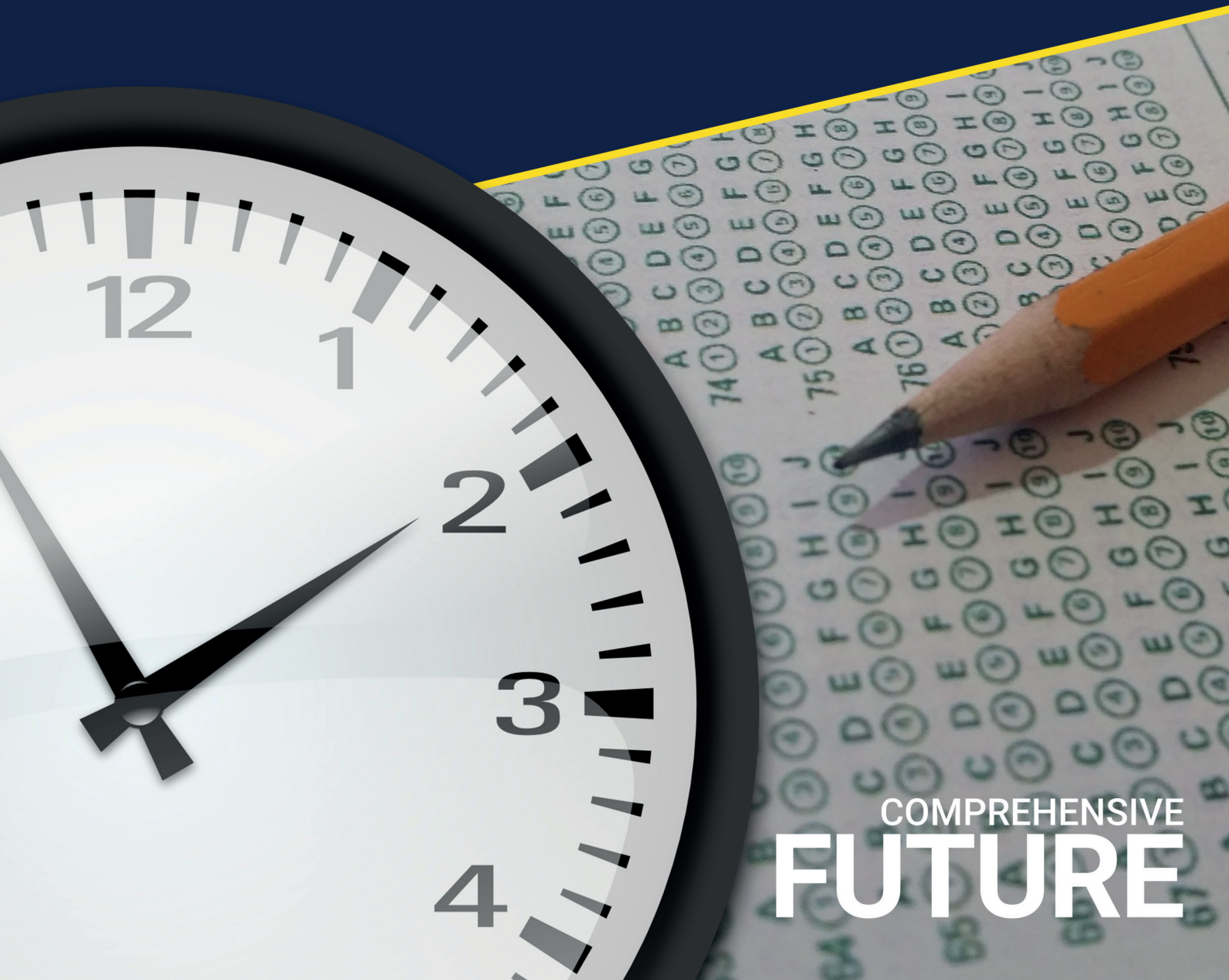


DECISION TIME

A Plan For Phasing Out Selection



COMPREHENSIVE
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Foreword

Since the summer of 2016 a Conservative government led by Theresa May, but commanding no Parliamentary majority, has made clear its determination to expand the number of selective school places in England. Despite all the evidence that selective schools benefit very few genuinely disadvantaged children, while educating significant numbers of affluent children, the government continues to claim that expanding selection is good for social mobility.

The government knows that it cannot get the policy through Parliament. Since the 1998 decision to outlaw the creation of any more selective schools, there remains a cross-party consensus that this should remain the case. As a result, the government has used other means and methods by which to expand grammar schools in England including siphoning disproportionate sums of money from funds set up for school repair and expansion to selective schools, and deciding to put fifty million pounds a year towards further expansion plans. A BBC analysis of official data, published in August 2018, found that since 2010, 11,000 new grammar school places have been created, and by 2021 the number of extra places created will be equivalent to 24 new grammar schools.

Embarrassed by the evidence of extensive social bias in selective schools, the government seeks to justify its expansion policy by insisting that any school now wishing to grow must show 'ambitious and deliverable' plans to take in more disadvantaged pupils. However, a Freedom of Information (FOI) request sent to England's 163 grammar schools by Comprehensive Future revealed that despite 96 selective schools officially prioritising admission for disadvantaged pupils just 564 disadvantaged pupils were offered admission out of the 12,431 available places, while 22 selective schools indicated that they had failed to admit a single extra disadvantaged pupil. It is not hard to conclude that this aspect of the expansion plan is largely a piece of political 'window dressing' which does not, in any case, address the central question of whether any child should have to take a life-defining test at the age of ten or eleven.

The government's position is wrong but it has, at least, the merit of clarity. However, we cannot say the same of the two main opposition parties which have passionately opposed the expansion of grammars while remaining silent on the issue of what should happen to those selective schools still remaining. In the autumn of 2016 Labour led a grassroots campaign against the expansion of grammars under the heading 'Education Not Segregation' but was soon vulnerable to accusations of inconsistency given its lack of a policy on those grammar schools that remain. Yet, as we can see from the government's recent initiatives, as long as selective schools remain, they act as a seedbed for the further growth of selection, and embed a damaging two-tier system around the country.

For these reasons, Comprehensive Future now urges the Labour Party and the Liberal Democrats to commit to phasing out this illogical and unjust exam and to open up selective schools to an all-ability intake.

In this pamphlet, we illustrate how this could be done. We look first at a wealth of evidence, including several new studies, that confirm the kinds of children, and families, that

selective schools generally benefit, but that also prove that high attaining pupils can do just as well in comprehensive schools. We follow this with a more detailed look at the blocks to changing policy from within opposition parties, as well as the legislative requirements of phasing out selection. Finally, we asked three local groups campaigning against selection to make suggestions about how the phasing out of selection might work in their areas: Kent, Buckinghamshire and Reading. In a companion pamphlet 'Decision Time : A Plan For Fair Admissions' we make proposals for changes to school admissions.

Our aim, in this pamphlet, is to show how selection could be ended over a five year period, without causing unnecessary disruption to the education of pupils in existing selective schools. If this were done we could finally bring to an end a socially, and sometimes ethnically, segregated system that, in many parts of the country, continues to harm the school experience of those young people who most need a good start in life.

We do not think it would be difficult to implement these plans, but we do recognise that it requires political courage.

