

ADMISSION FORUM – MATTERS ARISING

Report of the Director of Children, Schools and Families

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1. **Item 4** – At its meeting on 22 February the Forum expressed disappointment that the Code remains ambiguous on the matters of siblings and selective schools.
2. The Code states:

Siblings at secondary schools and schools that select 10% or less by ability or aptitude

- 2.19 At secondary school age, children are usually more independent but many parents will still want their children to attend the same schools. Giving priority to siblings at secondary schools that have no more than 10% selection by ability or aptitude is acceptable and can be good practice.

Siblings at secondary schools that select more than 10% of their intake by ability or aptitude

- 2.20 A number of secondary schools are permitted under section 100 of the School Standards and Framework Act 1998 Act to use pre-existing partial selection by ability or aptitude and a number of these admit substantially more than 10% of their intake in this way. Some of these schools give priority for their non-selective places to siblings of children already at the school – whether or not those older siblings secured selective or non-selective places. This reduces the number of non-selective places available to children who do not have siblings at the school. The Government believes that this may lead to the school's intake including a disproportionately high number of children who would have passed the selection test, as some younger siblings would be likely to have passed the selection test if they had taken it. At the same time, the chance for children who would not have passed the test to gain a place at the school would be correspondingly reduced. It is often the case that children admitted by selection are drawn from a much wider area than those who are not and this reduces the

number of non-selective places for children who live closer to the school. Where there are a number of partially selective schools in an area this problem is exacerbated.

- 2.21 The higher the proportion of children admitted by selection at partially selective schools the more likely it is that this will be the case, and the greater the potential for unfairness. Accordingly, the admission authorities for those schools that admit more than 10% of their intake by selection by ability and/or aptitude, if they intend to give priority to siblings, **should** ensure that their admission arrangements as a whole do not exclude families living nearer the school. This might be achieved by using other oversubscription criteria, for example inner and outer catchment areas, where a number of non-selective places are allocated to families living nearer the school while in the outer catchment area priority is given to siblings.
 - 2.22 Where an admission authority for a school that selects more than 10% of its intake by ability and/or aptitude gives priority in its admission arrangements to the siblings of children still at the school they may continue to give priority on the same basis to the younger siblings of pupils who will be on roll at the school before the beginning of the 2008 school year.
 - 2.23 The Adjudicator **must not** uphold an objection that would have the effect of preventing an admission authority from giving priority to children who will have a sibling on roll at the school before the beginning of the 2008 school year in accordance with paragraph 2.22.
3. The Forum will note that admission authorities for schools that admit more than 10% by selection are expected to ensure their admission arrangements as a whole do not exclude families living nearer the school.
 4. The Forum may also consider that, as part of its responsibility to monitor arrangements across the County and to produce an annual report, it will wish to keep this aspect under review.
 5. The Code does clarify that existing arrangements may continue for 2008 (paragraph 2.72) and officers recommend that this issue is further considered in the preparation for 2009 admissions consultation.
 6. Appendix 1 provides extracts from the Code concerning the use and administration of tests including paragraph 2.92, together with recommendations.
 7. **Item 6** – At its meeting on 22 February Forum members raised the issue of when schools need not complete the consultation process.

The Code states:

“Individual admission authorities (other than the local authority) can qualify for a one year suspension from the requirement to consult if the local authority has notified the Secretary of State that all admission authorities in the area have consulted each other; that the admission authority is not proposing to change the admission arrangements which it had determined in the preceding year; and that no objection has been made to the Schools Adjudicator about those arrangements in any of the five preceding years. However, governing bodies which qualify for this suspension from the duty to consult **must** still notify statutory consultees of their determination of the school’s admission arrangements.”

8. To qualify, the admission authority must have confirmed its arrangements to the LA by the deadline of 15 April in order that the LA can notify the Secretary of State. There must be no changes to the admission arrangements other than updating timescales.