



Equality Impact Assessment (EQIA) Consultation Report on Deferring Compulsory School Starting Age in Exceptional Circumstances

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INTRODUCTION

About the Department of Education

1. The Department of Education is responsible for the central administration of all aspects of education and related services in the north of Ireland - excepting the higher and further education sector, responsibility for which is within the remit of the Department for Employment and Learning.

2. The Department's main areas of responsibility are in pre-school, primary, post-primary and special education; the youth service; the promotion of community relations within and between schools; and teacher education and salaries. Its primary statutory duty is to promote the education of the people here and to ensure the effective implementation of education policy. Its key functions include:

- advising ministers on the determination of education policy;
- framing legislation;
- accounting for the effectiveness of the education system;
- allocating, monitoring and accounting for resources; and
- through the Education and Training Inspectorate, evaluating and reporting on the quality of teaching and learning and teacher education.

3. The Department (DE) also aims to ensure that children, through participation at schools, reach the highest possible standards of educational achievement. In pre-school settings, schools and through the Youth Service the Department also promotes personal well-being and social development, so that children gain the knowledge, skills and experience to reach their full potential as valued individuals.

4. The DE Vision Statement guides the work of the Department:

DE exists to ensure that every learner fulfils his or her potential at each stage of development. We will do this by:

- Supporting our Minister in setting a clear strategic direction for education;
- Developing clear policies that help schools and youth provision deliver high quality outcomes;
- Ensuring resources are secured and allocated in line with education priorities;
- Holding ourselves and others to account for agreed outcomes;
- Working collaboratively with our partners;
- Embracing equality and diversity; and
- Learning from research, best practice and experience.

SECTION 75 AND THE STATUTORY DUTIES

5. Section 75 of the Northern Ireland Act 1998 requires DE, as a Public Authority, when carrying out its functions in relation to the north of Ireland, to have due regard to the need to promote equality of opportunity between nine categories of persons, namely:

- between persons of different religious belief, political opinion, racial group, age, marital status or sexual orientation;
- between men and women generally;
- between persons with a disability and persons without; and
- between persons with dependants and persons without

6. Without prejudice to its obligations above, DE must also have regard to the desirability of promoting good relations between persons of different religious belief, political opinion or racial group.

7. The Equality Commission for Northern Ireland approved DE's Equality Scheme on September 2013. The Scheme outlines how DE proposes to fulfil its statutory duties under Section 75.

8. Paragraph 4.14 of the Department's Equality Scheme states:

“Once a policy is screened and screening has identified that an equality impact assessment is necessary, the Department will carry out the EQIA in accordance with Equality Commission guidance. The equality impact assessment will be carried out as part of the policy development process, before the policy is implemented”.

9. Part of the EQIA Process is Consultation. This EQIA consultation report has been made available as part of the Formal Consultation stage of the EQIA relating to the Deferral of Compulsory School Starting Age in Exceptional Circumstances and we would welcome any comments which you may have in terms of this EQIA and our preliminary recommendations with regard to measures to not only mitigate impact but also promote equality of opportunity.

10. Further copies of this EQIA Consultation Report are available on our website at www.deni.gov.uk

11. If you have any queries about this document, and its availability in alternative formats then please contact:

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Deadline for comments is: 6 March 2015

Following consultation the Final Report will be made available in April 2015.

Introduction

12. The Minister for Education intends to introduce a policy to allow deferral of the compulsory school starting age for children in exceptional circumstances.

13. This proposed new policy should be seen in the context of current policies which are in place to support and develop all children throughout their development in school.

14. Early years education in the form of the non-compulsory Pre-School Education Programme, Sure Start and compulsory education in the Foundation Stage offer essential age and stage appropriate services which contribute directly to children achieving their full potential.

15. The Foundation Stage is the beginning of compulsory education for children in primary school. Children who have attained the age of 4 on or before 1st July will start primary school at the beginning of the September that year. Foundation Stage applies to children in year 1 and year 2 of primary school and is delivered by qualified teachers, often supported by classroom assistants. In 2013/14 there were 24,781 children in year 1 and 24, 899 children in year 2 in primary schools.

16. The Foundation Stage aims to provide a smooth transition from the pre-school phase. It recognises that young children come to school from a variety of different backgrounds, having had a range of diverse learning experiences at home and, for most, some form of pre-school education. It is designed to build on children's earlier learning experiences by providing an appropriate learning programme to develop their dispositions to learn and to provide them with the skills and competencies they will need to succeed in school and in later life.

