isn't—sorry, that is perhaps unfair, but even if it is, it does not seem to alter much in the way of behaviour. I know that with my daughter and the schools said, “Yeah, you can delay for a year, but we'll stick them straight into year 1 in a year's time, and we can't guarantee you'll get a place.”

Helen Kirrane: It is welcome that it is in the schools code—that is a good start—but we want to see more in the schools code that addresses the issue of children being able to continue in their adopted year group. We believe that is missing and it is a serious problem. It is also about implementation and consistency of implementation, as well as monitoring how admission authorities are handling these cases. We do not believe that there is much monitoring or a great deal of work going on around consistency and how admission authorities deal with these kinds of case.

Q55 Alex Cunningham: The Minister is here listening to you and your evidence, and I am sure that he will comment on it later, but is there any research evidence on the effects of delaying or deferring entry to school specifically for premature-born children?

Helen Kirrane: There is some evidence that shows benefits for premature-born children being able to start school when they are ready, in particular those who fall into the wrong school year. A study in 2013 in England—the primary author was David Odd—showed that a proportion of the social and educational difficulties that premature-born children face could be avoided by recognising the impact that prematurity has on school entry. These can be mitigated.

Q56 Alex Cunningham: Is this something that you have done work on, Claire?

Dr Claire Crawford: We have not looked specifically at premature-born children, no; we have just looked generally across children born in different months.

Q57 Chair: We do not know whether your linear line continues smoothly from prematurity—whether in fact they are less linear disadvantages than other gaps, or whether it is greater.

Dr Claire Crawford: No, we do not, unfortunately, because a lot of our work is based on administrative data, which include the date of birth but not the due date. I suspect that in a lot of survey data sets, the proportion of children born prematurely would not be sufficiently high to draw very strong conclusions on exactly that point.

Q58 Chair: Are enough children born prematurely to merit ensuring that the data are there? Am I right in thinking that the data are not in the system at the moment, because if you do not put in the due date, you will not then have the data—

Dr Claire Crawford: There is survey data, such as the millennium cohort study, that have gestational age, so it is possible to look at this. I believe that the research that has looked at this internationally does show a linear effect of gestational age, which peaks at 42 weeks, so my understanding is that the effect for summer-born premature children is a combination of the linear detrimental effect of being summer-born and being gestationally young.

Helen Kirrane: There is also an issue around children who are born late premature—late pre-term-born children. Children born at up to 35 or 36 weeks often have few complications in the early months; they might be discharged completely from the neonatal service and have little follow-up. It is only when they go to either a pre-school or school environment that issues are sometimes identified with that group. There was some research in 2012 that showed that that group of late pre-term children and even early term children—born at 36 or 37 weeks—did have poorer school outcomes and higher levels of special educational needs.

Q59 Alex Cunningham: Is there something that you would like to happen related to that cohort? Basically, you said they were no longer served by the midwife or whatever; they are discharged. Does something need to happen? Is there a specific recommendation for that group of children?

Helen Kirrane: We believe there needs to be much more awareness among educational professionals of the issues that premature-born children can experience. A study was published early this year that showed that teachers and educational psychologists have a very poor awareness and understanding of the issues that premature-born children can face. They felt they did not have the training or support they needed to meet those children's needs. The whole premature-born population is roughly 9% or 10%, so about three children in a mainstream school class of about 30 children. That is quite a significant issue and it is important to have greater awareness of the issues those children might face.

Q60 Chair: Would that make any difference? Greater awareness is all very well but if they are being forced into school at a time when summer-born children are anyway disadvantaged, and that is compounded by being born early, it is not awareness we need but changes to admissions and recognition in some formal structural change, do we not?

Helen Kirrane: That is right, but it is important that there is awareness of this in admissions. We would like to see a culture where parents are encouraged to share information about their child's premature birth to admission authorities and schools and head teachers who are knowledgeable about the issues those children could face.

Q61 Pat Glass: Is it the admission authorities? You can imagine—admissions are a nightmare, and any kind of deviation opens you up to all kinds of stuff. Is it that, or is that parents are encouraged to help them when it comes to appeals? I can see those things would be really important at admission appeals.

Michelle Melson: We do not have the appeal system at our fingertips. We have no right of appeal.

Q62 Pat Glass: Everybody has a right of appeal. If you cannot get your child into the school of your choice, whatever you earn—

Michelle Melson: That is it, only the school, but we don't have an appeal on year group.

Q63 Pat Glass: Against the year group.

Michelle Melson: Yes, that's right.

Q64 Pat Glass: Maybe you should.

Michelle Melson: I would say for premature children and for summer-born children. The premature children born in summer should be taken out of 2.17 as should summer-born, and they should just be allowed to start at the beginning in school.

Q65 Pat Glass: We are looking at recommendations. Should there be a right of appeal on getting your child not only into the school of your choice but into the year group of choice?

Tammy Campbell: The thing is that the right of appeal on the school of your choice is based only on the published admissions criteria. You cannot appeal if you do not have a basis according to those criteria. It would be a similar situation if you appealed based on year group of entry. You would need the criteria to be enshrined first saying that you had a right to delay in order to be able to appeal against that.

Q66 Chair: Or a right not to go early, as Michelle would say, language being important.

Tammy Campbell: Yes.

Q67 Alex Cunningham: Helen, you said that children can run out of free pre-school entitlement if they are premature and parents opt to delay their admission to school. Can you say a little more about that? My understanding was that the children would be covered by that provision.

Helen Kirrane: That was my understanding.

Q68 Chair: Write to us about it and we will look at that.

Let's go back to due date. We talked about it in terms of age-related scores being adjusted. I confess I have a suspicion of manipulation of that sort. Are due dates accurate enough to say that parents should have the right to nominate a date up to the due date as being the child's effective birth date for school entry purposes? I am just thinking aloud, trying to think of something practical to empower parents so that they do not have to go to appeal, but can say, "I am designating my child the due date from the doctor. I have the paper here that says that. The school system now has to treat my child from now on as if they were born on their due date." Is that a realistic policy prescription, or are the dates too uncertain and too many issues around it? Any thoughts?

Tammy Campbell: I presume they are accurate enough on the basis that when people have scans, they adjust the dates based on the measurements taken. Presumably, they are adjusting the due date based on a good body of evidence—you would hope, if that is what is happening in the medical system. I guess you would have to ask medical people about the accuracy.

Q69 Chair: Not to dismiss Helen's points about greater awareness and understanding, but we all wish for greater awareness and understanding of all sorts of things in our society. It is hard for us to see levers that will bring it about.

Helen Kirrane: If parents were encouraged to show something like scan data and then calculate how premature the child is and what year it should have fallen into, that would be fine. I do not see a problem with that.

Tammy Campbell: It is in the hospital records, so it is well recorded and is there to use.

