



**Secondary school admissions in England:  
Policy and practice**

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## Executive Summary

This report presents the findings from the first part of a research project commissioned by the Research and Information on State Education (RISE) Trust with financial support from the Esmée Fairbairn Foundation. It aims to provide an analysis of secondary schools' admissions criteria and practices in England in light of the new legislative and regulatory context; it focuses on admissions to Year 7 in 2008. In addition to examining admissions criteria and practices, the report also provides an analysis of the content of supplementary information forms parents may be required to complete.

## Methods

A database of all publicly-funded secondary schools in England was created and oversubscription criteria and selected practices were coded on a school-by-school basis. In addition, a sample of supplementary information forms was collected, a database created and an analysis made of their content.

## Key findings

- Most admissions criteria and practices were found to be broadly in line with the School Admissions Code (2007), although a minority of schools had criteria that could not be considered clear or objective.
- Virtually all schools gave priority to children in care, as required by legislation, although a small minority of schools responsible for their own admissions did not. A minority of schools also failed to give *top* priority to this group of children, although by law they should.
- Criteria giving priority to children with medical or social needs were given for six out of ten schools.
- Over half of schools mentioned in their admissions criteria children with statements of special educational needs. These were predominantly community and voluntary controlled schools and academies as opposed to voluntary aided or foundation schools.
- In a significant minority of schools, in the main voluntary aided and foundation schools and academies which are responsible for their own admissions, some criteria were used that are designed to select in pupils including partial selection by aptitude/ability in a subject area: more schools selected on this basis than did so in 2001 (5% versus 3%).
- Very few schools reported the use of interviews, prohibited by the Education and Inspections Act 2006, although there was some evidence of pre-admission 'meetings'.
- More voluntary aided schools had an admissions criterion giving priority to children of 'other faiths' in 2008 than in 2001 (42% versus 23%).
- A small number of grammar schools, which are by definition academically selective, also used oversubscription criteria such as aptitude/ability in a subject area or sought reports from the primary school headteacher.

- Supplementary information forms (SIFs) were used by certain schools. Some of these requested information not permitted by the School Admissions Code. Others requested information unrelated to the school's admissions criteria; this information could be used to select in or select out certain groups of pupils.
- The nature of the information required in the SIFs (in terms of the questions and length of the forms) may result in some parents/carers being disadvantaged during the admissions process and raises questions about the 'fairness' of the process.

## Implications for policy

- The new legislation, associated School Admissions Code and determinations made by Schools Adjudicators have been effective in reducing the use of criteria that may advantage some groups of pupils over others. However, this research has brought to light further issues relating to the admissions process which suggest legislative changes are needed if some groups of pupils are not to be discriminated against. One concern is that the admissions process is unduly complex. Admissions criteria for community and voluntary controlled schools are, in the main, clear, objective and relatively simple for parents/carers to understand. The situation is different with voluntary aided schools where there can be a high number of criteria relating to religion and religious practice, creating difficulties for parents/carers and allowing scope for discretion in many cases. There is a case for a simplified procedure for determining religion and religious practice.
- A significant proportion of academies and foundation schools select a proportion of children on the basis of aptitude/ability in a subject area. Fair banding across a wide area on the basis of the range of ability of children in the area or random allocation are likely to be more effective if the overall aim is to widen access to particular schools and create greater social equity.
- It would be in the interests of parents/carers with children who have statements of special educational needs, to have information in a consistent form across all schools in an authority. This information is helpful for parents/carers of children with statements who may not be familiar with the admission process and its exclusion may signal that their child is not welcome at a particular school.
- There is a concern about the nature of the SIFs – both in terms of their length and the questions asked – which may result in some parents being disadvantaged during the admissions process and raises questions about the 'fairness' of the process. Few schools sought information which was not permitted by the Code. However, more schools asked other personal questions which have not been prohibited by the Code. Further guidance to schools as to what is and what is not appropriate to ask would help admission authorities to have a clearer understanding of how they should use their supplementary information forms (cf Office of Schools Adjudicator, 2008).
- According to the Department for Children, Schools and Families (DCSF): 'The admissions system can appear very complex to some parents' (2007, para 1.65). However, our research suggests that the system may not appear complex but *be* complex. This is highly likely to be the case with parents/carers who are not highly educated. There is a strong case for admissions to all schools to be as simple and straightforward as the community schools (and some academies) identified in this report. Choice advisers may assist with the admissions process, but they do not address the inherent complexity and lack of clarity.

