

# Consultation on the Changes to the Admissions Framework

## Consultation Response Form

The closing date for this consultation is: 19 August 2011  
Your comments must reach us by that date.

**THIS FORM IS NOT INTERACTIVE. If you wish to respond electronically please use the online response facility available on the Department for Education website [www.education.gov.uk/consultations](http://www.education.gov.uk/consultations)**

Information provided in response to this consultation, including personal information, may be subject to publication or disclosure in accordance with the access to information regimes, primarily the Freedom of Information Act 2000 and the Data Protection Act 1998.

If you want all, or any part, of your response to be treated as confidential, please explain why you consider it to be confidential.

If a request for disclosure of the information you have provided is received, your explanation about why you consider it to be confidential will be taken into account, but no assurance can be given that confidentiality can be maintained. An automatic confidentiality disclaimer generated by your IT system will not, of itself, be regarded as binding on the Department.

The Department will process your personal data (name and address and any other identifying material) in accordance with the Data Protection Act 1998, and in the majority of circumstances, this will mean that your personal data will not be disclosed to third parties.

**Please tick if you want us to keep your response confidential.**

Reason for confidentiality:

Name	Dr Sonia Exley and Liz Clery
Organisation (if applicable)	Dr Sonia Exley, Department of Social Policy, London School of Economics and Political Science
Address:	Liz Clery, NatCen (National Centre for Social Research) London School of Economics and Political Science, Houghton Street, London, WC2A 2AE
	NatCen, 35 Northampton Square, London EC1V 0AX

### **Contact Details**

If your enquiry is related to the content of the consultation, you can contact the PCU telephone help line on: 0370 000 2288.

If your enquiry is related to the DfE e-consultation website or the consultation process in general, you can contact the Consultation Unit by e-mail: [consultation.unit@education.gsi.gov.uk](mailto:consultation.unit@education.gsi.gov.uk) or by telephone: 0370 000 2288.

Please tick the box below that best describes you as a respondent.

<input type="checkbox"/> Parent	<input type="checkbox"/> Local Authority	<input type="checkbox"/> Parent Governor
<input type="checkbox"/> Governor	<input type="checkbox"/> National Representative Group	<input type="checkbox"/> Local Representative Group
<input type="checkbox"/> Headteacher/teacher	<input type="checkbox"/> Faith Organisation	<input type="checkbox"/> School
<input checked="" type="checkbox"/> Other (please specify)		

Please Specify:

Sonia Exley - Academic expert on education, currently leading an Economic and Social Research Council (ESRC) funded project entitled 'Morality and School Choice: An Exploration of British Social Attitudes' (RES-00-22-3989), which is discussed in the response below.

Liz Clery – on behalf of NatCen. NatCen (the National Centre for Social Research) is Britain's largest independent social research organisation. It aims to promote a better-informed society through high quality social research. NatCen initiates the annual British Social Attitudes survey – a survey of the British public's attitudes and values about a range of social, political and moral issues, which has been run most years since 1983. In 2010, NatCen worked with Sonia Exley to field a set of questions on 'Morality and School Choice' on the British Social Attitudes survey.

We have sought to remove all duplication and sections of the Codes that were open to misinterpretation, so it is clearer what admission authorities must and must not do within the new Codes as well as making them easier to read and understand.

One of the aims of reviewing the Codes was to reduce the burdens and bureaucracy that schools face by removing unnecessary prescription and elements that drove cost into the process.

The revised Codes should ensure that all school places can continue to be offered in a fair and lawful way, and that school admission appeals can be administered in a more effective way and at lower cost.

## Do you agree that the new Codes achieve these aims?

### Comments:

New data from the 2010 British Social Attitudes (BSA) survey – collected as part of an ESRC-funded project on attitudes to school choice – has shown that **a majority of the English public support the government having a role in relation to school admissions** and the allocation of secondary school places, though views on what the extent of this role should be are mixed:

- Just one third (34%) feel that the government should not have any role – and that individual parents and schools should make decisions.
- 35% think the government's role should be to make certain actions which parents might undertake to secure school places illegal – but it should have no role beyond this.
- Three in ten (28%) think that the government's role should be to create detailed policies and monitor the allocation of school places, to ensure a good social mix is achieved in all schools.