Now, indeed, is the time to decide.

A handwritten signature in black ink that reads "Melissa Benn". The signature is fluid and cursive, with a long, sweeping underline.

Melissa Benn

Chair of Comprehensive Future.



PART ONE : THE CASE FOR CHANGE

SELECTION : THE EVIDENCE

Joanne Bartley

Grammar schools and social inequality

Grammar schools admit only a tiny proportion of poor children. Just 2.4% of grammar school pupils claim free school meals, while in non-selective schools the proportion is 14%. Looking at eligibility for pupil premium - the term applied to a child who has been eligible for free school meals at any point during the past six years - again shows grammar school have a problem. Around 7% of grammar school pupils receive the pupil premium compared to 29% of pupils in non-selective schools.¹

Selection favours the wealthiest families. We know that around 13% of grammar school pupils previously attended a private school. The lower numbers of private schools in selective areas seems to confirm that wealthier parents are prepared to use grammar schools to save school fees. In areas with grammar schools 8% of secondary school children attend a private school, while in similar, non-selective areas the proportion is 13%.²

Simon Burgess, from the University of Bristol, studied the chances of pupils reaching grammar schools based on socio-economic status, and his findings are shocking. He discovered that the 10% least affluent living in grammar school areas stood only a 6% chance of attending a selective school while the top 10% most affluent families had a 50% or better chance of attending a grammar school.³ The pupils at the very top – the 1% most affluent – had an 80% chance of attending a grammar school.

The socio-economic profile of grammar schools reflects what we have long known about

the relationship between parental wealth and attainment: the highest scoring pupils in the 11-plus selection test are most likely to be affluent children from stable homes with parents educated to degree level and able to afford private tuition for their children as well. Poorer children are less likely to score highly in the test, and many won't even take the test if their parents choose not to enter them.

We know that grammar school entry is a competitive business and wealthy and well-educated parents can give their children the extra advantages of 11-plus practice and tuition. UCL Institute of Education research by John Jerrim revealed the advantage rich families gain by using private tutors.⁴ His research found that around 70% of those who received 11-plus tutoring won a place in a grammar school, compared to just 14% of those who did not use a tutor. It is impossible to create a 'tutor proof' test, meaning that prep schools and test tutors give the wealthiest and most keen families an advantage.

Social cohesion and grammar schools

The nature of selective school entry means that certain kinds of children are more likely than other kinds to access these schools. We know that some ethnic groups are overrepresented in grammar schools (Chinese, Asian) while others are underrepresented (Afro Caribbean, poor white British.)⁵

Children with special educational needs are unlikely to gain places in a grammar school. The proportion of pupils with statements or Education, Health and Care (EHC) plans is less than 0.04% in grammar schools, 2.3% in secondary modern schools and 1.7% across all schools. The proportion

1 Department for Education statistical release (2018)

2 Hannay, T, SchoolsDash, *Do grammar schools work for everyone?*

3 Burgess, S., Crawford, C. and Macmillan, L. (2017) 'Assessing the role of grammar schools in promoting social mobility' DQSS Working Paper 17/09, UCL Institute of Education.

4 Jerrim, J. and Sims, S. (2018) Why so few low and middle-income children attend a grammar school? New evidence from the Millennium Cohort Study. UCL Institute of Education and Education Datalab.

5 Gorard, S.A.C. & Siddiqui, N. (2018). Grammar schools in England: a new analysis of social segregation and academic outcomes.

of pupils with special educational needs, but not sufficiently severe to be statemented was 3.6% at grammar schools and 11.0% nationally.⁶

Children in care also rarely attend selective schools. In Kent 0.1% of grammar school pupils are in care, compared to 0.9% in the county's non-selective schools.⁷

Grammar schools divide by gender too; just 46 of the 163 grammar schools in England accept both boys and girls; the majority of grammar schools offer single sex schooling up to age 16. 11-plus tests with English elements select more girls to pass, while those using reasoning papers lead to higher passes among boys.⁸ To talk of a 'Grammar school standard' is therefore to use vague and arbitrary terms.

Clearly grammar schools do not reflect their communities. Largely, children from similar backgrounds attend selective schools thereby missing the opportunity to learn from and understand others who are different to them, both academically and socially.

The secondary modern issue

Many supporters of selection believe - or at least, assert - that grammar schools have no effect on other pupils or on neighbouring schools, but the truth is that placing 20-30% of the highest achieving pupils in grammar schools irrevocably changes the make-up and character of nearby schools.

Non-selective schools in selective areas (secondary moderns) have an ability profile skewed to lower attainers. These schools also have higher proportions of special educational needs pupils and pupils from disadvantaged backgrounds. The lower

Largely, children from similar backgrounds attend selective schools thereby missing the opportunity to learn from and understand others who are different to them, both academically and socially.

proportion of high attainers in these schools may cause problems, as a critical mass of able and motivated students can help to boost results and foster ambitions of a university education.

Simon Burgess' paper for the UCL Institute of Education shows that selective education harms the university prospects of bright pupils who just miss out on a place at a grammar school.⁹ Primary age children in areas with a selective education system who perform well in their SATs tests but do not manage to get into a grammar school are three percentage points less likely to attend university, and eight percentage points less likely to attend a Russell Group university compared to peers in non-selective areas.

Studies have shown that non-selective schools in selective areas show lower entry rates for GCSEs in certain subjects (Biology, Chemistry, Physics and Modern Foreign Languages)¹⁰ and their sixth forms are more likely to include vocational options rather than a wide range of A levels. Department for Education statistics for secondary modern schools show that only 31% of secondary modern pupils achieve a 9-5 pass in English and Maths compared to 43% in all state schools, while 10% of secondary modern pupils achieve all English Baccalaureate components (including English and Maths) compared to 21% in all schools.¹¹

Selection also causes inequality in access to teachers. Highly qualified teachers may prefer schools with sixth forms and A level students, but secondary moderns may offer vocational post-16 options or have no sixth form. Teachers may

6 Bolton, P. Grammar school statistics, Commons Briefing Paper SNO1398

7 Kent County Council (2016) Grammar schools and social mobility Select Committee report.

8 Read, P. Kent Advice, *Medway Test results analysed*.

9 Burgess, S., Crawford, C. and Macmillan, L. (2017) 'Assessing the role of grammar schools in promoting social mobility' DQSS Working Paper 17/09, UCL Institute of Education. Or

10 Hannat, T. SchoolDash, Do grammar schools work for everyone?

11 Department for Education statistical release (2018)

also find grammar school pupils easier to teach, there may be a perception that secondary modern schools have more challenging pupils. Education Datalab found that grammar schools have more highly experienced teachers and very few unqualified teachers, while surrounding non-selective schools are more likely to have teachers with no academic degree in the subject they are teaching.¹²

A selective school system constantly confirms the idea that some pupils deserve 'good schools' and that others should be satisfied with a less impressive school and a less challenging education. Ofsted ratings compound this problem. 82% of grammar schools are rated 'outstanding' compared to 20% of comprehensive schools while only 12% of secondary moderns receive the top rating.¹³ Clearly children who 'fail' the 11-plus deserve as much of an opportunity to receive an 'outstanding' education as any other pupil, but in selective areas it seems the highest rated schools are reserved for already high achieving pupils only.