Dr Claire Crawford: One could argue that due dates are more manipulable than actual birth dates. If there were any gaming of the system to be done, it is probably more likely to occur with due dates than birth dates. One of our previous co-authors was from

Greece and he said it was fairly common practice that your birth date would be recorded as a different date if you happened to fall the wrong side of the cut-off.

Tammy Campbell: I do not think there are incentives for parents overall to have their children early so that later on they are going to be able to delay, because parents know that premature birth is not beneficial for their child. I do not think that in the system overall that would provide a perverse incentive for early birth.

Q70 Chair: It would be worthy of further exploration.

Helen Kirrane: It is important to consider what is in the child's best interest. Adhering to a day here or there—there does need to be some judgment.

Dr Claire Crawford: Regardless of the flexibility you offer earlier in the school system, we do not see in the evidence that that is the main driver. I do not dispute that it may help some children, but it will not overcome the issue of the date they take the tests. That is the source of most of the disadvantage that we see in our evidence.

Q71 Craig Whittaker: Michelle, can you tell us anecdotally if the problems encountered by parents in arranging admissions increasing or decreasing?

Michelle Melson: They have got worse since the new code was implemented in December.

Q72 Craig Whittaker: What about the advent of academies? Academies arrange their own admissions.

Michelle Melson: That is it. It is not just local authorities that parents are dealing with, because not all schools come under the local authority. There are voluntary aided schools, foundation schools, academies, free schools—they are all their own admission authority. Parents have to negotiate with whichever admission authority covers the local school. There is a minimum of three preferences, and they are only preferences, not a choice. There is a minimum of three and negotiating with all of them.

Q73 Craig Whittaker: Going back to what you said earlier about local authorities being the bullies; I think that is what somebody said.

Michelle Melson: Some are.

Q74 Craig Whittaker: If you have academies taking those decisions away from the local authority, surely it must be easier.

Michelle Melson: In some cases it has been better for parents, but still the local authorities try to lean on the academy, saying, "We don't want you to do this." Here is a case.

A voluntary aided school had originally given parents the yes—“It’s not a problem for your child to come into our reception class”—but they did a U-turn because the local authority had threatened the school’s funding.

Craig Whittaker: Okay.

Michelle Melson: I know—it doesn’t make sense.

Q75 Craig Whittaker: It doesn’t make sense because local authorities don’t control academy funding. Is the local authority actually the clearing house for a lot of academies?

Michelle Melson: I think I am trying to demonstrate the influence that local authorities have on schools, even though those schools are their own admission authority.

Q76 Pat Glass: Can I ask about the month of birth effect? Do you think that the DfE’s description of the evidence for its policy reflects the evidence fairly, or are there gaps? I know that at least two of you have differing views on that.

Dr Claire Crawford: The DfE memorandum broadly reflects the thrust of our research. I would say that the policy does not reflect the conclusions that the research comes to, necessarily. Our research strongly shows that age at test is the primary driver, and the main policy is around flexibility over when children can start school. We have already heard that there are issues with that as well.

Pat Glass: Tammy, do you disagree?

Tammy Campbell: Yes, I think the memorandum covers some of Claire’s and her colleagues’ evidence, but it misses completely the non-academic month of birth effects. It completely fails to realise that age standardisation is not going to provide any mitigation of experiences such as bullying, low ability group placement, disproportionately high SEN diagnosis, and lowered expectations, aspirations and all the other negative effects.

Q77 Pat Glass: What would you recommend the Department look at and include in its guidance?

Tammy Campbell: In the guidance, the Department needs to look properly at the other potential channels of the effects. One of the interesting things about month of birth effects is that they are a fairly neutral window through which you can see other processes playing out. You can see how we have this very early ability grouping, and groupings are not based on ability, but on month of birth. Is this what we actually want?

We have massive disproportionalities in SEN diagnosis so presumably, unless we have some reason to think that August-born children genuinely have more SEN, which is not the case, that shows us that the statementing and the SEN diagnosis process is not working. First, the Department needs to look at its own evidence and the available evidence outside the

Department on other drivers of the month of birth effect. Then it can look at tackling those other drivers. It will have beneficial effects for not just relatively younger children, but other children who are penalised by the processes.

Q78 Pat Glass: How much of an impact has your campaign had? If there are still problems, are they about the content of the guidance, the fact that it is non-statutory, problems with monitoring, or all three?

Michelle Melson: It is a problem with the national policy. It is a problem with the admissions code because, essentially, they have legislated that summer-born children beginning school at compulsory school age are now outside of their year group. It is a problem with the code and we do not have a national policy.

The advice that was issued now says, “Only in limited circumstances”, so effectively they have legislated, via the code, that children can miss a year of school and that’s okay. I don’t know what changed because even last summer, parents were being told by the Department that it is the Government’s view that no special reason is needed for a child to enter reception class aged five. We got to the beginning of November and parents were being told, “It is only in limited circumstances.” Something happened.

Q79 Pat Glass: Has it got better or worse?

Michelle Melson: It has got worse for parents.

Chair: Thank you very much for giving evidence to us today. We look forward to hearing from you if you have any further thoughts on the issue that you have not managed to communicate today. We look forward to hearing from you, Helen, on the particular point that we raised. Could we switch as quickly as possible to the Minister? Thank you.

Examination of Witness

Witness: **Nick Gibb MP**, Minister for School Reform, Department for Education, gave evidence.

Q80 Chair: Good morning, Minister, and welcome. Thank you for sitting through the first session, which you will have found interesting. This is the first time the Committee has gone through the evidence-check procedure. Rather than just asking for evidence from the Department alongside everyone else on a topic, we thought we would get the Department’s evidence first, and subject it to everyone else’s scrutiny. After a not entirely uninterrupted period as a Minister in the past five years, what do you think are the strengths and weaknesses of the Department’s use of evidence?

Mr Gibb: We are an evidence-based Department; we base our policy making on evidence. That is the approach the Government are taking across Whitehall. Do you want further?

Q81 Chair: That is the top line, the gloss, the advertising copy. What are the strengths? What are the weaknesses? You invite me to start providing stuff on the academies, but the submission we had on academies was a paean to academies. Whatever our thoughts on that, it did not come over as a balanced submission. It was an unusually partisan submission in an area that has been highly politicised perhaps and become ideological. That is an issue, I would suggest: that when you are in a battle against people who oppose you on ideological grounds, perhaps you start to respond in like fashion. What are the strengths and weaknesses of the Department when it comes to ensuring that you have an evidence-based policy and do not start just digging in to agreed positions regardless of emerging evidence?

Mr Gibb: We take evidence very seriously. For example, with the national curriculum review, we scanned the international evidence. We produced a document that showed what other countries, the higher performing jurisdictions around the world, were doing; we published that evidence and based our curriculum review on it. The primary maths curriculum is based very strongly on the Singapore approach to teaching maths. The phonics policy is based on the Clackmannanshire study and the United States national reading panel study, so that is very evidence based. The academies programme is based on the success of the charter approach in the United States and the success of the free school programme in Sweden. In every area of what has been a very radical reforming Department for Education you will see that it is based on evidence. We are determined as a Department to close the attainment gap between those from poorer and wealthy backgrounds. That has been the driving force behind all our policies, and we want it to be right.