17. The Foundation Stage curriculum provides an environment which best suits the needs of young children. It uses play as a context for learning, recognising that stimulation through play is an important factor in the social, emotional and educational development of the child. As children progress through the Foundation Stage, they are introduced to more formal learning, particularly the development of literacy and numeracy skills at a pace that takes account of their age and level of development.

18. At present, the only provision in education legislation which allows a child not to commence primary school upon reaching compulsory school age is Article 16 of the Education (NI) Order 1996 (Statement of Special Educational Needs).

19. As well as the provisions of Article 16 of the Education (NI) Order 1996 (Statement of Special Educational Needs), the Minister for Education has agreed that there should be flexibility for some children in certain circumstances when the parents feel their child is not ready to benefit from the Foundation Stage and there is clear evidence that a deferral of the compulsory school starting age would be in the child's best interest.

20. The introduction of a system of deferral for children in exceptional circumstances will not result in a change in the compulsory starting age for children

generally. The new system to be introduced will focus on the best interests of the child seeking deferral, as well as ensuring that the best interests of other children in the education system are also carefully considered.

Background

Compulsory School Age

21. Compulsory school age and the duty of parents to secure full time education for their children is governed by Articles 45 and 46 of the Education and Libraries (Northern Ireland) Order 1986. Children who have attained the age of 4 on or before 1st July will start primary school at the beginning of the September of that year.

E.g.1: A child born on 1 September 2011 would start school on 1 September 2016 aged 5 years.

E.g.2: A child born on 1 July 2012 would start school on 1 September 2016 aged 4 years and 2 months.

E.g. A child born on 2 July 2012 would start school on 1 September 2017 aged 5 years and 2 months.

Early Years Education and Learning

22. Currently 92% of children experience one year of pre-school education before they start school. In the 'Programme for Government 2011-15', the Department is committed to ensuring that at least one year of pre-school education is available to every family that wants it. The Foundation Stage provides age appropriate play based learning to ensure that children are introduced to formal learning at their own pace.

23. There is existing provision to allow children to be retained in primary school. This decision is taken by the Board of Governors of a primary school, based on advice from the Principal and the Education and Library Board. The parents must agree to the child being retained. This is provided for within (DE Circular 1996/24). "Transfer of pupils from primary to secondary education other than at the normal age".

24. There are a range of support systems in place for children with additional needs, and children with a Statement of Special Educational Needs who are not ready to commence primary school upon reaching compulsory school age can have their needs met in a pre-school setting.

25. PIRLS and TIMSS results for primary schools for 2011 reveal that:

- a. *"In reading, NI pupils were ranked 5th out of the 45 participating countries. Pupils in NI significantly outperformed pupils in 36 of the*

countries that participated in PIRLS 2011. NI was the highest ranking English speaking country.

- b. NI pupils were ranked 6th in mathematics, significantly outperforming pupils in 44 of the 50 countries that participated in TIMSS 2011. NI was the highest performing English speaking country”¹.*

26. Given the range of early education and learning services available; and based on the fact that one of the key findings from PIRLS and TIMSS was the high proportion of our pupils achieving at the highest levels of attainment (19% in reading compared with an international median of 8%, and 24% in maths compared to an international median of 4%²); we conclude that the current system is meeting the needs of the vast majority of children,

27. There are however, a number of parents³ who feel that starting school at age 4 is not appropriate for their child, and who feel that their child’s needs cannot be met within existing provision. Some parents who have contacted the department, have felt that children born between April and 1st July should be able to automatically defer their child’s school starting age.

28. We have considered a process of automatic deferral for children born in certain months and have chosen not to make month of birth a factor in the criteria by which deferral should be determined for a number of reasons:

- a. The decision by which deferral is determined should be based on the individual needs of the child;
- b. Creating a system of automatic deferral that is based on month of birth rather than the needs of the child will simply move the ‘relative-age’ effect to the next youngest children in a year group; and
- c. It could result in children being deferred when it is not necessarily in their best interests to do so.

Proposals

29. It is proposed that:

- a. A system of deferral in exceptional circumstances will be introduced where it is considered that deferring primary school for one year is in the best interests of the child; and
- b. The evidence provided by a parent for deferral would be subject to Education Authority (EA)⁴ approval and assessment would involve a panel of experts.

¹ http://www.deni.gov.uk/rb4_2012-2.pdf

² Although the proportion was low, and lower than in many other countries, there were some children at the lowest level.

³ The term parent in this context is taken to mean parent / guardian / carer.

⁴ Education Authority (EA) is the term given to the single education authority. The associated Bill completed its Final Stage on 17 November 2014 and the Department is currently awaiting Royal Assent.