The psychological impact of selection

Anecdotes don't make good evidence, but we regularly hear from people battered and bruised by an 11-plus judgement. Comprehensive Future recently received one sad report from an 80 year old seeking counselling to discuss the impact of their 11-plus failure. We heard from a young Cambridge student angry that failing Trafford's test made her feel second best despite her obvious academic ability. We heard from one MENSA member who

A report into attitudes to adult education revealed that 45 per cent of adults with poor 11-plus results still carried negative feelings with them into their fifties, sixties and beyond.

said that the organisation is full of 11-plus 'failures', understandably frustrated and with a lot to prove. A sociologist studying selection reported on one Asian family who were so keen on a grammar school education that they stopped talking to the one son who failed the 11-plus test.¹⁴

This very human side of selection is little understood, but one study discovered that almost a third of adults felt scarred by the experience of failing the 11-plus. A report into attitudes to adult education revealed that 45 per cent of adults with poor 11-plus results still carried negative feelings with them into their fifties, sixties and beyond, with 36 per cent

claiming they lacked the confidence to undertake further education as a result.¹⁵

And according to a study conducted by Yvonne Skipper at Keele University, the 11-plus test promotes an 'extreme fixed view of intelligence' that can damage both those who fail and those who pass the exam.¹⁶ Children are given the message that their performance in a primary school exam will predict their future academic achievement. This view can be problematic even for those who succeed, leading to a view that achievement is all about innate ability and not reached by exploration and effort.

For many children, the 11-plus test is perceived as an 'official' stamp of their intellectual worth. Yet in one Sutton Trust study the 11-plus was found to be a false assessment for 22% of pupils based on eventual GCSE results.¹⁷ It's impossible to know how many pupils lose academic motivation due to this flawed and unnecessary test.

12 Allen, R. 'Inequalities in access to teachers in selective schooling areas' (2016) Education Datalab

13 Full Fact (2016) 'How do selective school ratings compare?'

14 Shagen, S. and Shagen I (2001) The Impact of the Structure of Secondary Education in Slough, NFER.

15 Paton, G. (2012) Adults 'put off education for life' after failing 11-plus,' The Telegraph

16 Skipper, Y. & Douglas, K. (2018). Impact of entrance exams on children's feelings about themselves and the transition from primary to secondary school

17 Coe, R. Jones, K, et al. (2008) Sutton Trust : Evidence on the effects of selective school systems, CEM, Durham University

Grammar school results

Grammar schools are seen as good schools because they largely select pupils who will achieve good exam results. This often confuses people who come to believe that these better exam results are mainly the consequence of the quality of the schooling that selectively educated pupils receive.

According to the Education Policy Institute, the positive effect of attending a grammar school in a highly selective area is only 0.3 of a GCSE grade per subject while there is a correspondingly small negative affect of not attending a grammar school - a lowering by 0.6 of a grade per pupil across all GCSE subjects (or just below 0.1 grade per subject).¹⁸

A thorough study of 500,000 secondary school pupils by Professor Stephen Gorard and Nadia Siddiqui of the School of Education at Durham University showed that when results are adjusted for background and prior attainment then grammar school pupils achieve near-identical results to similar pupils in comprehensive schools.¹⁹

The government regularly claims that disadvantaged pupils do particularly well when attending grammar schools but it's an assertion that needs careful unpicking. According to Gorard and Siddiqui's study, those 'disadvantaged pupils' attending grammar schools live, on average, in less deprived areas than those attending non-selective schools, and where they are free school meal eligible they will have been so for fewer years. This is an important distinction as the length of time pupils have been poor correlates to their school results. In other words, free school meal pupils in grammar schools tend to be those from less poor backgrounds and are therefore likely to do better academically than the long-term poor, whatever school they attend. This also means the other schools in selective

It is clear that grammar school systems have winners and losers, and the losers of the system are more often than not our poorest children.

areas are not only taking more than their fair share of free school meals pupils, but are dealing with much larger numbers of the most disadvantaged children.

The attainment gap (specifically the number of pupils who attain 5 or more A*-C GCSEs) between children eligible for free school meals and their peers is about 6% wider in wholly selective areas than across the country as a whole, according to the Education Policy Institute. 'In areas with a high level of selection, pupils eligible for free school meals who did not attend

grammar schools achieved 1.2 grades lower on average across all GCSE subjects.' It is clear that grammar school systems have winners and losers, and the losers of the system are more often than not our poorest children.

International evidence

Many global studies have looked at the age at which pupils are divided between different school types. Most of the top performing systems, according to PISA's world education rankings, do not separate students into different tracks based on academic ability until 15 or 16 years old, providing that successful school systems can be based on comprehensive principles with high expectations for every pupil.

A report by Jeroen Lavrijsen & Ides Nicaise has shown that separating children into groups based on supposedly different abilities has a negative effect on lower achieving students, and that 'peer- and environmental effects in the lower tracks can have detrimental consequences for their academic achievement.'²⁰ The report also showed that comprehensive school systems work better and can work just as well to 'challenge high performers to learn at a high pace.'

18 Andrews, J and Hutchinson, J (2016) Education Policy Institute, Grammar Schools and social mobility.

19 Gorard, S.A.C. & Siddiqui, N. (2018). Grammar schools in England: a new analysis of social segregation and academic outcomes.

20 Lavrijsen, J. Nicaise, I. (2016) Educational tracking, inequality and performance. New evidence using differences-in-differences.

Hanushek and Woessmann have found that early selection causes inequality of outcomes, with this inequality associated with differences in family background.²¹ The report said, 'The results consistently indicate that early tracking increases inequality in achievement. Although the evidence on the level of performance is less certain, there is very little evidence that there are efficiency gains associated with this increased inequality.'

PISA's own report on selecting and grouping students says, 'In education systems that separate students into different types of schools, students' expectations are lower than in systems that have a comprehensive approach to schooling at the primary and lower secondary level. Social segregation that clusters poor students in poor schools might damp down students' expectations for, and beliefs in, themselves.'²²

Many global school systems are moving away from an early division of pupils between schools. Finland once used academic selection at age ten but phased this out in 1972-1977 and its fully comprehensive school system is now perceived to be one of the most successful school systems in the world.

Poland underwent a major educational reform in 1999, introducing junior high-schools that delayed the age that children were tracked between vocational and academic paths until 15.²³ This led PISA to conclude, 'Recent reforms have led to rapid improvements in Poland's educational performance. Poland remains above the OECD average, with improving scores in mathematics, reading and science.'²⁴

In education systems that separate students into different types of schools, students' expectations are lower than in systems that have a comprehensive approach

Germany has a long history of separating children as young as ten into vocational or university tracks but criticism of the social inequality of their school system has led to recent changes. Many of Germany's sixteen states have now decided to phase out the lowest-level secondary school (Hauptschule), after parents criticised such schools for, in effect, siphoning students directly to low-wage jobs.²⁵ In these states students now attend comprehensive schools that allow them to move between vocational and university-bound tracks.

In conclusion

There is a huge body of evidence that 11-plus selection increases inequality without improving overall student outcomes. The damage that selection causes to social cohesion is a troubling side effect because a selection test for school entry will always favour some groups rather than others.