- More fundamentally, schools that are responsible for their own admissions may exert discretion when making decisions about which pupils should be offered places in the event of the school being oversubscribed. It is not clear why decisions need to be taken at this level given the incentives for schools to perform well in school performance tables. For community and voluntary controlled schools, some academies and some voluntary aided schools, the local authority acts on behalf of the schools in question. This can be seen to be an independent body. However, for most schools responsible for their own admissions, the school itself makes the decision about who should be offered a place. There is a strong case for either the local authority or possibly a religious body with no vested interest in the outcome to take responsibility for the allocation process to ensure procedural fairness.
- Key questions still remain in relation to the link between admissions criteria and practices and school composition. Until data are made available enabling the patterns of applications to be related to patterns of offers, it is still unclear whether school autonomy in relation to school admissions may be a factor in determining which pupils apply to which schools and which are offered places.

# 1 Introduction

This report presents the findings of the first part of a research project commissioned by the Research and Information on State Education (RISE) Trust with funding from the Esmée Fairbairn Foundation.<sup>1</sup> It aims to provide an analysis of secondary schools' admissions criteria and practices in England in light of the new legislative and regulatory context and consequently it focuses on admissions to Year 7 in 2008. In addition to examining admissions criteria and practices, the report also provides an analysis of the content of supplementary information forms parents may be required to complete in order to apply to particular schools.

The education reforms introduced in the 1980s and in particular the Education Reform Act 1988 resulted in the introduction of a 'quasi-market' in school-based education (Le Grand and Bartlett, 1993). These reforms have resulted in more than twice as many schools becoming their own admission authorities: in January 1988, 15% of schools were their own admission authority (Department for Education and Science, 1988) whereas in 2008 this figure was 33% (Department for Children, Schools and Families, 2008a). Schools that are their own admission authority are in theory in a position to 'cream skim'. This means that they are able, if they so wish to select in pupils who will maximise their examination 'league table' results or, conversely, not select (select out) those who are likely to have a negative impact on school examination results. However, only oversubscribed schools that are their own admission authorities are in this position, namely foundation and voluntary aided (in the main religious) schools, academies and city technology colleges.

This report focuses on reforms to school admissions made by the Labour Government since 2001 and the impact they have had on policy and practice. Section 2 examines the policy context, in particular the changes made in an attempt to make the process of admissions fairer and more transparent. Section 3 summarises previous research on school admissions. Section 4 examines admissions criteria in place in English secondary schools, both non-grammar schools and academically selective grammar schools. Section 5 then explores the supplementary information forms parents are required to complete for admission to some (but not all) schools responsible for their own admissions. Section 6 summarises and discusses the main findings and their implications for policy and practice.

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<sup>1</sup> The second part of the research is focusing on how a sample of local authorities have responded to the requirements of the Education and Inspections Act 2006 and the 2007 School Admissions Code and is due to be published late in 2009.

## 2 Policy context

In the late 1990s, a variety of concerns were expressed about the administration of school admissions in various parts of the country. These included a lack of policy co-ordination and equity issues surrounding admissions policies and practices, particularly those used by the former grant-maintained schools (now mostly foundation) and voluntary aided (mostly church) schools (see Audit Commission, 1996; West et al. 1998).

The Labour government, elected in 1997, sought to address these concerns via the School Standards and Framework Act 1998, which established a new legal framework for school admissions. Two key mechanisms were introduced: a Code of Practice on School Admissions and the Office of the Schools Adjudicator. Schools Adjudicators have a specific role in seeking to settle local disputes concerning admissions policies and criteria where it has not been possible to reach local agreement. They are independent of government and decisions they make are binding on all the parties involved and can only be challenged through judicial review. Disputes about admissions criteria relating to religious issues are taken by the Secretary of State for Children, Schools and Families (the most senior government minister), not by Adjudicators (Department for Education and Employment (DfEE), 1999; Department for Education and Skills (DfES), 2003, 2007).

Policy and practice have evolved since 1997. In terms of the process of admission to secondary school, parents/carers must be allowed to express a minimum of three ‘choices’, or more accurately ‘preferences’ for publicly-funded schools for their child, generally at the age of 11 years when they move from primary to secondary school (see DfES, 2007). Parents complete an application form provided by their local authority (the ‘common application form’); for some schools a supplementary information form must also be completed. If there are fewer applicants than places available at a particular school, all those expressing a preference are offered a place for their child.<sup>2</sup> However, if there are more applicants than places available, the school’s published oversubscription criteria and practices are used to determine which children are offered a place.

Whilst admission authorities must comply with the law, until 2007 they were only required to ‘have regard to’ the guidance given in the Code; having done so, they were able to set admissions criteria that did not comply with the Code as long as they had good reasons for their actions (House of Commons Education and Skills Committee, 2004).

