

## **Briefing for the Citizen Participation and Public Petitions Committee on petition PE2142: Review the policy on school commencement and deferred school entry in Scotland, lodged by Andrew Stuart**

### **Brief overview of issues raised by the petition**

The petitioner is seeking a review of the policy around school start dates. The petitioner argues that the current system creates school cohorts where the age ranges are too wide.

This paper briefly sets out:

- the current policy in relation to school start dates
- how this interacts with funded Early Learning and Childcare
- some examples of how other jurisdictions manage school starts
- highlights some wider issues which touch upon this area.

### **Policy and law starting school**

A child is of school age at five years. However, the practicalities of when pupils start school is complicated.

The legislation around school start dates is set out in [section 32 of the Education \(Scotland\) Act 1980](#). Each local authority determines a school commencement date. Each local authority also sets another date in the year which is the latest date after the commencement date “on or before which a child must attain the age of five years in order to [be] of sufficient age to commence attendance at a public primary school at that school commencement date.” Local authorities generally must ensure that the second date is no more than six months and one week before the following commencement date. On paper local authorities have flexibility in when to set either of these dates, although there appears to be a high level of consistency across Scotland.

[Parents have a legal duty to ensure that their child receives “efficient education for him suitable to his age, ability and aptitude either by causing him to attend a public school regularly or by other means.”](#) Parents can choose not to send their child to school if they are not five years old at the commencement date – this is called deferring entry.

Generally, school years commence in mid-August and the second date is at the end of February. A school year group mainly consists of children born between the beginning of March in one year and the end of February the following year. Children are typically aged between around 4.5 and 5.5 years when they start school. In addition, any child whose start was deferred in the previous year will also join P1. These children will be younger than six years old. (In rare cases, starting school might be deferred further if that is in the best interests of the child.)

A proposal to change the school commencement date of a primary school is a 'relevant proposal' under the [Schools \(Consultation\) \(Scotland\) Act 2010](#). This means that local authorities would be required to undertake a statutory consultation process before changing the commencement date.

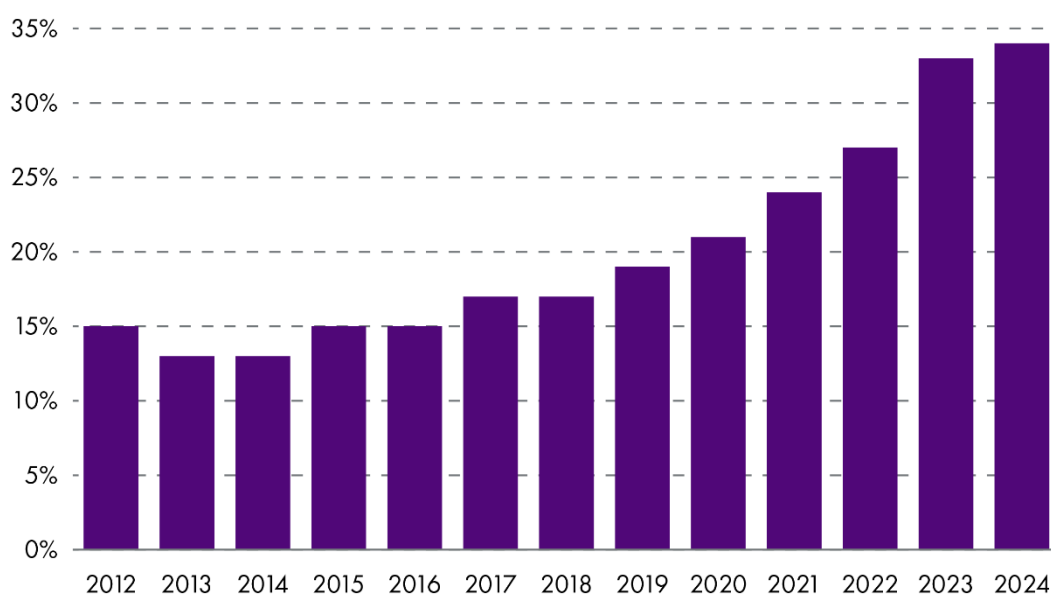
## Early Learning and Childcare (ELC)

The choice of parents to defer is longstanding. However, there has been a relatively recent change to the right to funded ELC for families who defer entry to primary school.

Since 1 August 2023, local authorities must continue to provide or fund ELC for any child whose parents have decided to defer entry to primary school. Prior to 2023, local authorities were required to fund ELC only for those children whose birthday fell in January or February (i.e. the younger children) and could choose to provide funded ELC in other cases where the child's start to primary had been deferred.

The Scottish Government produces statistics on ELC registrations. [In 2024, the parents of around a third of children who could defer did so and were receiving funded ELC](#). The chart below shows how this figure has grown over the past decade.

**Figure 1:** ELC registrations of children whose start to primary school was deferred as a percentage of the eligible population



## School starts in other jurisdictions

Different jurisdictions take different approaches to determining when pupils begin primary school.

[In England, there is a Reception year](#), which is sometimes known as Year 0. Most children start reception full-time in September after their fourth birthday. The statutory school age is five in England. A child must start full-time education in the term following their fifth birthday. If a child's birthday was in July, their parent would not be required to send their child to school in the Reception year. They would begin school at the start of Year 1 (i.e. the year after Reception).

[In France, children start primary school in early September in the calendar year in which they turn six.](#) [In Denmark, similarly, a child starts school on 1 August in the calendar year in which the child turns six](#), but there is some flexibility for a child to start earlier or later depending on circumstances. [In Portugal, all children aged six by 15 September enrol in that academic year \(Sep-Aug\)](#); children that turn six between 16 September and 31 December may also be admitted at the request of parents.

## Starting age

Discussions around the start of school in Scotland have tended to focus on the starting age. For example, [Upstart Scotland campaigns on this issue](#) and advocates increasing the starting age to seven with a "kindergarten" stage replacing P1 and P2. [The SNP agreed a motion at its 2022 conference](#) to increase the statutory age to six with a "kindergarten" being introduced before then.

## Relative age effect

The petitioner mentions the relative age effect. [The National Foundation for Educational Research \(NFER\) produced a paper on this in 2009](#). This found there is evidence that, on average, younger pupils in cohorts perform less well in attainment tests; are more frequently identified as having Special Educational Needs; and have higher rates of mental health problems.

The NFER suggested possible explanations for the relative age effect. It noted that assessment results do not account for the age differences among children taking the test. NFER also said that younger children may struggle with a curriculum designed for older children, leading to poor performance and potential psychological issues.

The NFER highlighted another possible explanation: the length of schooling in systems where children start school at different times based on their birth dates. NFER reported that evidence on this factor's impact is inconclusive.

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25 February 2025

<p>The purpose of this briefing is to provide a brief overview of issues raised by the petition. SPICe research specialists are not able to discuss the content of petition briefings with petitioners or other members of the public. However, if</p>
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Published by the Scottish Parliament Information Centre (SPICe), an office of the Scottish Parliamentary Corporate Body, The Scottish Parliament, Edinburgh, EH99 1SP