21 Hanushek, E and Woessmann, L. (2006) Does educational tracking affect performance and inequality? Evidence across countries.

22 OECD. (2016) Selecting and grouping students.

23 Jakubowski, M, Patrinos, H et al. (2016) The effects of delaying tracking in secondary school: evidence from the 1999 education reform in Poland.

24 OECD. (2015) Education policy outlook : Poland

25 Young, H. (2015) 'What can we learn from the great German school turnaround?' The Guardian.

SELECTION : A NATIONAL ISSUE

David Chaytor

Over the past decade the issue of selection, which affects schools from Trafford to Tunbridge Wells, North Yorkshire to Southend-on-Sea, has returned to the forefront of national political debate, but there are two major differences between recent and previous attempts to expand selection. .

Firstly, there are now a large number of secondary schools, across the country, that control their own admissions. The continued use of the 11-plus therefore encourages and legitimises the use of other overt and covert forms of selection. (We address these problems directly in our companion pamphlet *Decision Time: A Plan for Fair School Admissions.*)

Secondly, supporters of test-based selection are on the defensive. There is now solid evidence that selective schools harm the education of children in neighbouring schools. In addition, it's now known that high attaining pupils do just as well, academically, socially and emotionally, in well resourced comprehensives as in wholly selective schools.

This shift in public attitudes towards selection is profoundly important and offers us a key window of opportunity for lasting change.

The emergence of this consensus has taken time, and hard work, and we still face formidable obstacles from all the political parties, if for different reasons.

Since 1979, Conservative, Labour and the Conservative/Liberal Democrat Coalition governments have obstructed the growth of a fully comprehensive system by steadily increasing the scale of testing at 11. Ministers' historic prejudices, lack of understanding or experience of state schools and reluctance to consider evidence have all been apparent in their inability to face the reality of selection, and the need to move to a more comprehensive system. Much of this has been expressed through largely spurious concerns

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about academic standards and 'progressive' styles of teaching and learning.

For Labour, support for comprehensive education, a policy which the Labour party helped to introduce, has remained the official party position but has not been translated into meaningful action against continuing forms of selection or other barriers to a fully comprehensive system.

The Blair/Brown era started with a promise of 'No more selection under a Labour government' and proposed local ballots of parents to resolve the issue of existing selection where grammar/

secondary modern systems were still in place. However, it was soon apparent that the electorate of the ballots was fixed to make change impossible and admissions authorities began to be more creative in terms of achieving covert selection. The period of New Labour government also paved the way for the quasi-privatisation, intense competition and rigid stratification that exists today. Choice and diversity rapidly became chaos and fragmentation: parental choice for the few not the many.

Under Jeremy Corbyn, the promise of a 'progressive and radical' National Education Service does not, yet, translate into a definite commitment to a comprehensive system and the phasing out of selection. Many of the current Labour leader's advisers seem to share the Blairite view that ending the 11-plus would result in a loss of political capital and not just in those areas such as Kent and Buckinghamshire that operate a fully selective system.

However, as Labour's conservatism has become more entrenched, and the debate on selection stifled, more progressive voices have emerged in the Tory party over the past decade.

In the first flush of compassionate conservatism, David Willetts told the CBI in 2007 that 'academic selection entrenches advantage; it does not spread it'. David Cameron described new wholly selective schools as a 'completely delusional' policy despite having sacked Willetts for exposing the flaw at the heart of selective policies. Cameron continued,

as Prime Minister, to go on the record opposing the creation of more grammars, as did many other Conservative MPs who had witnessed the reality of good comprehensive education in their own constituencies.

The emergence of such dissident voices within the party may have been one of the factors that encouraged Kenneth Baker to publish 'A New Vision for Secondary Education' in 2013, calling for selection at 11 to be replaced by choice at 14. Baker later revealed that he had come to oppose the 11-plus during his time as Thatcher's Education Secretary.

Michael Gove famously found his foot 'hovering' over the accelerator in regard to sanctioning selective school annexes but, with characteristic ambivalence, managed not to press it. Nonetheless, as the BBC has recently reported, under Gove's watch, and that of his successor Nicky Morgan, selective school places expanded considerably, with 11,000 new places created.²⁶

Theresa May's election as party leader appears to take the party back to an unequivocal pro-grammar position, rendering the Cameron years of support for good local schools an aberration. However, such is the shift in mainstream educational and public opinion, May's regressive ideas have run into considerable trouble. Education secretary Justine Greening, who has spoken very positively of her own comprehensive education, resisted the pressure for more selective school places, until she was sacked for her pains. Her successor Damian Hinds has never sounded fully convinced by the expansion policy.

For all that, the Prime Minister, Theresa May, has doggedly continued to pursue the expansion of selection in the face of a growing body of evidence that selection simply doesn't work. For over a decade now, these more critical conservative voices have been backed by the work of established academics and education professionals. These include most

A truly 'progressive and radical' policy on this issue would start from the simple position that if more selection by ability or aptitude is wrong, existing selection by ability must also be wrong.

teachers and head teachers, the leaders of some of the largest academy chains, almost all of the teacher unions and associations and, most notably, the former Chief Inspector of Schools, Sir Michael Wilshaw. In early 2018, Ryan Shorthouse, Director of the 'Liberal Conservative' think tank, Bright Blue, claimed that recent research - in particular the Durham study - ought to be the final 'nail in the coffin' of existing wholly selective schools.²⁷

The question facing the Conservative Party today is this: will Theresa May's decision to ignore almost every shred of

national and international evidence on selection trigger a rebellion against both her expansion plans and, more generally, the creeping increase in selection over the past four decades?

The question facing Labour and the Liberal Democrats is a different one: can the major opposition parties follow through on their opposition to selection by introducing a policy in support of phasing out those selective schools that still exist? Currently, only the Green Party are committed to phasing out selection.

Despite the Labour party's silence up to now on the issue, Jeremy Corbyn is on the record as having voted against selection at 11 and has spoken recently about the damaging effects on children of the intense competition between schools induced by league tables. It seems inconceivable that he could possibly endorse a 'progressive and radical' National Education Service that retained the 11-plus.

Could a grand coalition to end selection at 11 be mobilised by the less conservative members of the Labour Party and Liberal Democrats, in alliance with the Greens, and the more progressive members of the Tory Party? Is there a practical and realistic policy to phase out selection at 11 that could win the support of Jeremy Corbyn, John McDonnell, David Willetts and Michael Gove?

²⁶ Jeffreys, B (2018) 'Grammar schools: Thousands of new places created,' BBC News

²⁷ Shorthouse, R (2018) 'Grammar schools don't add any value. So let's ditch them.' The Guardian.

We believe there is.

A truly 'progressive and radical' policy on this issue would start from the simple position that if more selection by ability or aptitude is wrong, existing selection by ability must also be wrong. If further selection should be stopped, existing selection should be ended. Any party committed to this logical position would campaign relentlessly against the arbitrary nature of a single test at the age of 11. It would expose its multiple anomalies, and show how test results are largely determined by social background and industrial scale private tuition.

More broadly, such a party would initiate a national debate based on hard evidence, not ancient prejudices. Such public discussion should focus on the relationship between selection and choice, the curriculum and assessment.