The first Code of Practice came into force on 1 April 1999 (DfEE, 1999) and applied to arrangements leading to admissions from September 2000. In terms of the criteria to be used by admission authorities in cases where more parents had expressed a preference for a particular school than places were available, the Code noted that admissions authorities had ‘a fairly wide discretion to determine their own oversubscription criteria provided these criteria are objective, fair, compatible with admissions and equal opportunities legislation...’ (1999, para. 5.2). It also gave some frequently used criteria considered to be acceptable including ‘sibling links, distance from the school, ease of access by public transport, medical or social grounds, catchment areas and transfer from named feeder schools, as well as parents’ ranking of preference.’ (para. 5.3).

The general guidance was broadly similar in the second Code: criteria were not to be unlawful; the admission authority had to consider the factors it believed to be the most important to ensure that children received an ‘efficient and suitable education’ and had ‘had regard to the guidance’ in the Code; and the criteria were to be ‘clear, fair and objective’ and published (DfES, 2003, para. A.51).

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<sup>2</sup> If a school is undersubscribed then all applications must be offered a place, unless the child does not meet minimum academic standards set for entry to a grammar school (see DfES, 2007).

Further changes followed the Education and Inspections Act 2006 which prohibits interviews 'where the interview is to be taken into account...in determining whether the applicant is to be admitted to the school' (OPSI, 2006a, part 3, section 44). 'Admission authorities must not use either face-to-face interviews or interviews by telephone or other means' (DfES, 2007, 1.46). Concerns about religious segregation and religious schools, also led to the inclusion in the Education and Inspections Act of a new duty for school governing bodies to 'promote community cohesion' (part 3, section 38). The legislation also requires local authorities to ensure fair access to educational opportunity (part 1, section 1). Finally, regulations introduced in 2006 require an admission authority to give 'first priority in its oversubscription criteria to all relevant looked after children' (OPSI, 2006b).

The third School Admissions Code (DfES, 2007) which came into force in February 2007, and applied to admissions from September 2008, differed from the previous Codes in that there were certain provisions that were mandatory and certain practices that were not to be used:

In drawing up their admission arrangements, admission authorities **must** ensure that the practices and the criteria used to decide the allocation of school places:

- a) are clear in the sense of being free from doubt and easily understood. Arrangements that are vague only lead to uncertainty and this may reduce the ability of parents to make an informed choice for their children...;
- b) are objective and based on known facts. Admission authorities and governing bodies **must not** make subjective decisions or use subjective criteria;
- c) are procedurally fair and are also equitable for all groups of children (including those with special educational needs, disabilities, those in public care, or who may be a young carer);
- d) enable parents' preferences for the schools of their choice to be met to the maximum extent possible;
- e) provide parents or carers with easy access to helpful admissions information. (Regulations require the local authority to produce a composite prospectus that covers admission arrangements for all schools in their area...);
- f) comply with all relevant legislation, including ...on equal opportunities, and have been determined in accordance with the statutory requirements and the mandatory provisions of this Code (DfES, 2007, para 1.65).

Failure to comply with the mandatory provisions means that the body concerned is in breach of its statutory duty to act in accordance with the provisions in the Code, and could result in an objection being made to the Schools Adjudicator or a complaint being made to the Secretary of State for Children, Schools and Families (DfES, 2007). It is important to note that a new School Admissions Code came into force in February 2009 (DCSF, 2009). This, like the earlier Code, has mandatory requirements as well as guidance.

The following sections focus on three fundamental themes in the School Admissions Codes, which cross cut our analysis, namely equality of opportunity, vulnerable children and selection by aptitude and ability.

### **Equality of opportunity**

The first Code of Practice (DfEE, 1999) noted that in light of the Sex Discrimination Act 1975 and the Race Relations Act 1976 'admission authorities should consider the possible impact, direct or indirect, on equal opportunities of their proposed oversubscription criteria' (para 5.7). The second Code (DfES, 2003) reiterated these points and also noted that criteria such as giving preference to children whose siblings had previously attended the school, or with parents in specific occupations, for example teachers, could disadvantage certain individuals who had recently moved into the area.



The third Code (DfES, 2007) had a mandatory requirement in relation to what is termed 'fair access', namely:

Admission authorities and governing bodies must ensure that their admission arrangements...are fair and do not disadvantage, either directly or indirectly, a child from a particular social or racial group, or a child with a disability or special educational needs...Admission authorities must also ensure that their admission arrangements comply with all other relevant equalities legislation... (para 1.67).