Research

30. The research we have examined across different countries is at times contradictory. Some of the research indicates that it is not appropriate to address the relative disadvantage that younger children in a year group at primary level face, with a system of deferral. However, a process of deferral was found to be in the best interests of some children, such as those who have experienced exceptional circumstances and who are not at an 'appropriate' stage of development to enter primary school.

31. We are proposing therefore that deferring school starting age should apply to children who have experienced exceptional circumstances. The development needs of the vast majority of children will continue to be met by the Foundation Stage in primary school.

32. While this policy will be open to all children, it has the potential to benefit particular groups. For example:

Gender

Research suggests that girls are more developmentally advanced than boys:⁵

"In terms of the general factors that predict developmental outcomes, this baseline survey reproduces well-rehearsed findings. For example, girls were more developmentally advanced than boys – with the exception of gross motor movement. Social and economic background had very predictable effects. Specifically, poorer developmental outcomes were associated with the lowest levels of social disadvantage, even at this early age (e.g., Feinstein et al., 2003). Rural children were more developmentally advanced in some areas than urban children, but these effects were probably indirect effects of social disadvantage/advantage".

33. This research report is one of a number of research reports available covering the development of children and the factors which may impact upon their development. It suggests that deferral of school starting age policy has the potential to promote equality of opportunity for boys who are not meeting their developmental milestones although it will be applied equally to all children who have experienced exceptional circumstances irrespective of gender.

Age

34. There is some evidence to suggest that children who are the youngest in their year have lower attainment than those who are the oldest in the year although this effect decreases over time.⁶ The deferral of school starting age policy has the

⁵ Carol McGuinness, Paul Connolly, Angela Eakin and Sarah Miller, *The Developmental Status of 2-3 year old children entering group-based settings in Northern Ireland: Survey Findings (April, 2012)*, p. 8

⁶ Stefanie Doeblér, (QUB), Ian Shuttleworth (QUB) and Myles Gould (University of Leeds), 'Does the month-of-birth affect educational success later in life', Presentation to BSPS Annual Conference 2014; When you are born matters: evidence for England, p. 65.

potential to positively impact on younger children who are not meeting developmental milestones within a specific school year group.

Disability

35. The policy to introduce deferral of school starting age in exceptional circumstances has the potential to promote equality of opportunity for children with a disability who have experienced exceptional circumstances and as a consequence have specific developmental needs.

EQIA REPORT

1: DEFINING THE AIMS OF THE DE POLICY – DEFERRING COMPULSORY SCHOOL STARTING AGE IN EXCEPTIONAL CIRCUMSTANCES

Aim

36. The aim of this policy is to enable children in exceptional circumstances⁷, who are experiencing difficulties with developmental milestones, to defer their entry to primary school for one year.

Eligibility

37. In relation to an application for deferral, it is proposed that:

- a. A parent could apply to the EA to defer their child's school starting age where they can present evidence that the child is experiencing difficulty reaching developmental milestones; and
- b. The child's development will be assessed by a panel of experts who will then determine if deferral is appropriate taking into account the evidence provided.

Process

38. The EA will manage the following process.

- The EA will establish a "Deferral in Exceptional Circumstances Panel".
- The EA will develop specified criteria;
- The timing of the process will align with the pre-school and primary school admissions processes and parents may, therefore, need to submit applications to primary school and an alternative pre-school provider if required, pending the outcome of an application for deferral;
- If the request for deferral is approved, the offer of a primary school place will be withdrawn, as it will no longer be required;
- The EA will ask the parent to confirm, within a specified timeframe, that they accept the deferral before the offer of a primary school place is withdrawn;

⁷ Exceptional circumstances in this context means specific to the child and will be agreed between the Department, EA and panel of experts. They will take into account the principles and "other factors" as set out in this document.

- If a parent changes their mind about deferral after the panel had approved it and the primary school has reallocated their child's place, the application for a primary school place can only be reconsidered in the event of a vacancy after the Open Enrolment procedure has concluded.