We need to recognise that each child is unique and will only thrive with a curriculum matched to their interests, capacities and potential. At the same time, we must fiercely oppose the idea that children should be institutionally and socially segregated merely because they may be (unreliably) intellectually differentiated by the age of 11.

We do not perceive the staff of the many hundreds of wholly or partially selective schools as our opponents; rather we argue that their specialist expertise should be deployed in a way that benefits the greatest number of children.

However, the key to winning the argument is to recognise that while ending selection at 11 is a matter for Parliament, other questions concerning local school structures, school place planning and admissions, should be the responsibility of local or regional government. This approach should include an unprecedented national discussion, involving every school, parent and teacher in the country, concerning the reasons for ending selection at 11 — and the alternatives.

It would force on to the agenda some awkward

However, the key to winning the argument is to recognise that while ending selection at 11 is a matter for Parliament, other questions concerning local school structures, school place planning and admissions, should be the responsibility of local or regional government

questions that can no longer be ignored. What exactly is the function of GCSEs? Do we need distinct lower secondary and upper secondary phases, with a reformed 14-19 curriculum? What is the impact of an oppressive testing regime? Should we continue with an Ofsted led school grading system? Are the terms 'academic' and 'vocational' remotely useful any longer? Some wholly selective schools could easily transform themselves into sixth form colleges, while others might be interested in becoming 14-19 schools with distinct specialisms. Many possibilities of mergers and collaborations would emerge. For some areas, new or merged all through schools, or middle schools, may provide the best solution.

Teachers and parents should have the right to consider a number of clearly explained alternatives regarding comprehensive school

structures. This would restore a sense of local influence long since eroded by privatisation and centralisation. It would ensure that phasing out 11-plus testing, through direct democratic participation, is not just a vote winning but an election winning issue.

In the next section, we look at how an end to selection might work in three key areas.

PART TWO: HOW IT COULD BE DONE

In the following case studies members of local groups campaigning against overt educational inequality in Buckinghamshire, Reading and Kent outline proposals for how selection might be ended in their local areas. In preparing this section, we asked each local group to answer the same key three questions. The plans that they set out below do not represent the official policy of Comprehensive Future but are intended to promote discussion and demonstrate the varied ways the 11-plus test could be phased out.

CASE STUDIES : BUCKINGHAMSHIRE

Rebecca Hickman

Buckinghamshire Overview

Buckinghamshire is a fully selective county with 13 grammar schools and 24 non-selective secondary schools. The system has resulted in an inequality of resources and opportunities between the selective and non-selective schools in the county. While Ofsted rates nearly all of the grammar schools 'outstanding', almost 70% of the non-selective schools have been rated as 'requires improvement' or worse in the last five years. Today almost 40% of these schools are rated as 'requires improvement' or worse.

A comparison of GCSE results shows that middle and low attainers do worse in the Bucks system than they do in fully comprehensive Royal Borough of Windsor and Maidenhead (which is a geographical and statistical neighbour). Buckinghamshire also has one of the largest attainment gaps in the country, when comparing the performance of disadvantaged children with other children (Strand 2014).²⁸

Children in Buckinghamshire sit the 11-plus exam at the start of year six and each year the scores are standardised to produce a qualifying score of 121. Any child living in Buckinghamshire who achieves an 11-plus score of 121 or above will

be able to attend one of the grammar schools. The county operates an 'opt out' system for the test. In other words, all children in Buckinghamshire state primary schools are automatically entered for the test each year, unless their parents opt out.

The 11-plus testing system is operated by The Buckinghamshire Grammar Schools (TBGS), which is a non-profit company run by the head teachers of local grammar schools. In 2013, TBGS introduced a new 11-plus exam in Buckinghamshire claiming that it would reduce the impact of coaching and therefore be fairer. However, evidence collected by Buckinghamshire campaigners Local Equal Excellent show that the new exam made no difference to patterns of unfairness, and that some trends got worse. Figures released by TBGS show:

- declining pass rates for Buckinghamshire state school pupils
- much lower pass rates for children on free school meals
- much higher pass rates for children at private schools
- a large gap between the average pass rates of poorer and wealthier districts
- children of Pakistani heritage are only half as likely to pass as White British children

These figures support the anecdotal evidence that the private tuition industry is booming and that children whose parents can afford tuition therefore have an advantage over children whose parents cannot. Many new tuition companies have opened in Buckinghamshire over the last five years and children are often tutored from as young as age seven. Local prep schools also openly provide 11-plus test preparation to their pupils despite undertakings to TBGS that they will not. The perception, supported by the data, is therefore that grammar school places are allocated on the basis of social background and prior opportunity rather than ability.

Last year, TBGS abandoned their attempts to

²⁸ Strand, S (2014) 'Mind the gap: An analysis of the FSM gap in Buckinghamshire County Council' University of Oxford, Department of Education

provide a 'tutor proof' test, returning to the test provider (GL Assessment) that they sacked only five years ago on the basis that their test was not fair.

At the same time there has been a sharp rise in the number of non-Buckinghamshire children sitting the Buckinghamshire 11-plus. Because these children achieve higher than average scores in the exam, their participation continues to raise the raw score required to achieve the standardised qualifying score of 121, meaning that more local children have 'failed' the exam, even though they would have qualified for a grammar school place in previous years. In 2018, one quarter of all grammar school places were given to children not living in Buckinghamshire.

Most Buckinghamshire grammar schools have changed their admissions policies in recent years to prioritise children receive free school meals in their over-subscription criteria. However, as only four per cent of children on free school meals pass the Buckinghamshire 11-plus in the first place (compared to the overall pass rate of 34 per cent), prioritising them in over-subscription criteria makes very little difference. Last year, just twelve out of 2,200 grammar school places were allocated under this criterion, and it is likely that all of these children would in any case have received a place.

As in other areas of England, the selective system in Buckinghamshire is not working. Overall, children do worse here than they would if they were in a comprehensive area, with any small (and unproven) benefit of grammar schools significantly outweighed by the detriment suffered by the majority of children who fail the 11-plus. Buckinghamshire grammar schools are also failing to serve their local communities, rejecting disproportionate numbers of children from poor or ethnic minority backgrounds and accepting increasing numbers of children from outside the county. These trends exacerbate existing divisions in the community and undermine social cohesion.

*A different and
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How to phase out selection in Buckinghamshire

A different and better future is possible for Buckinghamshire's children. Local Equal Excellent is proposing that all 37 secondary schools in Buckinghamshire should be supported to transition to all-ability intakes by 2023, with an end to all academic selection at age 11 in Buckinghamshire by 2022.

The organisation which oversees admissions to all Buckinghamshire grammar schools (The Buckinghamshire Grammar Schools) should be re-

named The Buckinghamshire Secondary Schools and tasked with co-ordinating fair admissions for all secondary schools in the county. The headteachers of all Buckinghamshire secondary schools should, in co-ordination with Buckinghamshire County Council, determine the constitution and protocols of The Buckinghamshire Secondary Schools, including a co-ordinated county-wide admissions scheme.