The Code went further stating that:

Admission authorities and governing bodies should develop and implement admission arrangements, practices and oversubscription criteria that actively promote equity, and thus go further than simply ensuring that unfair practices and criteria are excluded (para 1.67).

## **Vulnerable children**

The second Code of Practice (DfES, 2003) made explicit reference to 'looked after' children, a particularly disadvantaged group. A looked after child is one who is in the care of a local authority or provided with accommodation by that authority. The Code recommended that admission authorities give looked after children 'top priority' in their oversubscription criteria (para. 7.22). The third Code (DfES, 2007) stated that 'All admission authorities **must** give highest priority in their oversubscription criteria to these children' (para 2.7). This is underpinned by regulations (see OPSI, 2006b).

All Codes have addressed the admission of children with statements of special educational needs; this is underpinned by the Education Act 1996 and as stated in the third School Admissions Code (DfES, 2007): 'the Education Act 1996 requires the governing bodies of all maintained schools to admit a child with a statement of special educational needs that names their school' (para 1.50). 'This is not an oversubscription criterion; schools must admit such children whether they have places or not' (DfES, 2007, para 2.6). The key point to bear in mind is that the admission of children with statements of special educational needs is carried out differently from the admission of other children.

## **Selection by aptitude and ability**

The Schools Standards and Framework Act 1998 ruled out the introduction of any new selection on the basis of academic ability; however, existing selection by aptitude or ability was allowed to continue if in place during the 1997/98 school year. New selection on the basis of aptitude in a prescribed subject is allowed in limited circumstances where the school has a specialism (this includes specialist schools) and where the proportion selected is no more than 10% of the school's intake. The relevant subjects, set out in regulations, are from 2008 modern foreign languages, the performing arts, visual arts, physical education or sport, design and technology and information technology (OPSI, 2008) (new selection in design and technology and ICT was prohibited from entry in 2008/09).

The 1998 School Standards and Framework Act defines 'ability' as 'either general ability or ability in any particular subject or subjects'. It does not define aptitude, but the School Admissions Code states that a child with aptitude is one who 'is identified as being able to benefit from teaching in a specific subject, or who demonstrates a particular capacity to succeed in that subject' (DfES, 2007, para 2.75).

### 3 Previous studies

A number of research studies have examined admissions criteria and practices across different schools. Some have focused on England (Coldron et al., 2008; West and Hind, 2003; West et al., 2004) and some more specifically on London (Pennell et al., 2006; West and Hind, 2006). Research carried out relating to admissions in 2001 found that in a significant minority of schools, in the main those that are responsible for their own admissions, a variety of criteria were used which appeared to be designed to select in certain groups of pupils and so exclude others: these included giving priority to the children of employees; those of former pupils; those with a family connection to the school; and selecting a proportion of children on the basis of aptitude/ability in a subject area(s) or on the basis of general ability (West and Hind, 2003).

It was also found that although specialist schools were more likely than non-specialist schools to report selecting a proportion of pupils on the basis of aptitude/ability in a particular subject area, schools responsible for their own admissions (voluntary aided and foundation schools) were far more likely to select on this basis than those not (community and voluntary controlled schools). Criteria giving priority to children with medical or social needs were given for nearly three-quarters of schools; however, community and voluntary controlled schools were more likely to include this as a criterion than voluntary aided and foundation schools. Similarly, nearly two-fifths of schools mentioned as a criterion pupils with special educational needs. Again, these were predominantly community and voluntary controlled schools as opposed to voluntary aided and foundation schools. One in ten voluntary aided schools reported interviewing parents and 16% reported interviewing pupils.

As noted, guidance and legislation have changed substantially since 2001. One study focusing specifically on London examined changes that had taken place between 2001 and 2005 (Pennell et al., 2006; West et al., 2009). The most marked change was in the percentage of schools that prioritised children in public care. There was also an increase in the percentage of schools that selected a proportion of their intake on the basis of aptitude/ability in a subject. However, there was a decrease in the use of other potentially selective/discriminatory admissions criteria (including interviews and schools giving priority to children of employees/former pupils), although some schools, instead of carrying out interviews, held pre-admission meetings in 2005. In the case of religious schools, the inclusion of pupils from 'other faiths' was more frequently reported in admissions criteria in 2005 than in 2001. The study also examined supplementary information forms used by certain schools, finding that in some cases parents/carers were asked to provide personal information relating to occupation and accommodation that appeared unrelated to the school's admissions criteria; there were also concerns about the length of some forms and the requirement, in some cases, that parents and children write at length about their reasons for wanting a place at the school.