Q82 Chair: What could the Department do to strengthen that righteous pursuit of being an evidence-based Department?

Mr Gibb: I think it has been very strong. Of course, we can all do better at all times in what we do. I think we have the right approach. Perhaps we could contract out some of the research, use think-tanks more than we do, but I think the development of policy we have had over the past five years has been very rigorous and evidence based.

Q83 Chair: That sounds like a proposal—that more of the evidence assessment could be done out of house, so it is less likely to be influenced by the opinions of Ministers. One of the aims of the Department has been—I forget the exact phrase—to focus more ruthlessly on ministerial priorities and made sure that anything that is not a ministerial priority is not prioritised. That was commendable to make it a more responsive Department, but might make it less likely that you get a balanced, objective view of the best course ahead if it conflicts with what Ministers have so far said are their priorities.

Mr Gibb: In a democracy, where Ministers are held strongly to account for the outcomes of our state education system, it is important that ultimately those decisions are taken by Ministers who are accountable to this Committee and to Parliament. That is very important.

Q84 Chair: I was not disputing that. It was more on the lines of peer review in academia. The point is to make sure you get as balanced a view of the evidence as possible and it is not just held. You suggested the Department could perhaps do more by putting research out. Is that something you think a Conservative Government would seek to do more of in the next Parliament?

Mr Gibb: There is a general view in the Conservative party that using external research is important, together with what happens in a Department. We have a very high-quality civil service in this country, so I have no complaints about the quality of the research carried out in the Department for Education, but we can always expand that.

We have a huge number of stakeholder groups and we consult enormously on all policy developments. Within the Department, we have regular meetings of almost randomly selected groups of head teachers and other stakeholders who look at policies before they are announced and give us honest feedback. As you know, our civil service in this country are very high-calibre people and they give Ministers full and frank advice about the consequences of the decisions they are about to take.

Q85 Chair: Moving to the specific focus of today's session, do you think you were advantaged at school as a result of your birth date?

Mr Gibb: I was born on 3 September, so for the first few years I was the oldest in the class, but when we moved to—

Chair: Ministerial office, academic success—from the earliest age, you were destined for this.

Mr Gibb: It all looked very promising at that point, except we then emigrated to Ontario in Canada, where they would move you up and down the years. I was accelerated a year and was then the youngest in the class. We came back to England in 1968, and—as Michelle was talking about—we had this very rigid age cohort basis, so I was back to being the oldest. Because of being a year ahead, I was ahead of everyone in the class.

I then moved to the independent sector for a couple of years in junior school. We then moved—this is really boring, I'm sorry; it's my life story, but you asked—to Maidstone, which at that stage was introducing the three-tier system and had eliminated the first year seniors from Maidstone grammar school. So I went straight from the fourth year juniors into the second year of a grammar school, and that was a big jump. I was the youngest from then on and had to catch up with that extra year. It was a difficult year for me.

Q86 Chair: So you kept moving from being horribly stretched to being bored out of your mind.

Mr Gibb: I was the youngest then, so I was stretched from then on.

Q87 Chair: One hopes that being Minister has been like the latter experience.

Mr Gibb: Indeed.

Q88 Neil Carmichael: That is a fascinating story. I will not bore you with mine. Evidence is important, as you just said. Have you been influenced by the PISA comparisons in terms of decision making on entry into school?

Mr Gibb: Yes, PISA has played an enormous role in all our policy making. We have been concerned about the drift down the international league tables over the past 10 years. That is a key driver behind many of our education reforms.

Q89 Neil Carmichael: It is not just about the processes and entry points, is it? It is also about outcomes. We were reminded this morning about our productivity gap with some of the countries we are competing with, which have a better productivity record. Do you think that there is any correlation between what we are discussing and that particular problem?

Mr Gibb: Are you referring to late entry in some of the Scandinavian countries?

Q90 Neil Carmichael: In answer to the Chair's question, you slipped in a point about how we are slipping or had slipped down the tables. The Government are absolutely right to address that. Do you think that the early schooling issue we have been discussing generally has affected that movement in the tables and therefore our productivity?

Mr Gibb: No, the evidence I have seen is that there is no link. Even Tammy from the Institute of Education said, on starting school later that we do not have robust direct evidence that it would work. The NFER study says: "The practices of deferring entry for children not considered to be 'ready' for school or requiring children to repeat a year are not recommended for addressing relative age effects." I do not think there is any evidence that having a later compulsory school starting age would address any of the very real concerns raised by the previous witnesses. I worry that if there were an increase in the compulsory school starting age, it would widen the attainment gap between children from poor backgrounds and those from wealthy backgrounds, because they would be getting less time in formal, high-quality education than some of their peers, who may well, if they did raise the age to six, spend that year or two at home or in very high-quality pre-school settings, or may have a very good education from their home life.

Q91 Neil Carmichael: So no planned changes there then, but in that answer, you also referred to whether it was formal. What is your definition of formal for a five-year-old entry class?

Mr Gibb: If you are talking about reception, this is the tail-end of the early years foundation stage. If you look at the revised early years foundation stage, which came after the Clare Tickell review, it makes it very clear that each area of learning—this is throughout the whole EYFS—should be a mix of adult-led and child-initiated activity. It also says: "As

children grow older, and as their development allows, it is expected that the balance will gradually shift towards more activities led by adults, to help children prepare for more formal learning, ready for Year 1.” That is the current statutory position. As children reach reception, you would expect to see far more adult-led, teacher-led teaching happening in that reception, compared with what you might see in the pre-school parts.

Q92 Neil Carmichael: I asked the other panel about research into the difference between formal and informal and the age range 4,5,6 and 7. The answer was that there was not much research in that field, but if there was and that was going to give some useful indications to you, would you be interested in it?

Mr Gibb: Very much, yes. There is an issue about reception. What is beginning to happen now in reception classes around the country is a greater emphasis on phonics. They are getting 20 minutes a day of formal phonics teaching and that is very important. Children are ready to learn to read at that age, they want to learn to read and they need to learn to read. In the three years since we introduced the phonic check, we saw 58% passing that check in 2012, and now we are seeing 74% passing the check, which means 102,000 six-year-olds are today reading more effectively than they would have done if we had not introduced this policy; but I am not happy with 74%. I would like to see that figure rise still further. To be able to become competent in reading by the end of year 1, you need to have started that process in reception.

Q93 Pat Glass: Forgive me, Minister, but I had to resist the urge to laugh out loud at the statement that we have been through five years of evidence-based policy. Have you read this Committee’s report on academies and free schools?

Mr Gibb: Yes.

Q94 Pat Glass: And you still maintain that we have gone through a renaissance of evidence-based policy?