A four-year transition period could work as follows: For admission to Year 7 from September 2020 onwards, the 11-plus in its current form will end. However, to aid transition for grammar schools to an all-ability intake, and in recognition of the expectations and investments of parents of children currently coming up through local primary schools, grammar schools would be permitted to admit the following maximum proportions of Year 7 pupils by academic ability during the transitional period only:

- 2020 – 25%
- 2021 – 15%
- 2022 – 10%

For these years, the 11-plus test would be offered on an opt-in basis. In other words, parents who wished their child to try to secure one of the places available on the basis of academic ability would apply for their child to sit the test. All other parents would state their school preferences and places would be allocated on the basis of the co-ordinated admissions scheme.

Part of the role of The Buckinghamshire Secondary Schools would be to maximise parental choice by agreeing a diversity of secondary provision. Former grammar schools could continue to have a strong focus on traditional subjects or might convert to a sixth form college. As at present, schools could also choose to have a specialist focus (such as music, sport or vocational subjects). Parents would be able to select schools based on the interests and strengths of their children. Crucially, provision would be planned collectively with secondary schools acting as partners and deciding collectively how best to meet the needs of all children in the area.

During the transition phase, the selective and non-selective schools would agree ways to support each other as they both move towards an all-ability intake. It is envisaged that the former grammar schools would need particular support around providing high quality teaching and learning for children of middle and low prior attainment.

The impact of ending selection in Bucks

This plan would create an inclusive education system in Buckinghamshire, enabling schools to play to their strengths, children to follow their interests and talents, and parents to have meaningful choice. It would be likely to result in overall standards rising, with already high attaining children continuing to excel and those of middle to low attainment achieving better results.

Importantly, children would no longer be put through the immense stress of the 11-plus. Furthermore, the three-quarters of Buckinghamshire state school pupils who currently do not pass the test would no longer suffer a severe blow to their self-esteem and confidence at a young age, but would be helped to feel as competent as their peers and to continue to have high expectations for themselves.

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Parental confidence in the secondary education system would be likely to increase, with parents no longer feeling that the educational destination of their child rested on the result of one (largely discredited) test. Parents would also be assured that their child's ability level would not affect the likelihood of them attending a school which 'requires improvement'.

Our schools would be able to reflect the rich social and ethnic diversity of Buckinghamshire's communities, rather than contributing to divisions and inequality. Most importantly, every school would be able to work towards the goal of achieving excellence for all, not just some, children.

CASE STUDIES : READING

James Coombs

Reading Overview

Two events over a quarter of a century ago combined to create Reading's two 'super-selective' grammar schools: Reading (boys) and Kendrick (girls). The first of these was the 1988 Education Reform Act, aimed at bringing market principles to schooling through parental choice informed by performance tables. The Conservative government thought this would ensure poor performing schools would either be forced to improve or close. The problem was that these performance tables only looked at final GCSE results which, as we know, are largely shaped by prior attainment. Overnight grammar schools became officially 'good' simply because they only admitted children with a propensity for high achievement. Gorard and Siddiqui²⁹ summed up this over emphasis on final exam results, 'This seems to confuse some commentators, members of the public and even policy-makers who assume that these good results are largely due to what happens

²⁹ Gorard, S.A.C. & Siddiqui, N. (2018). Grammar schools in England: a new analysis of social segregation and academic outcomes.

in the school rather than the nature of the children selected.’

A year later came the 1989 Greenwich Ruling, which revolved around John Ball Primary, a very popular school in Lewisham just 200 metres from neighbouring Greenwich. The court ruled that excluding Greenwich children, simply because they lived in a different local authority, was contrary to the newly enshrined concept of parental choice. The economist Charles Goodhart said, ‘When a measure becomes a target, it ceases to be a good measure.’ Final exam results were the target and Reading’s grammars wasted no time in using the Greenwich Ruling as justification to cast their nets ever further afield in order to improve their intake, and exam results.

Prior to the 1990s commuting long distances to school was almost unheard of but parents, given to believe that their children would be guaranteed to thrive in schools with ‘good’ results, were now doing everything they could do get their children into such schools. This created what economists call a positive feedback loop. Reading’s grammars were already getting ‘good’ results, but opening up their catchment increased competition for the fixed number of places. This drove up prior attainment even more which in turn raised the final exam results making the schools even more popular.

By 2008 Reading’s two grammar schools were officially recorded³⁰ as having the highest inflow of pupils from other authorities with 75% of secondary pupils arriving from primary schools in other areas. Local authorities, which were also being measured on the same inappropriate target of final results, had a vested interest in retaining selection due to their results being boosted by importing many high attaining pupils. The same report noted, ‘Selective LAs gained above-average attaining pupils and

The costs of tutoring children to secure a place at these schools added to cost of commuting is beyond the means of most families and the effect this has on the socio-economic makeup of the schools is stark.

lost low-attaining pupils.’

Reading’s two grammars are both a short walk from the railway station and information obtained under the Freedom of Information Act data³¹ shows pupils coming from as far afield as Swindon in the west and Regent’s Park in London. Within the local community, there is a general consensus that the grammar schools do nothing for the local community. In 2011 a group of local parents attempted to force a ballot in order to convert the schools into non-selective institutions. However, the rules are so highly stacked in favour of maintaining the status quo that this failed. In 2015 over 600 parents signed a petition asking Reading and Kendrick Schools to admit more local children.

The notion of parental choice upon which the Great Education Reform Bill was predicated is a far from universal right. A child annual season ticket from Slough, where a large number of the pupils travel in from, costs almost £1,000 per year. Another factor is the effect tutoring has on the entrance tests. Just one additional correctly answered question might move the candidate up 20 or 30 places in the rankings. The costs of tutoring children to secure a place at these schools added to cost of commuting is beyond the means of most families and the effect this has on the socio-economic makeup of the schools is stark. Just 2.4% of Reading’s grammar schools pupils are eligible for pupil premium funding whilst the figure for the local authority’s non-selective schools is 31.8%.³²

How to phase out selection in Reading

School funding is dispensed on a per capita basis, making it difficult for smaller schools to achieve economies of scale. Reading (Boys School) recently increased their admissions to 150 pupils per year

30 National Statistics Bulletin (2008) The Composition of Schools in England.

31 James Coombs (2015) Freedom of Information request, WhatDoTheyKnow.com, Longitudinal changes in the demographics of ‘school commuting’

32 Department for Education Guidance (2018) Pupil premium: allocations and conditions of grant 2017 to 2018

but Kendrick Girls, constrained by a site of only two hectares in a densely urban area, can only admit 96. As Reading has three times the space available, one option would be for the schools to combine sixth forms on Reading's campus, freeing up space for Kendrick to expand their secondary school provision for girls to match the 150 places offered by Reading Boys schools.

Kendrick School's website³³ highlights demand for places amongst the local community, 'Census Data and demographic analysis data available to the Local Authority demonstrates the rise in secondary school aged students across Reading and the local areas.' Reducing the proportion of selective admissions by 20% each year would take a total of eight years, giving both the schools and parents plenty of time to adapt to the changes.

This could be combined with a policy of giving high preferences to out of area children whose siblings obtained selective places at the school. This would avoid splitting up families, and be welcomed

Phasing out selection would be a suitable tribute to the original aims of founder John Kendrick: to provide educational opportunities to children from all parts of society.

by younger children faced with the stress and anxiety placed on them to do as well as their older brother or sisters.