A recent study relating to school admissions (Coldron et al., 2008) found that although admissions were better regulated in 2006 than in 2001, some schools that were their own admission authorities, in particular voluntary aided schools, were less compliant with the second School Admissions Code of Practice (DfES, 2003) and were more likely to covertly select than community schools. It was also found that there had been an increase in the number of schools selecting 10% of their intake by aptitude (from around 1% in 2000 to 3% in 2001 to 4% in 2006). As found by West et al. (2003) voluntary aided and foundation schools were much more likely to select in this way than community or voluntary controlled schools. In relation to children in care, two thirds of schools had this as a high priority (either first or second place) but nearly a quarter did not mention it as a criterion. More than half of schools included medical/social need somewhere in their

oversubscription criteria: foundation schools and voluntary aided schools were much less likely than other school types to mention either children in care or medical/social need. Coldron et al. (2008) also investigated the use of supplementary information forms required by schools finding that around one in three non-Community schools asked for additional information of this kind with voluntary aided schools being more likely to do so than any other type of school.

In addition to empirical research a number of other studies relating to school admissions have been carried out. Tough and Brooks (2007), in a report published by the Institute for Public Policy Research put forward proposals in relation to school admissions (cf West et al., 2006) arguing that in the short term, no school should administer its own admissions, that in the medium term no school should be its own admission authority and in the long term there should be 'fair banding' by ability across a wide area for secondary schools in order to achieve a fair spread of ability across all secondary schools.

Another piece of work investigated the admission arrangements of 570 schools in three local authorities in order to assess their compliance with the School Admissions Code and associated legislation (DCSF, 2008b). Responses from 106 schools found that 96 had arrangements that did not comply with statutory requirements. The most common type of non-compliance was failing to give top priority to looked after children. Other non-compliance related to schools requesting information on supplementary information forms that is prohibited by the Code. Significantly, a disproportionate number of schools with non-compliant arrangements were responsible for their own admissions, namely voluntary aided and foundation schools.

Most recently, the Schools Adjudicator was asked to review the compliance of admission arrangements with the School Admissions Code. A sample of schools was selected (around 3000 of the 5300 foundation and voluntary aided schools in England) and their arrangements for admissions were checked by lawyers. Problems were found with a high proportion: in over 800 schools major contraventions were identified. These included failing to give top priority to children in care; giving priority to siblings not currently attending the school; giving priority to parents who listed the school as their first preference; and using oversubscription criteria that were not clear. The Schools Adjudicator reported that these were due to 'misunderstanding of the Code and related statutes' (Office of the Schools Adjudicator, 2008, para 5). Amongst the recommendations made was that model supplementary information forms should be drawn up and standard wording for admissions criteria published.

## 4 Admissions criteria and practices

### Introduction

This part of the report focuses on secondary school admissions criteria and practices for admission in Year 7 (age 11 to 12 years) in September 2008. The following sections describe the methods adopted and the admissions criteria used first for non-grammar secondary schools and second, for academically selective grammar schools.

### Methods

Data on admissions criteria and practices for publicly-funded secondary schools for September 2008 were obtained from information provided by the 150 local authorities (LAs) in England with publicly-funded secondary schools (excluding Isles of Scilly).<sup>3</sup> Although LAs had, at this time, a statutory responsibility to publish these, in some cases inadequate information was provided about schools responsible for their own admissions (voluntary aided, foundation and academies) so individual schools were contacted directly. A database, consisting of the admissions criteria and practices was set up for entry in Year 7 in September 2008. A total of 3134 secondary schools were included in our sample, virtually all secondary schools in England.<sup>4</sup>

### Admissions criteria

In this section we highlight key features to emerge from our analysis of admissions criteria and other policies and practices. In the first part we focus on admissions to non-grammar secondary schools in England (N=2970). This includes academies and city technology colleges. The second part focuses on grammar schools (N=164).

### Secondary schools (non-grammar)

In this section we report on the admissions criteria used. We focus on those used more frequently and then those used less frequently. **Annex A** gives more details. Some admissions criteria were used by a high proportion of schools. Table 1 gives those reported most frequently.

**Table 1: Most frequently used admissions criteria**

Criterion	Percentage of schools (N=2970)
In care	99
Siblings	97
Distance	93
Catchment area	61
Medical/social need	60
Statement of special educational needs	53
Feeder school	38

<sup>3</sup> The analysis also covered the admissions process for parents/carers living in the City of London. Although there are no secondary schools, for September 2008 entry parents/carers used Tower Hamlet's common application form to express preferences for schools for their children, with this LA also administering their applications. Children living in this area have priority of admission to City of London Academy in Southwark.