Mr Gibb: Yes. In your report, you said that it was still too early to judge the effectiveness of the academies programme, but you also say that the pressures—the competitive systemic approach to the academies programme is resulting in higher standards. I can point you to sponsored academies open for four years, for example. They are improving their GCSE results significantly more swiftly than schools that are not academies—5 percentage points compared with 0.5 percentage points in the same period. The primary schools that have become academies—the sponsored primary schools—are improving at twice the rate of local authority maintained primary schools, so there is evidence that this system is working. I could take you to schools—for example, last week I visited a school in east London where, in 2007, 29% of the pupils were getting five or more good GCSEs; it is now an academy and 80% are getting five good GCSEs. The same children go to that school now as did in 2007. This is a phenomenally successful approach to the structural reforms and I am a huge supporter of it.

Q95 Pat Glass: We look forward to the Government's response to that report. On summer-born children, the Department's definition of summer-born children is from 1 April to 31 August, which is five months—would that summer in this country lasted for five months. Do you think that is a helpful definition, or does it distort the statistics? Would we be better looking at children born in June, July and August?

Mr Gibb: It is an interesting point. When I was looking at this issue, it occurred to me that it is a very large period, but you can see the reasons why. Compulsory school age starts at the prescribed date after you turn five and those prescribed dates are 31 March, 31 August and 31 December, because that is just before the beginning of the next term, so if you were born on 2 April, your next designated date would not be until 31 August, therefore you are required by law to start school in September.

Q96 Pat Glass: But you can see the issue: if we want to look at what the problem is, by not including two months of children who we would reasonably assume were not born in summer, we would be making the problem less acute, or identifying it.

Mr Gibb: Yes, that is something that you might consider as a recommendation—whether to redefine summer-born children as those born in June, July and August.

Q97 Pat Glass: The DfE report on month of birth identified that the August-September gap at key stage 4 is slightly larger than the gender gap, but that the free school meals gap is twice as large and the SEN gap four times as large. At key stage 2, the August-September gap is a little larger than the gender gap and a little smaller than the free school meals gap, but the SEN gap is seven times wider. Is there an issue here, or are we sweating over the inconsequential? Is it a real problem? If we look at it in comparison to these other things, such as the free school meals gap, is it something that the Government should have a policy on, or are there much greater things that we need to concentrate on?

Mr Gibb: You can do both. Just because there are bigger problems to address elsewhere, that does not mean that this is not a very serious problem.

Q98 Pat Glass: So is there the political will to concentrate on it?

Mr Gibb: There is and there has been, which is why we revised the admissions code and the guidance that came out as a consequence of that code. The key thing is flexibility. Admission authorities and head teachers need to do what is in the best interests of the child, and I am sympathetic to the points that Michelle Melson was making. If a child is clearly very immature for their age and they were born in the summer months, and it is the very strongly held view of the parents that that child should start school the following September, which is when the law says they should start, admission authorities should be flexible and do what is in the best interests of the child. That is why we had to reissue that guidance both in July 2013 and again in December 2014, making it very clear, for example, that there is no

rule that says that you have to be in the cohort of your age, and that there are no funding issues that would prevent a local admission authority—

Q99 Pat Glass: The funding issues are interesting, because it is not an area I have a great deal of experience in, but I had always been told, “Oh, it costs more.” Is there something that the Department could do to say to local authorities and schools, “Actually, you’re not going to lose funding over this. Admitting a child at compulsory school age into reception is not going to cost the school and the local authority a huge amount of money”?

Mr Gibb: We said three things in July 2013: that there is no statutory barrier to children being admitted out of their normal age group; that schools will not lose out on funding as a result of admitting a child out of their normal age group; and that children are assessed when they reach the end of their key stage, not when they reach a particular age. We made those three points very clear in the guidance.

Q100 Pat Glass: Yet the Summer Born Campaign has said that it is getting worse for parents, so what options can the Department now take to try to accommodate summer-born children better?

Chair: It doesn’t sound like it’s worked, does it, if the Summer Born Campaign is saying that? It sounds like you have manfully gone out again and again to try to get schools to change their behaviour, but the evidence to us today is that it has got worse.

Mr Gibb: I was concerned about Michelle Melson’s comments about that, and I turned to officials during that session and asked what evidence there was for that. We are not sure that there is any evidence for that, but I will none the less take what she has said very seriously, and we will look at it. It is not the thrust of policy—our policy is that admission authorities should do what is in the best interests of the child. They should take the parents’ views into account and include the parents in the discussions, and they should also include the head teacher in those discussions, but ultimately they need to make the decision in the best interests of the child.

Q101 Pat Glass: I know I am putting you on the spot, and I am making up policy as I go along, so it is not evidence based, but what did you think about the suggestion that parents should have a right of appeal not just against not getting the school of their preference, but against the year group, if there are good, sound reasons such as the child having been premature or the impact of summer birth on maturity?

Mr Gibb: I was struck by that point, because of course you can’t appeal on that. You can appeal against not getting your child into a particular school—

Pat Glass: That’s right, but not against the year group.

Mr Gibb: The only redress available to a parent at the moment is to go through the complaints procedure, which is a long drawn out process and may not result in the decision being changed, so I will read your report with great interest to see what you recommend.

Q102 Mr Ward: Reference was made earlier to good teaching and what good teaching could do to compensate for these differences, so we would expect that for free school meals children and for SEN children; we would look for good teaching to take account of those differences. What would good teaching look like, how could it compensate for age differences within a cohort and is that or should it be something included in teacher training?

Mr Gibb: I was also struck by that piece of evidence this morning. One issue, if you are talking about the relative age within a school year issue, is that even if all the April to August children were moved into the earlier year, you would still have a 12-month issue; it would just be different children who were younger than the rest of the group. One issue is behaviour: if a school has exemplary behaviour, you should not get this bigger child versus smaller child, almost bullying-type issue, so I think behaviour is very important. If you have an absolutely rigorous and strict behaviour policy in the school, that should, I hope, mitigate that to some extent. It doesn't change—

Q103 Chair: We did not ask the first panel this question and perhaps we should have done. Is there any evidence that certain schools manage to eradicate this linear age gap? When you are looking at closing the gap between rich and poor, you see that certain schools somehow manage to have high standards and a small gap, and of course they are the ones we would most like to see imitated. Do you know whether there is any evidence that some schools do this through policy, through good discipline? As this is an evidence-based session and you aspire to lead an evidence-based Department, if there is no evidence to suggest that great discipline does make any difference, we should not say so.

Mr Gibb: There is evidence that good behaviour in schools raises academic attainment overall and improves progress of children.

Q104 Chair: Nothing about narrowing the gap necessarily.

Mr Gibb: I am sure it also narrows the gap, because you do get an attainment increase for all backgrounds when you have good behaviour in schools. The other issue is differentiation, which I think was touched on. The thrust of policy at the moment, in terms of primary education, is to move to a mastery model, which goes away from differentiation within a classroom, to getting all children to quite a high level of attainment, particularly in mathematics. That is the approach they are taking in the far east and the approach we want to move our primary schools to in this country.