The impact of ending selection in Reading

Both Reading and Kendrick schools owe their existence to Tudor wool merchant John Kendrick who left his fortune in trust to educate poor children. Children flocking between the railway station and the schools each morning confirm local feeling that the schools are elitist, serving only affluent children from other towns. Phasing out selection would be a suitable tribute to the

original aims of founder John Kendrick: to provide educational opportunities to children from all parts of society.

	Y7	Y8	Y9	Y10	Y11	overall
2020	20%	0%	0%	0%	0%	4%
2021	40%	20%	0%	0%	0%	12%
2022	60%	40%	20%	0%	0%	24%
2023	80%	60%	40%	20%	0%	40%
2024	100%	80%	60%	40%	20%	60%
2025	100%	100%	80%	60%	40%	76%
2026	100%	100%	100%	80%	60%	88%
2027	100%	100%	100%	100%	80%	96%
2028	100%	100%	100%	100%	100%	100%

Figure 1 - Reducing selection by 20%/annum starting in 2020

33 Kendrick School (2018) Expansion Programme Proposal, consultation document

CASE STUDIES : KENT

Alan Bainbridge

Kent Overview

I was recently in Finland and took the opportunity to ask a group of young people in their late teens two very simple questions: 1) What school did you go to and 2) How did you decide to go to that school? Their response helps provide some context for understanding the chaos underlying formal schooling in England, and particularly in Kent.

Their replies were simple, but the young people a little puzzled as to why such a question would even be asked. They all attend their local school because all schools were perceived as being good, staffed by teachers who were experts able to support their learning and aspirations. Compare this to the madness that now infects families and schools in Kent.

Kent has 98 secondary schools consisting of 32 grammar schools and 66 non-selective schools. Of the 32 grammar schools, 23 have academy status and another 9 are described variously as maintained, Voluntary-Aided or community schools. Of the 66 non-selective schools there are 14 schools described as maintained, Voluntary-Aided or community schools, plus 48 academy schools, three free-schools and one University Technical College. How does anyone make sense of all this?

It is also clear that those who attend Kent's grammar schools do not fully represent the local population. For example: in 2016, only 2.8% of children in Kent grammar schools were eligible for free school meals, while in non-selective schools this proportion of free school meals pupils rises to 13.4%. In that same year (2016), of the 4,876 grammar places in Kent, 456 places were offered to out of county children. In other words, 9% of places are given to out of county pupils. Nationally, of those

In the late 90s, 25% of Kent pupils were selected for grammar schools but due to grammar school expansion it's now nearer 32%.

who attend grammar schools 73% have done so after having paid for private 11-plus coaching/tuition, and this for a test that is claimed to be 'tutor resistant.' Kent, too, has a thriving tuition industry.

Selective places are expanding in the county (or else it is getting easier to pass the 11-plus in Kent). In the late 90s, 25% of Kent pupils were selected for grammar schools but due to grammar school expansion it's now nearer 32%.³⁴ This increase should come as no surprise in a context where school income is largely determined by the number of pupils on roll. Understandably, head teachers will do all they can to maintain, if not increase, their intake to ensure the financial security of their school.

How to phase out selection in Kent

How, then, can this iniquitous system be phased out? Paradoxically, not by starting with the 11-plus! It starts by thinking about education across the lifespan and imagining a world where all schools are 'good' schools, responsive to their local communities.

This must begin with the revitalization of Local Education Authorities, and the creation of a context in which schools are no longer in competition with each other and pilloried in league tables. When I first began teaching in Kent in the early 1980s schools were supported by a network of local advisors and inspectors, we had local Teachers' Centres that ran regular training courses where colleagues met and shared good practice and volunteers ran extra-curricular projects. This is the sort of educational environment within which the role of the 11-plus can be sensibly thought about and challenged.

If I jump to an imaginary future world in which we are not competing to spend as little on education as possible, but rather to spend generously on this vital public service, functioning LEAs have returned, teacher education has become a Masters

³⁴ Greg Hurst (2018) 'Grammar schools are 'cutting entry standards to fill classes,' The Times

profession and provision of early years and adult education has been expanded: such changes would enable a county like Kent to turn its grammar school and secondary moderns (lest we forget these) into effective 'all-ability' schools of equal status. A date could be decided upon - let us say 2022 - after which the Year 7 intake of every area should reflect the immediate locality. Years 8 and above would remain unchanged.

During this transition, schools would be well resourced with reduced class sizes to provide teachers with the best opportunities to challenge and monitor pupil progress. All secondary school teachers should be provided with the knowledge and skills to teach all children in this age group. If some feel de-skilled from years of segregation then in-service training could be made available before the transition to a fully comprehensive system. In the past, such training has been made available to respond to a whole host of initiatives including: the teaching of phonics and numeracy, STEM subject enhancement, inclusion and, ironically leadership and management skills to cope with the de-regulation of state education. Important decisions would need to be made about post 16 education and this might lead to the setting up of sixth form colleges, expanding further and higher education to provide the widest possible options for students. A local education authority with the best interests of pupils at heart would plan carefully to ensure secondary schools adapted to the needs of their communities, with thorough consultation to ensure local views were considered.

In an area like Kent, where selection has become such an entrenched practice, the period of transition might create anxiety for professionals, parents and children and would require an increase in resources to support a programme of school/home consultations. Again, this is not a new phenomenon. Such support was available when schools became grant-maintained or were established within multi academy trusts when they left LEA control.

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The impact of ending selection in Kent

Selective counties such as Kent have deeply invested in the 'tradition' of the 11-plus and for decades this has had a significant impact on all aspects of life, ranging far beyond education. Any move away from this will be challenging and possibly painful but is ultimately the right thing to do. Too much pressure has been placed on the primary/secondary transition phase leading to an unhealthy obsession with the 11-plus. The changes outlined above will eliminate this fixed, false and biased educational pressure point, enabling children and teachers

to be freed up to engage with learning and not expensive game-playing, in order to prepare for an invalid and unnecessary test. Enhanced early years provision would go a long way towards the eventual levelling of academic achievement between social groups while a return to a properly resourced adult education service would enable many to re-enter education later in life and benefit in various ways that were not possible when they were younger.

At the same time, current problems around teacher and head teacher recruitment and retention linked to the pressure of league-table performance would be alleviated as the drive to maximize test scores would be reduced and a focus on good pedagogy increased.

Ultimately, education in Kent's primary and secondary schools will greatly benefit from a more inclusive education system that is responsive to local and individual need. Education would no longer be dominated by those with increased financial and cultural resources and we would witness a shift towards the idea of education for the public good.

PHASING OUT SELECTION ON GROUNDS OF ABILITY AND APTITUDE – WHAT THE LAW NEEDS TO DO

John Fowler

To phase out selection, Parliament must pass a law which requires education 'to be provided only in schools where the arrangements for the admission of pupils are not based (wholly or partly) on selection by reference to ability or aptitude'.

It's as simple as that.