Data above shows broad support for a general principle of government intervention as regards school admissions, but it does not test attitudes towards support for an Admissions Code specifically – i.e. basic rules which schools ought to follow in the interests of fair access for pupils. However, popular support for the idea that schools should stick to certain rules is indicated by further data from the BSA survey. When respondents were asked what they thought should happen when demand for places within a school outstrips supply and so a school is over-subscribed, a majority of those in England (66 per cent) felt that school places – as a basic rule – should go to children who live nearest. **Only 14 per cent support the idea that schools should be able to decide for themselves who to admit.**

While improving clarity and reducing repetition should be goals for any government code, caution needs to be exercised around the idea that the government Admissions Code as it stands contains 'unnecessary prescription'. DfE in its current consultation states an explicit 'assumption that all schools and admissions authorities seek to comply with the Codes'. However:

- Between 2009 and 2010, complaints to the Office of the Schools Adjudicator (OSA) about non-compliance with the Code increased by 145 per cent. OSA attributed this partly to a rise in numbers of schools acting as their own admissions authorities (TES, 18<sup>th</sup> March 2011).
  - In a growing culture of accountability where schools are judged heavily on their pupils' *unadjusted* examination results, schools have a clear incentive to admit higher numbers of 'able' students and lower numbers of 'less able' students (typically those who are socially disadvantaged).
  - From 2002 until the present, school admissions in England and Wales have been monitored carefully by local school admissions forums. School compliance with rules so far may have been influenced by engagement with these forums, and so scrapping a requirement for the forums from 2011 could mean lower levels of compliance with the Code.

Evidence of 'covert selection' of the most able pupils by schools has been given in academic research<sup>1</sup> and unfair practices are reported to be particularly the case where schools act as their own admissions authorities (as more will do under new government legislation). **One reason the Admissions Code has become long and complex over time is that it has sought to regulate 'creeping unfairness' in the school admissions system which might exacerbate pupil social segregation between schools.** This consultation refers to increasing Code complexity 'in response to specific policy issues'. **Removing too much detail from the Code runs the risk of similar issues re-emerging.**

<sup>1</sup> West, A., Hind, A., Pennell, H. (2004) 'School Admissions and 'Selection' in Comprehensive Schools: Policy and Practice', *Oxford Review of Education*, 30(3), pp. 347-369.

## **Do you agree with the proposals to allow all popular and successful schools to increase their Published Admission Number?**

### **Comments:**

Upon the release of the proposed revised Admissions Code in May 2011, Education Secretary Michael Gove stated that he expected – as a result of allowing popular schools to expand – to see “under-performing schools that have fewer and fewer numbers” (Guardian, 22<sup>nd</sup> May, 2011). Given that falling school rolls and decreasing funding for these schools are likely to lead to further decline in their educational quality, such a policy is in clear contradiction with government plans to ensure ‘a good local school in each area’. Parents whose local school happens to be one which is in decline rather than one which is expanding may be forced to send their children further away, and because ‘popular, expanding schools’ will always have some limits on numbers, many will be stuck in schools which are losing both pupils and resources.

Findings from the 2010 British Social Attitudes Survey show that **a majority of those in England think parents should send their children to the nearest state school**. According to the survey, six in ten (60 per cent) support this statement without qualification. A further 22 per cent say that they would agree that parents should send their children to the nearest state school **‘if the quality of schools and their social mix of pupils were more equal’**.

These findings imply **support for the principle of ‘the nearest school’ among 83 per cent of the population**, albeit qualified with concerns about the extent to which inequalities between schools compromise educational standards. Michael Gove has suggested that Government revisions to the Admissions Code will ensure weaker schools in England ‘feel the squeeze’ in terms of numbers and funding. However, this raises concerns that existing neighbourhood inequalities between schools will be exacerbated, rather than reduced – making it more difficult for parents to feel they can send their child to the nearest school.

**The consultation welcomes recommendations as regards factors the Schools Adjudicator should take into account when considering objections to schools increasing their Published Admissions Number. One key factor is certainly the extent to which such a change might mean a decline in educational quality for parents whose ‘nearest school’ is not the school proposing to expand.**

## Do you agree that Academies and Free Schools should be able to give priority to children attracting the Pupil Premium in their admission arrangements?

### Comments:

As indicated above, findings from the 2010 BSA survey suggest that, where demand for places within a school outstrips supply and so a school is over-subscribed, **a majority of the public (66 per cent) believes that school places should be allocated on the basis of children who live nearest. Only 14 per cent support the idea that, instead of using distance-based criteria, schools should be able to decide for themselves who to admit.**

This suggests limited public support for policies whereby Free Schools and Academies are given enhanced autonomy to adopt their own admissions criteria, although the BSA survey did not ask specifically what respondents would think about criteria which were intended to favour the socially disadvantaged.