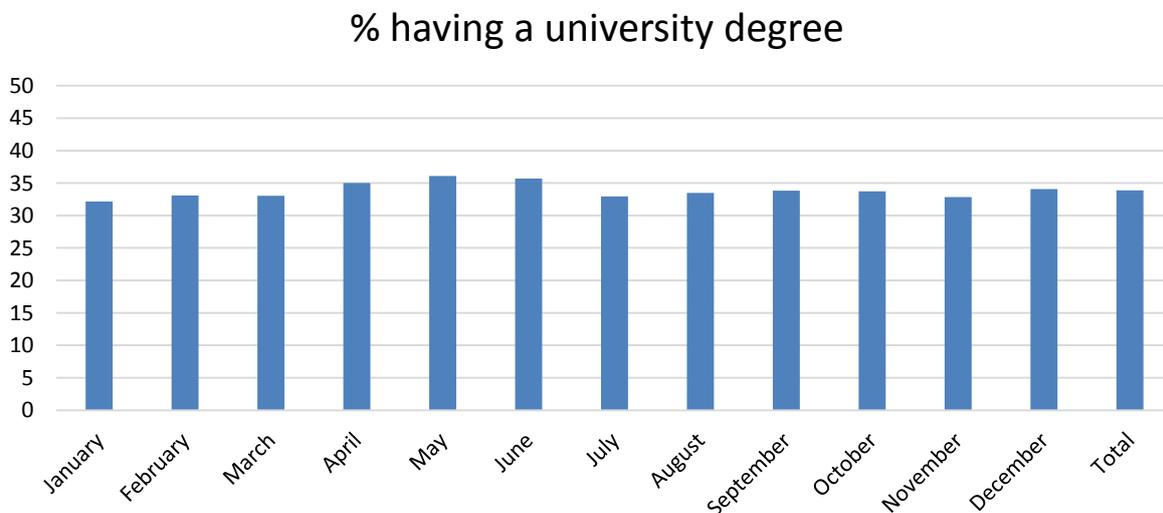
39. Consultation document can be found at: www.deni.gov.uk

2: CONSIDERATION OF AVAILABLE DATA AND RESEARCH

40. There have been a large number of academic papers with regard to whether children who are the youngest in their year are adversely impacted by their month of birth. The latest evidence both local and international indicates that children who are the youngest in their year may not perform as well as those who are the oldest in the same academic year although many of the research papers acknowledge that this may be due to many other factors, not just month of birth.

41. The research we have examined also reports that this differential decreases over time and the latest evidence 'indicates that in Northern Ireland the month of birth does not have a (substantially or statistically) significant effect on the likelihood of having obtained a degree later in life.'⁸ This particular study showed that those born in May and June, who would have been the youngest children in their class, had the highest percentage that achieved a university degree.

Figure 1: Percentage of respondents with degree by month of birth



42. The report from the Association of Teachers and Lecturers (ATL) and ParentsOutloud sets out the case for a review of the school starting age here.⁹ Recognising that due to resource constraints, this is a long term goal, the report suggests that flexibility should be introduced to the current school starting age for

⁸ Stefanie Doebler, (QUB), Ian Shuttleworth (QUB) and Myles Gould (University of Leeds), 'Does the month-of-birth affect educational success later in life', Presentation to BSPS Annual Conference 2014, Slide 18.

⁹ Dr Liz Fawcett and Mark Langhammer, The school starting age: the case for greater flexibility in Northern Ireland (ParentsOutloud and ATL, May 2012)

children with May, June or 1 July birthdays and other children in exceptional circumstances.

43. A system of automatic and discretionary deferral operates in Scotland. Children are admitted to primary school from the age of four and a half. March is the cut off month for school admission. Those with birthdays in the months from March to September wait until the following August to begin school, when they will be five. Those who turn four from September to March begin school in August following their fourth birthday.

44. Parents of children born in January and February are automatically granted a deferral if they request it. Parents of children born between September and December can request a deferral. These are subject to approval by the local education authority. In 2008/09, 13% of children had their entry deferred with 53% of these deferrals automatic. Discretionary deferrals were found to be significantly more likely to be for health and development reasons.¹⁰

45. There is some evidence that children here who are young for their year are more likely to be referred to the Educational Psychology Service.¹¹ A study in England also found that children who are young for their year were also more likely to be classified as having non-statemented special educational needs. This report recommended that this be addressed by:

*'Schools, teachers and parents should be made more aware of the potential disadvantages that children born later in the academic year may face, and more could be done to document and share best practice in reducing inequalities between children born at the start and end of the academic year.'*¹²

46. There is evidence from England to suggest that children who are born premature have worse than average educational outcomes, but that these effects are reduced if they are in the same year group as they would have been if they were born on their expected due date.¹³

47. Evidence from the 'Growing up in Ireland' survey found that 'Being low birth weight has a large impact on test scores'. The effect of low birth weight was found to be smaller for girls than boys.¹⁴ A report on the effects of disadvantage at age 5 in the north found that: 'Low birth weights were linked to lower [assessment] scores'.¹⁵

¹⁰ Paul Bradshaw, Julie Hall, Tessa Hill, Judith Mabelis and Dan Philo, Growing Up in Scotland: early experiences of primary school (Edinburgh, 2012), pp. 17-21.