Q105 Chair: I should say that in this process we are going through, the evidence check, we are not producing a report.

Mr Gibb: That is most disappointing.

Chair: This is going on the public record: we are being broadcast, and all the evidence submitted to us will be made publicly available for policy makers such as yourself. But we will not be pronouncing in our normal fashion on this particular occasion.

Tammy said that, developmentally, some four-year-olds are not capable of doing phonics—they cannot pronounce the words and are basically set up to fail, so there could be a link between inappropriate use of phonics and this age issue. Have you any thoughts on that?

Mr Gibb: I thought it was a reprise of the reading wars coming from the academic from the Institute of Education. I do not accept that view. I could take you to a number of schools around the country where 100% of the children pass the check. Some of these schools are in very deprived areas; I don't know what proportion of the children in those schools are summer-born—I will go and find out, I think—but if those schools are managing to get 100% of their children passing the phonic check by the end of year 1, I don't see why that cannot be achieved by all schools across the country.

Q106 Chair: We have received an e-mail saying that, in 2014, 36% of the youngest boys failed to reach the pass mark in the phonics test compared with 19% of the oldest boys.

Mr Gibb: That may well be the case, but I can tell you that in those schools where 100% passed, 100% of the young boys passed and 100% of the young girls passed. If those schools can achieve that, I don't see why—

Q107 Chair: We are back to that old saw: if one school can do it, they can all do it. I remember saying to you earlier in the Parliament that we should both get fit and then kick a ball around with Wayne Rooney—remember, if Wayne can do it, we can do it! You thought that that was not a fair parallel, and I insist on saying that it precisely is. If you run education policy on the basis of the rare superheroes you meet, you will not make the right policy, because most of us are not superheroes. You and I can't play football like Wayne Rooney, and if you make policy for the Wayne Rooneys of the world and not for the average person, you end up making bad policy.

Mr Gibb: Except that there are 250 Wayne Rooneys when it comes to schools achieving 100%, and there are 600 schools where 95% or more are passing the check. These are not isolated examples; they are examples of schools that are using methods that can be replicated up and down the country.

Q108 Pat Glass: Is it worth, Minister, getting your Department, or whoever, to look at those schools that are getting 100% or close to 100%? We know that for many of our children who come from disadvantaged families, the issue is around early years language and the richness of language that they are not used to. Is it worth having a look at that and seeing whether there is an issue that is related to the gap?

Mr Gibb: It is, and we need to do as much research as we can to identify why some schools are achieving these results and others are not.

Q109 Pat Glass: If these children all come from very well-heeled families where they talk a lot, and those children have access to a really rich vocabulary, there is an explanation for that, isn't there?

Mr Gibb: Yes, but they do not. These schools are not all in those areas—I can tell you that now. Some of these schools are in areas of very high levels of deprivation. Some of the ARK primary schools are in such areas, and four of their schools are achieving 100%. I accept that we need to look at how they are doing it in those schools and whether we can replicate that.

Q110 Chair: It is supposed to be a developmental tool anyway, so I suppose that if they have been so identified, it is not necessarily a sign of failure on the part of the school; it simply should be used to target resource and effort in order to lift the vocabulary and linguistic skills of those children precisely so they can engage with education.

Mr Gibb: Yes, that is what we want. We want that to happen in primary schools and we want that to happen in the pre-school setting. A language-rich environment is what children, particularly from poorer families, need.

Q111 Chair: It goes back to the earlier debate that we had about SEN and whether being labelled led to lower expectations and actually damaged children, or whether being identified as having additional need led to greater resource and support, which led to their progressing. There was a rather negative outcome from the last panel, who sounded like they thought that the labelling and the lower expectations outweighed any additional support that went in.

Mr Gibb: Yes, I was struck by that, but there are other ways of delivering that extra support—through the pupil premium, for example—and there is also the fact that if children are not getting through the phonic check, you are identifying children who need extra support. We expect primary schools to give that extra support, ready for the retake of that test at the end of year 2.

Q112 Chair: Do we have any evidence yet that that is happening?

Mr Gibb: The pass rate at the end of year 2 is higher than the pass rate at the end of year 1, so we are getting up to 88% passing the check overall after the end of year 2. My concern is about those 12%. Over the next few years, as phonics is becoming increasingly embedded in primary schools, I am sure that that 12% will diminish further, but we need it to be eliminated altogether. It may be that we need extra measures to help those particular children.

Q113 Caroline Nokes: Can I take you back to the issue of evidence? What evidence does the Department have on the effect on both the academic achievement and the well-being of children who start school in year 1 as opposed to in reception?

Mr Gibb: There is evidence that it can be damaging, because they are missing out. The IFS, for example, has said that delaying school entry is harmful in terms of attainment, and that “deferred entry is not in the interests of summer-born children” because it does not close the attainment gap. That is mainly because they are missing out on the reception year curriculum. I think that that is the point that Michelle Melson was making—that if you defer, she would prefer the deferral to happen by starting in reception the following year, not going straight into year 1. There is also some Warwick University research that said that delayed school entry could mean that children miss out on learning opportunities during the critical early years. There is evidence that backs up the point that you are making.

Q114 Caroline Nokes: What difficulties are there for schools when five-year-olds enter reception rather than year 1?

Mr Gibb: I don’t have any evidence on that issue. I don’t know whether those behind me have any evidence. Given that the age range will not be significantly different from the other children in that class, particularly if we went along with the Pat Glass view of narrowing the definition of summer-born children—but even taking the four to five months age range—it will not be that different, in terms of the cohort of the reception class that they will be entering.

Q115 Caroline Nokes: Do you think there are any disadvantages for the children, to enter into reception rather than year 1 at CSA?

Mr Gibb: This is why our policy is that we have to do what is in the best interest of the child, so that the head teacher, the parents, the admission authority take all those views into account when assessing whether or not it is right for the child to delay and to start in reception the following year. If there is no evidence that the child is immature for their age—or, indeed, they might be mature for their age—then it would not be in the interest of that child to be with children who are significantly younger than they are, emotionally; and that really is why our policy is that we have to look at what is in the best interest of the child, and not have some formulaic approach to this.

Q116 Caroline Nokes: While looking at what is in the best interest of the child, why is it that the decision on which year group a child starts school in will rest with the admission authority rather than the parents?

Mr Gibb: It is a good point. The admission authority is the body responsible for admissions, ultimately, and they have to balance all the competing pressures on them about allocating school places; but our advice is very clear—and you may advise that we need to strengthen it further—that they have to take the parents’ views into account when making a

decision. They also have to take into account the professionals' view—the head teacher's opinion of the child.

Q117 Chair: Is it the admission authority or the school? I think it is the school, actually. I might be wrong.

Mr Gibb: I thought it was the admission authority that made those decisions—it is the admission authority.

Q118 Chair: It decides on the year as well as the institution.

Mr Gibb: Yes.

Chair: I stand corrected.