Beyond considerations of public support, policies aiming to ensure greater numbers of disadvantaged pupils in the most popular schools must again consider clear incentives for schools to 'select out' these pupils. As we have suggested elsewhere,<sup>2</sup> 'successful' schools may not view extra funding via the Pupil Premium as worth potentially weakening their strong examination performance and alienating middle class parents who do not want their children to be educated alongside disadvantaged pupils.

**If a key government objective is truly to ensure that Free schools and Academies admit greater numbers of the most vulnerable pupils then DfE should mandate these schools to admit them.** This will be more effective than providing financial 'carrot' incentives to schools.

## Do you support the proposed change to the use of random allocation?

<sup>2</sup> Exley, S., Ball, S.J. (2011) 'Something old, something new... understanding Conservative education policy' in Bochel, H. (ed) *The Conservative Party and Social Policy*. Bristol: Policy Press.

**Comments:**

Government plans to abolish area-wide lotteries for allocating school pupils seem to be in keeping with public opinion – **according to the BSA survey, fewer than one in 10 (8 per cent) support using ballots as being the best way to allocate places in over-subscribed schools.**

However, whether random allocation has public support or not, it should also be noted that **area-wide lottery systems for allocating school places, or indeed systems of ‘fair banding’, are theoretically the only ways to ensure even social mixes of pupils between state schools**, reducing school inequalities and helping to ensure everyone has a ‘good local school’ as their nearest one (a sentiment supported, to some degree, by 83 per cent of the British public, as shown above).

**Do you agree with the proposal to allow schools to give priority to applications for children of staff in their over-subscription criteria?****Comments:**

Again, as indicated above, findings from the 2010 BSA survey show that only 14 per cent of people in Britain believe schools should be able to decide their own policies for admitting pupils where they are over-subscribed. **A policy, then, which allows schools to treat children of staff preferentially – and specifically allows schools to decide which children of staff should be treated preferentially – sits in direct contradiction with public opinion.**

Looking more broadly, the policy is problematic in other respects. First, it can only be ‘used’ in schools which are oversubscribed and are seen as desirable by school staff. Such a significant occupational benefit linked to the most popular schools is likely to mean greater concentration of the best teachers in those schools, while less popular schools will struggle to recruit the best teachers. Second, there are problems regarding which staff should ‘count’:

- If teachers are included but other school staff are not, this could contribute to greater segregation of more middle class pupils in certain schools (because teachers and their families are not among the most socially disadvantaged in society)
- If other school staff are included, this could raise the possibility that middle class parents (those who can afford to stay at home or work part-time in their main jobs) might take on part-time or temporary work in the most popular schools purely in order to gain places for their children. Again, this could have implications for the social segregation of pupils between schools.

**Given all of the above, it seems sensible to recommend that children of school staff are not given preferential treatment as regards school admissions.**

Thank you for taking the time to let us have your views. We do not intend to acknowledge individual responses unless you place an 'X' in the box below.

**Please acknowledge this reply X**

Here at the Department for Education we carry out our research on many different topics and consultations. As your views are valuable to us, would it be alright if we were to contact you again from time to time either for research or to send through consultation documents?

Yes

No

All DfE public consultations are required to conform to the following criteria within the Government Code of Practice on Consultation:

Criterion 1: Formal consultation should take place at a stage when there is scope to influence the policy outcome.

Criterion 2: Consultations should normally last for at least 12 weeks with consideration given to longer timescales where feasible and sensible.

Criterion 3: Consultation documents should be clear about the consultation process, what is being proposed, the scope to influence and the expected costs and benefits of the proposals.

Criterion 4: Consultation exercises should be designed to be accessible to, and clearly targeted at, those people the exercise is intended to reach.

Criterion 5: Keeping the burden of consultation to a minimum is essential if consultations are to be effective and if consultees' buy-in to the process is to be obtained.

Criterion 6: Consultation responses should be analysed carefully and clear feedback should be provided to participants following the consultation.

Criterion 7: Officials running consultations should seek guidance in how to run an effective consultation exercise and share what they have learned from the experience.

If you have any comments on how DfE consultations are conducted, please contact Carole Edge, DfE Consultation Co-ordinator, tel: 01928 438060 / email: [carole.edge@education.gsi.gov.uk](mailto:carole.edge@education.gsi.gov.uk)

**Thank you for taking time to respond to this consultation.**

Completed questionnaires and other responses should be sent to the address shown below by 19 August 2011

Send by post to:  
Consultation Unit  
Area 1C  
Castle View House  
Runcorn  
Cheshire  
WA7 2GJ

Send by e-mail to: [admissions.consultation@education.gsi.gov.uk](mailto:admissions.consultation@education.gsi.gov.uk)