¹¹ ATL and ParentsOutloud, The school starting age: the case for greater flexibility in Northern Ireland, para. 4.3

¹² When you are born matters: evidence for England, p. 74.

¹³ David Odd, David Evans, Alan Emond, Preterm Birth, Age at School Entry and Educational Performance

¹⁴ Mark E McGovern, Still Unequal at Birth: Birth Weight, Socioeconomic Status and Outcomes at Age 9, UCD Centre for Economic Research, Working Paper Series (November, 2011), p. 16.

¹⁵ Alice Sullivan, Olga Cara, Heather Joshi, Sosthenes Ketende, and Polina Obolenskaya, The consequences of childhood disadvantage in Northern Ireland at age 5: A report to the Northern Ireland Office of the First Minister and Deputy First Minister (June, 2010), p. 42.

48. We have reflected on the experiences and research as outlined above and have concluded that:

- The policy here should focus on the individual needs of the child, irrespective of the month of birth;
- That parents who consider that their child would benefit from deferring starting primary for one year, could apply to defer their child’s school starting age until the September after their 5th birthday; and
- This would only apply to children in exceptional circumstances and would be subject to assessment by a panel of experts established by the EA.

3: ASSESSMENT OF IMPACTS

49. This policy aim is as set out at paragraph 35. This policy does not directly or indirectly discriminate against any group. We have conducted an EQIA to explore the possibility for promoting equality of opportunity for children impacted by this policy.

50. The proposed policy has been considered and the following assessments made as to whether or not there will be an adverse impact on any of the nine Section 75 categories or any of the multiple identity groups:

51. Information is available from the DE census on the 92% of children who participate in pre-school and the nearly 100% of children who are in primary 1.

No.	Group	Positive or Negative Impact on specific sub group
3.1	Religious Belief	<p>In 2011, those from ages 0-4 were recorded as being 49.2% Catholic, 36.4% Protestant and other Christian, 1% Other and 13.4% None.</p> <p>Boys from a working class Protestant background have been shown to have worse educational outcomes (from KS2 onwards) than others (Peace Monitoring Report 2013). There are no indications that this is a result of starting school too early.</p> <p>This policy would be open to all children who are eligible to apply for deferral irrespective of religion.</p> <p>Conclusion: The proposed policy is not considered to have a differential impact on children of different religious backgrounds.</p>
3.2	Political Opinion	<p>There is no data held on the political opinion of children however if we use religion as a proxy for political opinion, we may draw the same conclusion.</p>

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3.3	Race	<p>The ethnicity breakdown of children aged from 0-4 at the time of the 2011 census.</p> <table border="1"> <thead> <tr> <th>Ethnicity</th> <th>Number</th> <th>%</th> </tr> </thead> <tbody> <tr> <td>White</td> <td>120,441</td> <td>97%</td> </tr> <tr> <td>Asian</td> <td>1,903</td> <td>1.5%</td> </tr> <tr> <td>Black</td> <td>356</td> <td>0.29%</td> </tr> <tr> <td>Mixed</td> <td>1,503</td> <td>1.2%</td> </tr> <tr> <td>Other</td> <td>179</td> <td>0.14%</td> </tr> <tr> <td>Total</td> <td>124,382</td> <td>100%</td> </tr> </tbody> </table> <p>The table below indicates that, while children from ethnic minority backgrounds perform at a similar level to their peers in achieving 3 or more A levels at grades A* - C (including equivalents), they are more likely to leave school with no GCSEs or formal qualifications.</p> <p>Travellers are included in the table below as an ethnic minority group. While there has been an increase in the proportion of Travellers with qualifications at Level 3 or above (from 12.3% to 16.2% from 2001-2011), Travellers still have the lowest level of education of all ethnic groups including the majority population.¹⁶ The educational attainment of Travellers was exacerbated by high levels of non-attendance school, especially post-primary school.¹⁷</p> <p>Deferral is not envisioned as a way of addressing general educational disadvantage. Deferral has the potential to benefit those children who are educationally disadvantaged due to exceptional circumstances in early childhood.</p> <table border="1"> <thead> <tr> <th colspan="3">Qualifications of school leavers by ethnic origin 2012/13¹⁸</th> </tr> <tr> <th></th> <th>Numbers</th> <th>%</th> </tr> </thead> <tbody> <tr> <td>WHITE</td> <td></td> <td></td> </tr> <tr> <td>3+ A Levels A*-C</td> <td>8,116</td> <td>36.0</td> </tr> <tr> <td>3+ A Levels A*-E</td> <td>11,328</td> <td>50.2</td> </tr> <tr> <td>2+ A Levels A*-E</td> <td>12,444</td> <td>55.2</td> </tr> <tr> <td>At Least 5 GCSEs A*-C</td> <td>17,770</td> <td>78.8</td> </tr> <tr> <td>At Least 5 GCSEs A*-C inc English and maths</td> <td>14,071</td> <td>62.4</td> </tr> </tbody> </table>	Ethnicity	Number	%	White	120,441	97%	Asian	1,903	1.5%	Black	356	0.29%	Mixed	1,503	1.2%	Other	179	0.14%	Total	124,382	100%	Qualifications of school leavers by ethnic origin 2012/13¹⁸				Numbers	%	WHITE			3+ A Levels A*-C	8,116	36.0	3+ A Levels A*-E	11,328	50.2	2+ A Levels A*-E	12,444	55.2	At Least 5 GCSEs A*-C	17,770	78.8	At Least 5 GCSEs A*-C inc English and maths	14,071	62.4
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¹⁶ Jenny Irwin, Ruth McAreavey and Niall Murphy, The Economic and Social Mobility of Ethnic Minority Communities in Northern Ireland (May, 2014), p. 20.