Q119 Caroline Nokes: How is the Department monitoring the impact of its guidance on the summer-born, particularly in terms of the data that might be collected on the admissions decisions that are made?

Mr Gibb: We do have a stakeholder group—the admissions group—that looks at how the revised admissions code is being implemented; so those issues would, I think, come up in those discussions, and that group is made up of head teachers and governors around the country, who look to see what the impact of the new admissions code is.

Q120 Caroline Nokes: So, for example, do you have data collected on how many parents request that their child is admitted to reception rather than year 1?

Mr Gibb: Yes, we do—well, we have data on the number of complaints that we are dealing with, in terms of parents who are not happy with the decision that has been reached. It is, I recall, in the hundreds rather than the thousands—so it is not a significant issue in terms of numbers, but it is very significant in terms of the individuals concerned.

Q121 Caroline Nokes: Are you aware of how many of those parents who are successful in getting a child admitted to reception rather than year 1 at CSA then run into difficulties later on in the child's school career—for example when they apply for secondary schools?

Mr Gibb: I do not have evidence on that. I was struck by Michelle Melson's comments about problems encountered later on, particularly on the transition to secondary—that they may encounter this view that of course it is the age cohort that determines your entry. I think that is going back to pre-admissions code revision—pre-the July 2013 non-statutory advice that the Department issued that is trying to make it clear to admission authorities that there is no rule against children being in a year group outside their own chronological age. I think that is a messaging point to admission authorities that maybe we

need to do more to emphasise. It is very clear in the guidance that there is no rule against children being outside their age group.

Q122 Chair: You are reluctant, rightly, to write endlessly to schools, but if, on reflection, on this evidence, you find it necessary, it might be one of your final missives before the election, Minister.

Mr Gibb: Perhaps—but it is so clear. It says on page 4 of the December 2014 non-statutory guidance on summer-born children, “There is no statutory barrier to children being admitted outside their normal age group, but parents do not have the right to insist that their child is admitted to a particular age group”—but there is no statutory barrier to it.

Q123 Caroline Nokes: Do you have any evidence that requests for children to be educated outside of their age group are more likely to be made by particular socio-economic groups or more likely to be successful? To paraphrase: is this a problem that middle-class parents are pushing on?

Mr Gibb: I do not have any evidence to suggest that. I can see why there might be an incentive to do that, if I am talking just between the two of us.

Q124 Caroline Nokes: Broadcast to the nation.

Mr Gibb: Yes. If there were a high stakes test at some point in the future, being slightly older might be beneficial, but most of the tests taken by primary school children in this country are not high stakes for the individuals concerned. They are high stakes for the school, but not for the child.

Q125 Caroline Nokes: Finally, should parents be actively encouraged in some circumstances to delay their child starting school rather than just legally allowed? Can you see any circumstances in which parents should be encouraged to delay the start?

Mr Gibb: No. Everybody should be encouraged to do what is in the best interests of the child. I was very interested in the premature-born children and evidence on that issue about whether the due date is the key date. Of course, that would only really apply if they are born in those summer months. If they are born nine weeks early and they were born in December, they would still be in the same year group. In all this, all the authorities and the parents need to be flexible and reasonable, and take into account what is in the interests of the child.

Q126 Alex Cunningham: You have been at pains to emphasise that there is no statutory barrier to a child being educated outside their age group, but you also said that there is no right for parents. Should parents have the right?

Mr Gibb: If you gave parents that right, you would have to circumscribe it very carefully because you cannot have a nine-year-old going into a reception class. Whatever the circumstances were, that would not work. They certainly have the right to request, and we want to ensure that there is transparency. Let me just read the other bullet point. It says, “To improve clarity and transparency for parents, admission authorities are now required to make clear in their admission arrangements the process for requesting admission out of the normal year group. They must also set out clearly for the parents concerned the reasons for their decision in each case.”

Q127 Alex Cunningham: Is there any way that you could strengthen the guidance to make it clearer to the parent and the admission authority that a particular child is one of the exceptions and admitted differently?

Mr Gibb: The danger of doing that is that you then start producing an exhaustive list of the criteria that should be applied. I do not think that that would be helpful, because some children who ought to have their entry into formal education delayed will not appear in that list.

Q128 Pat Glass: I absolutely agree with you for once. You cannot define exceptions. When I have had these conversations with head teachers, as I have over the years, they always tell me that children need to be educated emotionally with children of a similar age and that there is all kinds of damage in many cases. The ones that I was usually talking about was when parents thought that their child was so bright and wanted them to be in the year above. Are those the kinds of things that your Department is including in the guidance—that it is about not just the child’s intellectual abilities, but their emotional development?

Mr Gibb: It does say in the guidance that, in general, children should be educated in their normal age group. That is the norm.

Q129 Pat Glass: As understood, rather than explicitly explained.

Mr Gibb: Yes.

Pat Glass: I don’t think that parents always understand, particularly when they want their child educated in the year group ahead, that there is the issue of emotional development as well.

Q130 Chair: There is not much in your submission about that either. There is a bit of a lack of emotional intelligence in the Department.

Mr Gibb: These really are issues for the professionals. We have tried to avoid—despite what you might think—in the past five years, being too prescriptive about every detail.

Pat Glass: I get that—I really do.

Mr Gibb: I thought you might. We have tried to avoid being too prescriptive for the professionals, the way they conduct their professional life and the way these things operate. I think that those are matters for the profession.

Q131 Craig Whittaker: What we do know is that summer-born babies are more likely to be SEN children. In fact, we know that August-born babies are 90% more likely to fall into SEN than September-born children. What assessment has the Department done on the additional cost of that?

Mr Gibb: I am not terribly clear what you mean. There is a big focus on helping children with special educational needs. We have tried, as a consequence of the Ofsted report that came out a few years ago, to ensure that there is a proper approach to the diagnosis of special educational needs, so that it is not just children who are behind in their mathematics.

Q132 Craig Whittaker: I understand that, but the evidence shows that an August-born baby is 90% more likely to be SEN than a child born in September at key stage 1. Surely there is a cost associated with that. Has the Department done any analysis of that cost?

Mr Gibb: I will send the Committee a note on that.

Q133 Craig Whittaker: You may have to do the same on my second question, which is on admission flexibility. If there were more flexibility in the admissions process, would that save the Department money?

Mr Gibb: Flexibility in admissions is not a resource-driven policy; it is about ensuring that parents' concerns about the maturity of their child are taken into account when starting school. The law says that you become of compulsory school age on the prescribed date after the child turns five. Those prescribed dates are 31 December, 31 March and 31 August.

Q134 Chair: Craig is particularly talking about special educational needs. There is a 90% increase—nearly 100%—in August compared with September. You said that it should not be about developmental age but about genuine, underlying need. Clearly, it is not working at the moment. We are trying to explore whether flexibilities could contribute in some way to more accurate diagnoses and a reduction of money being spent where it needs to be spent. If there is sometimes a negative element to labelling, we could avoid children suffering from that downside of being identified as having an SEN when, if they had been born a month later and gone to school a bit later, no one would have ever thought to stick it on them.