Twice governments have brought Bills to Parliament using these words. In 1970, the Bill fell at the general election of that year, and in 1976 these words formed the 'Comprehensive principle' of the Education Act 1976. (The Act was repealed within three months of the election of the Conservative government in 1979.) The 1976 Act required local authorities to police the Act. The government had a duty to require reluctant local authorities and voluntary schools (local authority maintained schools in charge of their own admissions) to produce plans, after local consultation, for comprehensive education. Plans could include the enlargement or merging of schools, but timescales for change had to be completed within five years. However, the law only applied to publicly funded secondary schools, that is for admission from the age of 11. Exceptions were made for special schools and for music and dance schools where relevant ability or aptitude was an admission requirement.

Developments in admission arrangements

Continuing the process started by Labour in 1977, which required each school to publish the 'basis on which places are normally allocated', the Education Act 1980 required schools to state their admission arrangements, enabled parents to state a preference for their child's school, and instigated appeals against allocated schools. The Education Reform Act 1988 allowed the new Grant-Maintained (GM) Schools to choose their admission arrangements. The government-encouraged competition between schools which led many hitherto comprehensive GM and Voluntary Schools to introduce 'partial' selection; two schools became fully selective again.

To sort out the mess, the incoming Labour

government's Schools Standards and Framework Act 1998 froze the partial selection by 'ability' admission arrangements. Schools which could show that 100% of pupils were selected on 'ability' were designated as 'grammar schools'. Selection by 'aptitude' was limited to 10% of the intake and could only occur for specified 'aptitudes' where a child could demonstrate potential for performing or visual arts, sport, languages, and initially technology.

Admissions legislation has been amended frequently over the last 20 years and now covers: what admission arrangements can contain, how they should be published, interviews, the role and powers of the school adjudicator to hear and determine appeals, and the local authority role to co-ordinate admissions. Light has been shone on a number of covert selective practices as well as the impact of 'frozen' partial selection by ability. Appeals to the adjudicator have been successful in reducing partial selection. No such appeals are allowed for grammar schools; only a parental ballot system can change this. Ballots in practice have been virtually impossible to call and prevent many local parents having a vote.

The Coalition government's academies legislation permitted selection by ability if a previous school had the practice. New academies have to provide 'education for pupils of different abilities' which Ministers have stated means schools must have comprehensive intake admission arrangements.

What needs to be done now

To repeat: to phase out selection on grounds of ability and aptitude, Parliament must pass a law which requires education 'to be provided only in schools where the arrangements for the admission of pupils are not based (wholly or partly) on selection by reference to ability or aptitude'.

It's as simple as that, but a few changes are required to take account of the developing school system and knowledge about how covert admission

arrangements affect applications: for example a requirement to have an expensive school uniform.

- **Aptitude and ability:** The legislation should apply to both aptitude and ability selection including partial selection on aptitude for the arts etc. It is now well established that there is no practical difference between selection on grounds of ability or aptitude.
- **Aptitude exception:** if a school claims a need to recruit on aptitude, e.g. a Cathedral choir school, then this should be permitted but rigorously policed.
- **Covert admission criteria:** the legislation needs to ban criteria which can select covertly by inhibiting or encouraging applications by reason of housing location, parental income, family association etc. A current sibling criterion should be allowed, but again subject to review.
- **Primary schools** should be included. Their admission arrangements can be subject to covert selection criteria just as much as secondary schools.
- **Special schools** should be included: admission should be by a child's Education, Health and Care Plan.
- **Fee paying schools** should be included. They should be asked to justify the need for selection criteria.
- **Time to implement:** the five-year period in the 1976 Act should be shortened. The current two-year period for admission authorities to publish draft admission arrangements for consultation, and subsequent determination with permission to appeal to the adjudicator, should be retained.

Implementation

Priority for the new legislation will be the remaining 163 grammar schools; well-planned help and support will be required as they transition to comprehensive intakes.

The local authority area remains the unit of educational administration, and the local authority

In all cases, it is important that the final determination of plans is decided by a public body which has earned public legitimacy.

is the body responsible for ensuring there are sufficient schools places. The current areas can be divided as follows:

1. **No grammar schools:** no action required.
2. **Stand-alone grammar schools** where the school is the only one in its area to select all pupils on ability grounds: school to produce plans.
3. **Grouped grammar schools** where the schools are grouped under a trust, for example separate boys and girls grammar schools managed by a multi academy trust: trusts to produce plans.
4. **Local authority area** selection arrangements where all schools are either fully selective or are restricted to admitting lower ability pupils (as judged by the 11-plus): local authorities to produce plans.

In cases (2) to (4), the local authority will receive and/or develop plans in consultation with all the schools and their communities in their areas, and neighbouring areas. The local authority will need to ensure plans are consistent with predicted increases and decreases in the need for school places. To assist this, the 'free school presumption' rules (by which all new schools must be set up as a free school) will need to be suspended or, preferably, repealed, as well as other rules which prevent local authorities making formal proposals to increase or decrease the size of schools.

Determination of plans

In all cases, it is important that the final determination of plans is decided by a public body which has earned public legitimacy. This could be the Secretary of State, but in no circumstances should this be delegated to the Regional Schools Commissioners who clearly do not meet the criterion of public legitimacy. The Schools Adjudicator is an appropriate body; it already has experience in determining school organisation proposals. The Secretary of State will need to set out planning and decision-making guidance. In a few cases, capital

monies may be required for example to provide additional facilities to enable a grammar school to provide a comprehensive curriculum, or to expand to meet a demand for new pupil places. The current allocation of funds to expand grammar schools - and the free school capital programme - should be redirected for this purpose.

Conclusion

A government committed to phasing out selection could ask Parliament, and get approval, for the necessary legislation within three months of a General Election. Three or four clauses should suffice which would cover the existing grammar schools as well as the necessary legislation to achieve longer-term goals of phasing out all forms of selection elsewhere to achieve a school system based on equality and fairness for all. Those areas where school careers are based on a short test at the age of 11 must be tackled first, and with commitment by national and local government selection can be phased out gradually and sympathetically for existing grammar schools within the life-time of a Parliament.

Postscript

Grammar schools can decide themselves to end selection now without a parental ballot. For the existing 163 grammar schools, if they are local authority maintained, their governing bodies can resolve to end selection. For academies, arrangements are likely to be set out in their academy trust's funding agreement with the Secretary of State. A parental ballot may be required.

APPENDIX

The 163 remaining grammar schools

The following list shows local authorities containing schools that select 100% of their pupils on the basis of 'ability' using an 11-plus test.. There are many more schools that select a proportion of their pupils using an ability or aptitude test. However, no official list of partially selective schools is maintained by the Department of Education or any other body.

Local Authority	Number of selective schools
Barnet	3
Bexley	4
Birmingham	8
Bournemouth	2
Bromley	2
Buckinghamshire	13
Calderdale	2
Cumbria	1
Devon	1
Enfield	1
Essex	4
Gloucestershire	7
Kent	32
Kingston	2
Kirklees	1
Lancashire	4
Lincolnshire	15
The Blue Coat School	1
Medway	6
North Yorkshire	3
Plymouth	3
Poole	2
Reading	2
Redbridge	2
Slough	4
Southend-on-Sea	4
Stoke-on-Trent	1
Stratford-upon-Avon	1
Sutton	5
Telford & Wrekin	2
Torbay	3
Trafford	7
Walsall	2
Warwickshire	4
Wiltshire	2
Wirral	6
Wolverhampton	1

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