¹⁷ Every Child an Equal Child: An Equality Commission Statement on Key Inequalities in Education and a Strategy for Intervention (Nov. 2008), p. 11.

¹⁸ Qualifications and Destinations of Northern Ireland School Leavers 2012/13, Table 4.

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		<table border="1"> <tr> <td>At Least 5 GCSEs A*-G</td> <td>21,433</td> <td>95.0</td> </tr> <tr> <td>No GCSEs</td> <td>332</td> <td>1.5</td> </tr> <tr> <td>No Formal Qualifications</td> <td>291</td> <td>1.3</td> </tr> <tr> <td>TOTAL WHITE</td> <td>22,551</td> <td>100.0</td> </tr> <tr> <td colspan="3">MINORITY ETHNIC GROUPS</td> </tr> <tr> <td>3+ A Levels A*-C</td> <td>164</td> <td>36.4</td> </tr> <tr> <td>3+ A Levels A*-E</td> <td>223</td> <td>49.6</td> </tr> <tr> <td>2+ A Levels A*-E</td> <td>233</td> <td>51.8</td> </tr> <tr> <td>At Least 5 GCSEs A*-C</td> <td>294</td> <td>65.3</td> </tr> <tr> <td>At Least 5 GCSEs A*-C inc English and maths</td> <td>232</td> <td>51.6</td> </tr> <tr> <td>At Least 5 GCSEs A*-G</td> <td>381</td> <td>84.7</td> </tr> <tr> <td>No GCSEs</td> <td>40</td> <td>8.9</td> </tr> <tr> <td>No Formal Qualifications</td> <td>36</td> <td>8.0</td> </tr> <tr> <td>TOTAL MINORITY ETHNIC GROUPS</td> <td>450</td> <td>100.0</td> </tr> </table> <p>Conclusion: The proposed policy would apply to all children irrespective of race. It is not anticipated that it will have a differential impact on children of different ethnic backgrounds.</p>	At Least 5 GCSEs A*-G	21,433	95.0	No GCSEs	332	1.5	No Formal Qualifications	291	1.3	TOTAL WHITE	22,551	100.0	MINORITY ETHNIC GROUPS			3+ A Levels A*-C	164	36.4	3+ A Levels A*-E	223	49.6	2+ A Levels A*-E	233	51.8	At Least 5 GCSEs A*-C	294	65.3	At Least 5 GCSEs A*-C inc English and maths	232	51.6	At Least 5 GCSEs A*-G	381	84.7	No GCSEs	40	8.9	No Formal Qualifications	36	8.0	TOTAL MINORITY ETHNIC GROUPS	450	100.0
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At Least 5 GCSEs A*-C	294	65.3																																										
At Least 5 GCSEs A*-C inc English and maths	232	51.6																																										
At Least 5 GCSEs A*-G	381	84.7																																										
No GCSEs	40	8.9																																										
No Formal Qualifications	36	8.0																																										
TOTAL MINORITY ETHNIC GROUPS	450	100.0																																										
3.4	Age	<p>There were 24,781 pupils enrolled in Y1 in 2013/14. All children who reach the age of 4 years between 2 July of one school year and 1 July of the following year (e.g. for 2015/16 admissions, children born between 2 July 2011 and 1 July 2012) would be eligible to apply for deferral in the following school year. Only those who meet the specified criteria as determined by the “Deferral in Exceptional Circumstances Panel” will be eligible for deferral.</p> <p>There is some evidence that children who are the youngest in their year have lower attainment than those who are the oldest in the year although this effect decreases over time.¹⁹</p> <p>Conclusion: The policy has the potential to positively impact on younger children who are not meeting developmental milestones within a specific school year group.</p>																																										
3.5	Marital Status	Not applicable.																																										
3.6	Sexual Orientation	Not available.																																										
3.7	Gender	In 2011 the population aged 0-4 was 51% male and 49% female. In Scotland, where a process of automatic and discretionary deferral is in operation, 15% of boys and 9% of girls had their entry to primary school deferred. ²⁰																																										