Mr Gibb: Yes, and we are keen that special educational needs are properly diagnosed and it is not just that children have not learned to count or cannot read basic words. That could be because they have special educational needs, but it could also be because they have not been taught properly or have not learned properly. That is a different issue from special educational needs.

Q135 Craig Whittaker: But some of the special educational needs listed in that cohort of children are things like moderate learning difficulties or specific learning difficulties with speech, language and communication. There is a whole variety of SEN within that cohort.

Mr Gibb: Yes, and if a child has genuine learning difficulties, that is a separate issue from whether they have learned to read or are slightly delayed compared with September-born children because they are 11 months younger. That should not be a reason for diagnosing those children as having a special educational need. It might be that they genuinely have language delay issues, in which case they need to be diagnosed so that they can receive special help.

Q136 Craig Whittaker: Are you saying that there is an increased likelihood of misidentifying SEN?

Mr Gibb: We will come back to you on that, but *prima facie*, on the basis of this correlation, it would appear—there is no reason why children born in a particular month are more or less likely to have genuine underlying special educational needs than those born in any other month. If there is a greater degree of diagnosis in August-born children than other children, it would indicate a diagnosis issue and not a genuine, special educational needs issue.

Q137 Chair: Should schools show more flexibility about entry? We are mostly talking about delaying a year and then whether you get to do reception and year 1, but what about schools showing more flexibility in terms of delayed starts or part-time hours, or flexibility about seeing how the child gets on and maybe reducing down from the part-time hours to three days a week instead of five days a week—that sort of thing? What evidence do we have that that is going on? Is there more or less of it over time? Do you encourage schools to develop that kind of flexible approach to meet the needs of a child, so that we are less likely to end up with this near doubling of the diagnosis just because of the month in which someone is born, with, as you rightly say, no underlying evidence to suggest that there is anything about being born in August that makes you more likely to have an SEN?

Mr Gibb: The Rose review of the primary curriculum a few years ago, before the last election, recommended that the starting date was September for all children. The reason for that is that if you do stagger the entry the child misses out on the curriculum that is taught in the autumn term, and there is some evidence that missing those months can have a damaging effect long-term on the child's attainment. It is a difficult issue. I would say that over the last few years we have seen less staggered entry into reception than might have been the case before the Rose review.

Chair: There is a danger in anecdote, but certainly for my nine-weeks-early August-born child we chose a school precisely because they would allow part-time and a slow build-up, so I hope it has not had any negative impact on her.

Q138 Alex Cunningham: I am sure it hasn't, Chair. Minister, I think you said that you were particularly struck by some of the evidence we have heard today about premature children. I wonder whether you accept that they are a particular cohort—it is not a case of the summer-born thing, but they are a particular cohort in their own right and may need particular support in education.

Mr Gibb: There are two points: whether being born premature has other developmental issues for that child, and whether, because they were born before their due date, they are just a few weeks less mature than they would have been if their birth date was the same as their due date. The key is again flexibility, because there may be some children who are born premature who don't really have any issues, and it is perfectly fine for that child to be in the year group in which their birth date falls. Again, I think it depends on the child. I am sorry to sound like an overwound gramophone record, but what we are trying to ensure is that there is flexibility for children, whether they are summer-born children or children who were premature, to enable them to start school when they are ready.

Q139 Alex Cunningham: The evidence from Bliss suggests that that flexibility may exist in some places, but not universally. They are saying that the Department is letting down premature children. What would you say to that?

Mr Gibb: We need to look at ourselves to see whether that is the case, and whether there is more we can do. We have revised the non-statutory guidance twice, in July and again in December 2014. We will look again. I was struck by what Michelle Melson had to say about summer-born children—that the situation is getting worse, not better, since the new admissions code was published. That concerns me, and I was concerned by Helen's comments about the lack of flexibility, in some instances, for premature-born children. We will look at both those issues to see whether this is a problem and whether we need to take action to address it.

Q140 Alex Cunningham: So you will actually conduct some analysis directly as a result of today's session, to see if there is more that can be done?

Mr Gibb: Yes. We will consider this issue as a consequence of today's session.

Q141 Alex Cunningham: I know that the guidance, as you said, has been updated twice, but have you considered very specifically different admission arrangements for premature-born children?

Mr Gibb: It depends what you had in mind. You could say, "Let's use the due date as their date," or you could have an option. As Pat Glass said, it would complicate the admissions procedure, which is complicated enough, even further. For me, it is about whether or not admission authorities are properly understanding that they do not need to always fit children into their age group cohort—that the desire for bureaucratic neatness should not be their overriding concern. Their overriding concern should be flexibility and taking into

account the parents' genuine concerns about the maturity of their child. That should be their overarching objective, not cohort neatness. That is a mindset we have to change, I think. July 2013 is a relatively recent point in time from which to start to change the hearts and minds of admission authorities across the country.

Q142 Alex Cunningham: Helen suggested that there is an issue about pre-school provision for premature children, particularly if they delay going—*[Interruption.]* That was a particularly long bell—I almost forgot my point. Helen was saying that, in some areas perhaps, there is a lack of provision, and that if premature children go into school later, they may lose some of their time in school or not get extra time in school, because there is a delay pre-school. Is that your understanding? Could you clarify that?

Mr Gibb: I am not sure I totally understood that point. I understood Michelle's point that if you delay entry, you end up having to go into year 1. That is something her group is totally opposed to, and I understand that point, but I do not understand why a premature-born child who does not attend school could not attend a pre-school setting instead.

Q143 Alex Cunningham: So if it was necessary, they might have an extra year in pre-school if they delay entry to school, and that would be entirely in line with what should happen?

Mr Gibb: Yes. I can see no reason why that should not be the case. That's helpful.

Q144 Chair: But you will write to us if it turns out there is an issue?

Mr Gibb: Yes, if I have misunderstood something, I will certainly write to you to correct the record.

Q145 Siobhain McDonagh: How has the new guidance on summer-born admissions been communicated to admission authorities, including academies?

Mr Gibb: That is an interesting point—and for some reason, the officials managed to write the answer to that question before you had even delivered it. There was a public consultation on the guidance before it was issued, so that is one way in which it will have been communicated; of course, it is also on the Department for Education website. We are not really, as the Chairman hinted earlier, in the mode any more of sending out missives every two minutes, because you find they are not opened or read if you do that too frequently, but you are right: the point underlying your question is that we need to ensure that this new approach is conveyed to admission authorities. What we are hearing from Michelle Melson and others is that perhaps some authorities are less cognisant of this advice than others.

Q146 Siobhain McDonagh: You are anticipating my next question. Does the Department have any evidence on the consistency with which school admission authorities

across the country make their decisions? Are some areas particularly reluctant to allow a summer-born child to start in reception rather than year 1? Have any authorities refused all requests for admission of five-year-olds to reception?

