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Has the Code made for fairer admissions?

The first report of the new Chief Adjudicator, Elizabeth Passmore, was published at the end of November. She has several concerns:

- Too many admission authorities do not comply fully with publishing admission arrangements. As she says, this 'deprives parents and others of the opportunity to see and, if necessary, object as permitted by the Code'. She reminds admission authorities that they must comply with the requirements of the Code in respect of consultation about, determination of and publication of their full admission arrangements. Arrangements have to be determined by April 15th, sent to local authorities by May 1st and objections put in by June 30th. Publication of the composite prospectus by the local authority in September is too late for parents to object for that year.
- The OSA found that it was difficult to find information on some local authority websites. As *Comprehensive Future* pointed out some time ago, the office also found that some local authorities are not putting admission arrangements on their websites in the way they should.
- Some schools are not ensuring that their sixth form admissions arrangements are compliant with the Code. The Adjudicator reminds schools that requirements must be the same for internal and external candidates and that interviews must not be used to decide whether or not to offer a place.
- Fair access protocols are in the main working well but a small minority of schools are 'unco-operative and employ delaying tactics or resist even to the point where action has to be taken to direct the school to admit'. The report mentions two local authorities where most secondary schools are admission authorities. These schools had refused to cooperate with fair access protocols. The Adjudicator recommends that the DfE should issue guidance to local authorities and academies about directing an academy to admit a child.
- Late applications were a concern. Last year the OSA recommended a national publicity campaign but this was not accepted by the DfE. The OSA now says that local authorities should do more to publicise closing dates for applications to limit the number of late applications.
- The recommendation last year that requests to vary the admission arrangements of academies should be referred to the Adjudicator (as maintained schools) instead of the Education Funding Agency (EFA) was not accepted by the DfE. In the absence of more education legislation, the OSA now recommends that the EFA seeks advice first from the OSA before making a decision.
- Adjudicators found it difficult to find the evidence that the admission authorities had determined their arrangements by 15th April 2012 for admissions in 2013. It had also been difficult to find out whether admission authorities had consulted on a proposed variation.
- As *Comprehensive Future* has regularly pointed out, when parents realise that their preference is limited by

Rise in number of authorities

The number of admission authorities is increasing. The Chief Adjudicator expects more admission authorities to change their arrangements in April 2013. A number of decisions about objections to admission arrangements of free schools and academies were made in September. A number of objections were from anonymous parents wishing to have the results of selective tests available before expressing a preference.

Annual Report http://media.education.gov.uk/assets/files/pdf/o/annual%20report%202012%20final%20version_001.pdf

Decisions <http://www.education.gov.uk/schoolsadjudicator/decisions/database>

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admission arrangements which they consider unfair it is too late to object to affect admission arrangements that year as they are agreed a year in advance. However, the Adjudicator says, if they do object the OSA is able to make recommendations for the following year.

- Most local authorities had sent a report to the OSA by June 30th but some had to be reminded to comply. Local authorities are no longer required to report on compliance with the Code but they must refer an objection if they hold the view, or suspect, that admission arrangements are unlawful. The report says 'it may be useful to know how many local authorities do look at admission arrangements for compliance with the Code'.

Some reminders

- Please follow us on Twitter and encourage more followers.
- We rely entirely on donations. Please consider taking out a regular standing order to *Comprehensive Future*, details on the website. Money is tight we know but even a small regular contribution helps our cashflow.
- We really appreciate hearing about your local situation re admissions and selection.
- If you can receive the newsletter by email please let us know.
- The next steering group meeting is on January 30th. If there are issues to discuss please let us know.

Latest publications on education

The IPPR report *A Long Division, closing the attainment gap in England's secondary schools* concludes that school improvement policies will not be enough to close the attainment gap between rich and poor pupils in England's schools. It refers to the OECD comparison that the relationship in England between social class and educational performance is particularly strong and that we have a higher than average degree of social segregation in our schools.

It is available to download from the IPPR website: www.ippr.org/publications/2

Andrew Adonis's book *Education, Education, Education, Reforming England's Schools* (Biteback Publishing) created some controversy when published. His chapter 2, 'Why half the comprehensives failed', makes some sweeping generalisations. If you have read it please tell us your views.

A big contrast is Professor Richard Pring's book *The Life and Death of Secondary Education for All* (Routledge). Despite its rather gloomy title it argues for a wider vision of learning and is a good read.

Pearson's *Love to Learn*, which offers online courses 'for adults who want to keep learning', published its findings about older people and learning. It found that: '45% who failed 11+ carry negative feelings with them decades later. One in three who failed 11+ say that they lack the confidence to learn and 13% state that it put them off learning for life'. www.lovetolearn.co.uk

New guidance on fair access

On the same day as the OSA published its report making the point that some schools are resorting to 'delaying tactics' to avoid admitting pupils, the DfE produced non-statutory guidance about the role of local authorities and admission authorities in operating fair access protocols. Its aim is to ensure that children without a school place are found one as quickly as possible by clarifying expectations on local authorities and schools and ensuring that disputes about individual cases are escalated efficiently.

Every local authority is required to have a fair access protocol, agreed with the majority of schools, in which all schools, including academies, must participate.

The guidance says that, when seeking to place a child under a protocol, all schools should be treated in a fair, equitable and consistent manner. All schools should respond to the request from a local authority to admit a child under the fair access protocol within seven calendar days. Local authorities should consult the governing body of a voluntary aided or foundation school or an academy before making a direction.

An academy should agree a start date or set out reasons for refusal within 15 days. If no start date has been agreed the local authority can apply to the Education Funding Agency requesting that the Secretary of State direct the academy to admit the child.

The governing body of a maintained school can appeal to the Schools Adjudicator against a direction within 15 days.

www.education.gov.uk/schools/adminandfinance/schooladmissions/a00217650/fair-access-protocols-advice

Faith school admissions

Recently a poll commissioned by ACCORD found a majority in favour of faith schools being open to all. Currently our policy on faith school admissions, agreed at the AGM in 2007, says:

Comprehensive Future recognises the contribution that faith groups have made and continue to make to the education of Britain's children. It seeks the support of all faith groups in securing an equal chance for all children and in the ending of selection by both ability and aptitude. *Comprehensive Future* welcomes the adoption by some faith schools of an open admissions policy which welcomes all children regardless of faith.

The steering group will be reviewing this in the near future and if you would like to comment please email or write.

AGM elects new officers

A report of the speech made by Kevin Brennan at the AGM will soon be available on the website.

The following were elected to the steering group for 2012–2013:

Chair: John Edmonds.

Vice Chair: Janet Dobson.

Secretary: Margaret Tulloch.

Treasurer: Michael Sterne.

Members: Melissa Benn, Adrian Elliott, Bill Esterson MP, John Fowler, Alan Gurbutt, Richard Harris, Graeme Hitchen, Paul Holmes, Fiona Millar, Lisa Nandy MP, Chris Storr and Bob Tutton.

Nic Dakin MP was co-opted at the first meeting of the new steering group.