¹⁹ Stefanie Doebler, (QUB), Ian Shuttleworth (QUB) and Myles Gould (University of Leeds), ‘Does the month-of-birth affect educational success later in life’, Presentation to BSPS Annual Conference 2014; When you are born matters: evidence for England, p. 65.

²⁰ Paul Bradshaw, Julie Hall, Tessa Hill, Judith Mabelis and Dan Philo, Growing Up in Scotland: early experiences of primary school (Edinburgh, 2012), pp. 18-19.

No.	Group	Positive or Negative Impact on specific sub group
		<p>A study of early child development in the north found that on average, girls were generally more advanced than boys in most areas but there was considerable overlap between the distributions of scores for both genders; some boys were above average and some girls were below average. It is important that practitioners avoid stereotyped expectations about girls 'always being better' or boys 'always being behind'.²¹</p> <p>Survey of pre-school experience and Key Stage 2 attainment found that girls do better than boys in English both in attainment and progress. There were no significant gender effects for mathematics with girls and boys doing similarly well at Key Stage 2.²²</p> <p>Deferral in exceptional circumstances would be open to all children who meet the criteria irrespective of gender. However, as the evidence suggests that more boys experience developmental delays, it is likely that a greater number of boys may be granted a deferral than girls.</p> <p>Conclusion: The policy has the potential to positively impact on the development of a greater proportion of boys who have experienced exceptional circumstances.</p>
3.8	Disability	<p>In the 2011 Census, 5.2% (20,024) of those aged 0-15 were described as having a long-term health problem or disability which limited their day-to-day activities 'a little' or 'a lot'.</p> <p>The policy to introduce deferral of school starting age in exceptional circumstances has the potential to promote equality of opportunity for children with a disability who have experienced exceptional circumstances and as a consequence have specific developmental needs.</p> <p>There is provision in legislation which allows a child with a statement of Special Educational Needs (SEN) not to commence primary school upon reaching compulsory school age. The "Deferral in Exceptional Circumstances Panel" will need to liaise closely with the experts involved in the SEN process to ensure that the individual needs of the child are met.</p> <p>Conclusion: The policy has the potential to positively</p>

²¹ Carol McGuinness, Paul Connolly, Angela Eakin and Sarah Miller, The Developmental Status of 2-3 year old children entering group-based settings in Northern Ireland: Survey Findings (April, 2012), p. 11.

²² EPPNI Research Team, Pre-school Experience and Key Stage 2 Performance in English and Mathematics, (2010) p. 10

No.	Group	Positive or Negative Impact on specific sub group
		impact on children with a disability.
3.9	Dependency	N/A
3.10	Multiple identities	The proposed policy has the potential to positively impact on boys and girls who are considered to be too young to start school and who have a disability based on evidence of their developmental needs.

4: CONSIDERATION OF MEASURES WHICH MIGHT MITIGATE ANY ADVERSE IMPACT AND ALTERNATIVE POLICIES WHICH MIGHT BETTER ACHIEVE THE PROMOTION OF EQUALITY OF OPPORTUNITY

In introducing this policy, DE considers that the follow positive actions should be taken forward:

Differential (Positive or Negative) Impact	Actions which have the potential to improve equality of opportunity
The policy to defer school starting age in exceptional circumstances has the potential to promote equality of opportunity across a range of Section 75 categories including age, gender and disability for children who have experienced exceptional circumstances and as a consequence have specific developmental needs.	Parents of those children who are deemed eligible to apply will be assessed on the basis of the stage of development they have reached and on their development needs going forward.

Rural/Regional Proofing

52. The 2012 study of young children’s development status found that ‘Rural children were more developmentally advanced in some areas than urban children, but these effects were probably indirect effects of social disadvantage/advantage’. In particular, this study found that ‘children in rural settings had better gross motor development than children in urban settings’.²³ This policy will not have an adverse effect on rural children as they will be equally as eligible for deferral as urban children, should they meet the criteria.