Mr Gibb: Yes, there is certainly inconsistency among admission authorities, and that is something we are trying to address.

Q147 Siobhain McDonagh: How do you know that?

Mr Gibb: We know that from the evidence that comes into the Department. From what we hear in complaints, for example—from the hundreds, not the thousands, of cases we have been dealing with—we can see that there is inconsistency between different admission authorities.

Q148 Siobhain McDonagh: How would you seek to ensure some consistency of approach?

Mr Gibb: That is about winning hearts and minds. The Department does not really act in isolation from the rest of the education system; there are links through the Education Funding Agency, for example, and through the academies. The majority of admission authorities now are the academies themselves, rather than the 150 local authorities, so there is a lot of to-ing and fro-ing between the academies groups and the Department. Through those communication channels, we have to try to get this message across.

Q149 Craig Whittaker: Why are parents not allowed to appeal if their summer-born child is refused entry into reception and has to start in year 1?

Mr Gibb: Because the appeals process is about the school, not the child's whereabouts in the school. It is an historical issue: the appeals process was developed to tackle problems where a parent has not been able to get their child into a school. This is not about getting a child into a school—they have got their child into a school. The issue here is getting the child into the right year group in the school.

Q150 Craig Whittaker: So why are they not allowed to appeal? I understand that the appeals process is about getting into a school and is generally against over-subscription criteria, but why can they not appeal about a year group?

Mr Gibb: It is an interesting point. I know you are not going to make recommendations, but if it had been a recommendation of this Committee, that would be something we would consider. It is something we could consider in any case. This flexibility is a relatively new approach. In the past there has been very little flexibility about which year group a child goes into, as I found when I returned from Canada. Now that there is more flexibility and parents are able to request a different year group for their child, it leads to decisions being taken that parents will not agree with. At the moment, the only route of appeal is through the complaints procedure, but that will only be a complaint about the

process, and if the process has been adhered to correctly, there is no redress. So you have made a good point and it is something that this Committee and others should think about further.

Q151 Craig Whittaker: I know you said earlier that it was hundreds rather than thousands of parents who physically complained, but do you know how much it costs parents to assemble evidence if, for example, they need to request deferred or delayed entry to school—evidence from ed psychs and others? Does the Department have that kind of information to hand?

Mr Gibb: There should not really be a cost to parents, because they should just be conveying information that they already have.

Q152 Craig Whittaker: So they do not have to assemble any evidence then—they do not have to go to educational psychologists or all those types of things?

Mr Gibb: It is not the same as the first-tier tribunal on a special educational needs assessment.

Q153 Craig Whittaker: So no cost—we can happily tell parents that it is absolutely fine because there is no cost involved.

Mr Gibb: There should not be. I hope this route does not become that kind of formal, legal approach.

Q154 Chair: We have had evidence that it has—that is the problem. That is the point of us doing this evidence check. I said at the beginning that we are grateful to all the parents who have submitted evidence to us. They have been batted away by the LEA again and again and been told, “Sorry, evidence from your own child’s nursery? No, not important enough. We need professional evidence from doctors and psychologists,” and they just give up at that point. Our evidence suggests that that is happening now. Is there more that you could do to try to find out how prevalent that situation is? If the guidance—issued more than a year and a half ago and supplemented since—is not having an effect and, in effect, those kinds of barriers are being put in parents’ way, that is not the situation you want. There is no point in us sitting here talking about the situation as it should be if on the ground there is an entirely different experience for parents.

Mr Gibb: We will look at your evidence when you publish it. Again, it is this time issue. It is a relatively recent flexibility that has come into the system and some admission authorities are still conducting themselves on the basis of how it used to be. Perhaps there is more we need to do, as Siobhain McDonagh was saying, to try to convey the new approach to the admission authorities. Perhaps there is more that we can do, but we will look at your evidence and take a view after that.

Q155 Craig Whittaker: Do you think perhaps an easier solution would be for the DfE to produce advice for parents on how to present the case for deferment or delay? That way there is no ambiguity between parents and the local education authorities.

Mr Gibb: There may well be. Perhaps we can do that. There is a section on page seven of the advice about the submission of evidence by parents, which sets out what they need to do. It says: “It is reasonable for admission authorities to expect parents to provide them with information...since without it they are unlikely to be able to make a decision...This should demonstrate why it would be in the child’s interests to be admitted to reception rather than year one. In some cases parents may have professional evidence that it would be appropriate for them to submit... However, there should be no expectation that parents will obtain professional evidence that they do not already have.” It also says that admission authorities should consider requests even if there is no evidence accompanying them. That is two paragraphs in the advice so far.

Q156 Craig Whittaker: That is absolutely fine to say, but we all know from experience that the more evidence you submit to any form of appeal or whatever, it strengthens your case. If, as we know, that is the case, does that not disadvantage the more disadvantaged families who do not have the wherewithal or indeed the finances to pay for a doctor’s report perhaps, an educational psychologist’s report or what have you?

Mr Gibb: You make an important point. We are trying to say that they should not be disadvantaged if they do not have a well presented case. At the end of the paragraph, it states: “In such cases the supporting information might simply be the parent’s statement as to why they have made their request.” Admission authorities should take those requests as seriously as the request that is accompanied by a lever arch file full of professional opinions.

Q157 Chair: Is there any other way of weighting it, without making it an absolutely fixed right for the parent to decide? Should weighting be made so that the parent’s preference should be assumed to be correct unless—to turn it around a little—the local authority can provide evidence to say why the parents are wrong? If the authority wants to do that and to make the case, at least that is available and can be looked at. The authority would still be making the final determination, but we could turn things around like that and say, “Look, unless you have strong evidence that the parents’ understanding of the child they have brought up for the past four years is weaker than yours, we go with the parents’ preference.”

Mr Gibb: I am not unsympathetic to that viewpoint. I think that is something we can consider once your evidence is published and if we decide that we want to have a revision of this statutory guidance. Parents are the people who know their children best and sometimes admission authorities have other issues they are concerned about that are not about the child, such as the number of places available in the following year in that particular reception class and so on. But again it goes back to our messaging to admission authorities that the best interests of a child must be prevalent and if that means that we have to tweak the onus of proof then maybe that is something we should think about.

Chair: Minister, your last answer was in line with many of your constructive answers to this Committee over the past five years, so on behalf of everyone here I thank you for that.

This will probably be the last time you appear in front of us. There appears now to be a higher bar and 1 million fewer children being served by schools that are less than good or outstanding, which is good news. There is progress, though perhaps insufficient progress, on closing the gap between rich and poor, which this Committee has tried to make a theme. Whatever the controversies, and there are certainly plenty of those, I think that the objective evidence is that children are being better served now than they were being. Let us hope that that progress can be maintained and accelerated, particularly for those at the bottom, who are too easily left behind. Thank you very much indeed for giving evidence to us today.

Mr Gibb: My pleasure.