<sup>4</sup> In England in January 2008 according to *provisional* DCSF figures (see DCSF, 2008b) there were 3140 secondary schools (excluding middle deemed secondary); our figure is 3134 the difference being due to school closures. Our sample of academies is higher than in January 2008 (94 compared with 83) and the number of city technology colleges lower (3 compared with 5). Schools were classified according to their status on 1 September 2008.

Almost all schools mentioned children in care: it is a statutory requirement that children in care should be given top priority in the event of a school being oversubscribed. In addition to the 1% of schools that did not mention children in care, 9% did not list this as their *top* criterion. A minority of schools were thus not adhering to this statutory requirement. In a small proportion of cases (5%), children in care were given the highest priority in admissions criteria along with other children, notably those with statements of special educational need for whom the school had been named on the statement.

A high proportion of schools reported giving priority to siblings and to distance. Criteria such as catchment areas or feeder schools were also used. Catchment areas could be complicated, with ‘inner and outer’ areas being listed by 7% of schools. Medical/social needs were also listed by a high proportion of schools (60%).

Giving priority to children with statements of special educational needs was an admissions criterion for over half of the schools (53%). It is important to note that the admissions process for children with statements of SEN is different from that for other children. Although not an oversubscription criterion, it is nevertheless an admissions criterion. It is important to bear in mind that 91% of schools mentioned special educational needs elsewhere in the brochure, not specifically with their admissions criteria.

A wide variety of other criteria were used by admission authorities. The most frequently occurring are given in Table 2.

**Table 2: Less frequently used admissions criteria**

Criterion	Percentage of schools (N=2970)
Religion	17
Compassionate/exceptional factors	10
Random allocation	6
Partial selection by aptitude/ability in subject	5
Ethos	4
Difficult journey to another school	4
Banding	3
Non-stated special educational needs	2
Partial selection by ability	1
Interview parent	<1
Interview pupil	<1

Religious criteria were used by just under a fifth of schools: nine out of ten voluntary aided schools had religious criteria. One in ten schools used compassionate or exceptional factors. A small proportion used random allocation. This, according to the School Admissions Code ‘can be good practice particularly for urban areas and secondary schools...It may be used as the sole means of allocating places or alongside other oversubscription criteria. Random allocation can widen access to schools for those unable to afford to buy houses near to favoured schools and create greater social equity’ (DfES, 2007, para 2.28). Smaller proportions of schools selected a proportion of pupils on the basis of aptitude/ability in a subject area, supporting the school’s ethos, a difficult journey to another school/ease of access to alternative schools or used banding to obtain a spread of children of different abilities (for more details see West, 2005, 2006).

A minority of schools (15%) gave a range of other criteria. Some related to vulnerable children, for example:

Pupils who are on the Child Protection Register and need to attend an alternative school to avoid the abuser (community schools in one LA).

Children from families registered with the National Asylum Support Service (community and voluntary/controlled schools in one LA).

[Children of] asylum seekers (voluntary aided school).

Children of travellers...(community schools in one LA).

Children who need to be admitted to a school with wheelchair access (foundation).

Others enabled schools to select in particular groups of pupils (some of these have since been the subject of objections to the Schools Adjudicator):

Girls whose parents express a clear desire for a small secondary school and the pastoral and educational benefits it offers (voluntary aided school).

Children and grandchildren of Liverymen and Freemen of [named foundation] (voluntary aided school).

If more applications are received than places available then preference will be given to pupils (i) who have attended the School's Open Events and have proof of this... (voluntary aided school).

All applicants, in a Personal Letter, must explain why they feel that the education offered by [the school] is most suitable for their child. Recognising that the School is based upon the teachings of The Church of England and participation in the worshipping life of the school is expected and that participation in the curriculum of Visual Arts, Sports with Science is a pre-requisite to admission to the school, families must state clearly why this is important to them (voluntary aided school).

Children who demonstrate the strong and positive influence of a different culture and/or language other than English. The following factors will be considered, in ranked order:

3.1 a significant period of residence outside the UK;

3.2 a direct, substantial and sustained experience of a language and/or culture other than English;

3.3 a significant exposure to an internationalist ethos in the home (foundation school).

In the following sub-sections we provide more detail on some of these criteria and in particular how their use varies between schools of different types. We focus on those criteria that may be considered to allow for pupils to be selected in or out: for example, they give preference to pupils who have particular needs making them more vulnerable than others or on the other hand pupils with certain abilities or aptitudes. We then look in more detail at criteria that relate to religion or religious practice.