53. If a deferral process was introduced that impacted more on children in rural areas, this could potentially have an effect on rural schools’ viability. The Assembly Research report on rural schools, which used the definition of settlements with a population of 4,500 or more as urban and those with a population of less than 4,500 as rural, found that ‘rural schools were significantly more likely to be identified as evidencing stress than urban schools.’²⁴ At 91.1%, the vast majority of rural primary schools experienced enrolment stress.²⁵

54. It is considered that this policy will not have an adverse impact on rural communities.

²³ Carol McGuinness, Paul Connolly, Angela Eakin, and Sarah Miller, The development status of 2-3 year old children in Northern Ireland; Survey Findings (April, 2012) DENI development of 2 and 3 year olds. p. 8

²⁴ ‘Enrolment stress’ was defined for rural schools as having less than 105 pupils.

²⁵ Caroline Perry and Barbara Love, Rural Schools (NIAR 574-12), p. 10.

5: THE FORMAL CONSULTATION ON THE ACTUAL IMPACT OF EXISTING POLICIES AND THE LIKELY IMPACT OF PROPOSED POLICIES

55. DE wishes to engage with as wide an audience as possible on its findings and proposals to date as described in this report. We are interested in hearing from parents / guardians; teachers; pre-school staff and parent groups. To facilitate such engagement:

- A copy of this report, the consultation document and the consultation response form will be posted on the DE website;
- All of the consultees listed in our Section 75 Consultation database will be notified of the consultation;
- The report will be made available, on request, in alternative formats
- Individual consultation meetings will be arranged with representatives of particular interest groups; and
- Advertisements inviting the public to comment on this matter will be placed in the main newspapers.

56. A consultation response form can be found at the end of this document. Any enquiries about the consultation should be addressed to the team responsible whose contact details appear on Page 4.

6: PUBLICATION

57. The outcomes of this formal EQIA consultation will be published on the DE website or can be obtained in other formats from the officer responsible, whose contact details appear on Page 4.

7: MONITORING

58. DE will monitor the success of the policy in achieving its objectives as outlined in section 1 of this EQIA using the following Indicators:

- We will monitor the number of applications received for deferral;
- We will monitor the number of deferrals granted – we will wish to ensure that the numbers are in line with the policy of deferral, i.e. that deferral is granted in exceptional circumstances only;
- We will monitor the number / percentage of appeals made and the number / percentage that were successful / unsuccessful; and
- We will monitor the progress of the deferred children – we will wish to seek qualitative and quantitative feedback during and after the year of deferral from the relevant educational setting to ensure understand the short term and long term impacts of deferral on the child.

8: CONSULTATION RESPONSE FORM QUESTIONS

59. We would welcome your response to this EQIA. A consultation response form is included at Annex A. Any enquiries about the consultation should be addressed to the Curriculum Development Team, whose contact details appear on page 4.

Annex A - Consultation Response Form

Deferral of Compulsory School Starting Age in Exceptional Circumstances Policy

The closing date for responses is 6 March 2015

Your Details:

Name: _____

Address: _____

Email address: _____

Contact Phone number: _____

If you are the official respondent for a group or organisation please state its name:

If you require this document in an alternative format (such as in large print, in Braille, or Electronically) and/or language, please contact the Curriculum Development team by any of the following methods:



Direct line: 028 91 279 431



Textphone: "Typetalk" 18001 02891279279



Fax: 028 91 279 100



E mail: de.curriculumdevelopmentteam@deni.gov.uk

Q1: Section 75 Impact - Are there any particular groups / people that you believe are likely to be affected by these proposals?

Category	Positive impact (Y/N)	Negative impact (Y/N)
1. Persons of different religious belief.		
2. Persons of different political opinion.		
3. Persons of different racial group.		
4. Persons of different age.		
5. Persons of different marital status.		
6. Persons of different sexual orientation.		
7. Men and women generally.		
8. Persons with a disability and persons without.		
9. Persons with dependants and persons without.		

Q2: How do you think these groups would be differentially impacted?

Q3: What alternative actions might mitigate or lessen any adverse impact on these groups?

Q4: What changes to the policy might better achieve the promotion of equality of opportunity and good relations?

Q5: Do you know of any additional evidence or information that the Department should have considered when assessing the equality impacts of the proposals? If so, please give details.

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Q6: Do you agree or disagree with the overall conclusions in the Equality Impact Assessment?

Options	Response (Y/N)
Agree	

Q7: If you disagree, please say why

--

The completed document can be returned to the email address or postal address on page 4.

Deadline for receipt of completed forms will be: 6 March 2015