## Children in care

Virtually all schools (99%) had an admissions criterion relating to children in care. However as can be seen from Table 3, some schools did not include this as a criterion. More of these schools were responsible for their own admissions (voluntary aided, academies/CTCs, foundation schools).

**Table 3: Percentage of schools with admissions criteria referring to children in care**

Type of school	% schools with children in care as a criterion	N
Community/voluntary controlled	100	1909
Voluntary aided	98	485
Foundation	99	482
Academy/city technology college	98	94
Total	99	2970

Religious schools ‘may give first priority to all children in care, whether of the faith or not, but **must** give first priority to children in care of their faith above other children of their faith and, where they give any element of priority to children not of their faith, **must** give priority in their oversubscription criteria to looked after children not of their faith above other children not of their faith’ (DfES, 2007, para 2.8). Some variations were noted in terms of how such children were prioritised, for example:

Looked after children, Roman Catholic or non-Roman Catholic living in one of the following parishes and attending a Roman Catholic primary school.

In 9% of cases, in care was not the first criterion: this was the case for 17% of academies/city technology colleges, 10% of community or voluntary controlled schools, 6% of foundation schools (see **Annex B** for one such example) and 5% of voluntary aided schools.

Some schools did not appear from what was stated to adhere to the legal requirements, for example:

The Admissions criteria stand as published. However, the Governors *are mindful* of the requirement to offer priority to Looked After Children who apply to the school (italics ours) (voluntary aided school).

## Criteria relating to medical/social need

Six out of ten schools had an admissions criterion relating to medical or social needs of the child. However, as can be seen from Table 4, voluntary aided schools were less likely to specifically include such a criterion than other school types, in particular community and voluntary controlled schools.

**Table 4: Percentage of schools with admissions criteria referring to medical/social needs**

Type of school	% schools with medical/social need criterion	N
Community/voluntary controlled	66	1909
Voluntary aided	39	485
Foundation	58	482
Academy/city technology college	57	94
Total	60	2970

**Special educational needs**

Over half (53%) of the schools' admissions criteria made reference to pupils with statements of special educational needs (SEN). Fewer foundation and voluntary aided than other school types referred to this group of pupils, with academies followed by community and voluntary controlled schools being more likely than others to do so.

**Table 5: Percentage of schools with statements of SEN as an admissions criterion**

Type of school	% schools mentioning pupils with statements of SEN as a criterion	N
Community/voluntary controlled	62	1909
Voluntary aided	34	485
Foundation	36	482
Academy/city technology college	67	94
Total	53	2970

It might be argued that children with special educational needs may be less likely to apply to particular schools because they do not mention children with statements of SEN in their admissions material and so they are not aware of the possibility.

**Compassionate/special/exceptional factors**

One in ten schools made reference to compassionate, special or exceptional factors. Table 6 gives the percentage of schools of each type. As can be seen, fewer foundation schools and academies used this as an oversubscription criterion.



**Table 6: Percentage of schools with compassionate/special reasons as an admissions criterion**

Type of school	% schools with compassionate/exceptional factors as a criterion	N
Community/voluntary controlled	11	1909
Voluntary aided	10	485
Foundation	5	482
Academy/city technology college	7	94
Total	10	2970

In some cases, documented evidence was required, but this was not invariably the case, thus allowing individual admission authorities to use discretion.

Children for whom there are exceptional personal/domestic circumstances presented by the parents or carers, which justify, in the Council’s view, admission to a particular school (few applications fall within this category) (community schools in one LA).

Domestic reasons (These reason(s) must relate to attendance at the preferred school e.g. proximity to a parent’s work, proximity of relative or other person providing after school care, siblings already attending another school or college nearby, ease of access, etc. Details must be provided to support these reasons, together with an explanation of their relevance to the application. An intention to move into an area is not acceptable under this criterion without firm evidence of a new address and moving date, such as a copy of a signed and dated tenancy agreement or confirmation that contracts have been exchanged.) (community schools in one LA).

Domestic reasons e.g., proximity to parents’ work, proximity of relative/after school care, siblings attending school nearby etc. (community schools in one LA).

### **Criteria relating to aptitude/ability**

Although it may, in theory, be possible to differentiate demonstrating a ‘capacity to succeed’ from ‘ability’, it does not appear to be possible on the basis of the information available about the tests/assessment used. Moreover, given that some schools still refer to ‘ability’ or their documentation makes it clear that partial selection refers to ability or achievement in a subject area, we focused on partial selection by either aptitude/ability in particular subject areas.<sup>5</sup>

Overall, we found that 5% of secondary (non-grammar) schools selected a proportion of pupils on the basis of ability/aptitude in one or more specific subjects. The highest percentage of schools selecting in this way are academies/city technology colleges, followed by foundation and voluntary aided schools, then community and voluntary controlled schools (see Table 7).

<sup>5</sup> Previous research (West and Hind, 2003) examined whether designated specialist schools were more likely than non-specialist schools to be selecting pupils by ability/aptitude in a subject area. However, given the increase in the proportion of schools with specialist status (in September 2008, 85% of secondary schools were specialist) we have not examined this issue in this report.

**Table 7: Percentage of secondary schools selecting a proportion of pupils by aptitude/ability**

Type of school	Percentage selecting by ability/aptitude	N
Community/voluntary controlled	<1	1909
Voluntary aided	7	485
Foundation	14	482
Academy/city technology college	15	94
All schools	5	2970

It is clear from this table that the schools selecting a proportion of pupils by aptitude/ability were predominantly those that were their own admission authority. Some criteria suggest that the process of identification of ‘aptitude’ may be subjective and so open to discretion:

Non Roman Catholic pupils whom the governors feel could benefit from the specialist expertise the Arts College has to offer...In accordance with the Department for children, schools and families guidelines for specialist schools, the total number of pupils accepted under [this] criterion will not exceed 10% of the total intake in any one year. When considering the application of a pupil in [this] category the governors’ admission panel will take into consideration written recommendations from creditable organisations, submitted in support of the application. For example: dance school, youth theatre group, Associated Examination Board certificates (voluntary aided specialist).

Pupils with an international, national or elite profile in a chosen sport. Pupils at this level would not need to be tested for aptitude. They would be identified through the national sports body; they would have a nominated coach and training profile. They are likely to be undertaking 20+ hrs of training a week (academy).

Up to 12 children (5%) who have been identified by the [County] LTA or Badminton England as showing aptitude in tennis or badminton. (Priority will be given to a minimum of 6 students on the basis of aptitude in tennis.) (foundation school).

Up to 10% of intake [will be admitted] on the basis of talent, skill and interest in music studies. (The school will require proof of interest or involvement in music-making activities and an interview for the pupil and parent(s) will be arranged.) (foundation school)

### **Religious schools and criteria**

Just under a fifth (17%) of schools used religious criteria to decide which children should be given priority for places in the event of a school being oversubscribed. However, there is variation according to the type of school as shown in Table 8.

**Table 8: Percentage of secondary schools with different numbers of religious criteria**

Type of school	No religious criteria % schools	Number of religious criteria % schools						N
		1	2	3	4-6	7-11		
Community/voluntary controlled	97	3	0	0	0	0	1909	
Voluntary aided	10	28	20	19	18	4	485	
Foundation	99	1	<1	0	0	0	482	
Academy/city technology college	88	7	2	2	0	0	94	

Given that most voluntary aided schools have a religious character, it is unsurprising that the majority use religious admissions criteria. However, it is perhaps more surprising that the number of criteria are as high as they are in some cases. Indeed, over a fifth of voluntary aided schools have at least four admissions criteria relating to religion and some have as many as 11. This of course adds to the complexity of the admissions process to such schools. (See also Figures 5 and 6 and **Annex B**.)

Altogether 8% of schools referred to denominations other than that of the school (98% of these were voluntary aided). Additionally, 7% of schools referred to other faiths in their oversubscription criteria (97% were voluntary aided). Amongst voluntary aided schools, 46% gave priority to those from other denominations, 42% to those of other faiths and 4% to those of other faiths or denominations.

### **Discretion**

The School Admissions Code (DfES, 2007) is explicit that practices and criteria should be objective and based on facts; they must not make subjective decisions or use subjective criteria (para 1.65). A wide range of these have been noted (see also Figures 5 and 6 and **Annex B**). Other examples included the following:

Five pastoral places for Baptised Roman Catholic children who are unable, with good reason, to satisfy the requirements of [another criterion] in full (voluntary aided school).

The voluntary service given by the parent/legal guardians to the Community in which they live and the period of time of such service (voluntary aided).

### **Clarity and complexity**

There are many examples of clear admissions criteria. Most of these relate to community schools (see also **Annex B**). Figures 1, 2 and 3 provide examples of clear criteria used by a community and a foundation school and an academy.

## Figure 1: Admissions criteria to one community school

### Community School

If more than 150 applications are received, places will be offered according to the following criteria, used in this priority order:

i) places will be offered firstly to looked after children i.e. children who are looked after by a public authority and are in public care. Applications made under this criterion must be accompanied by details of circumstance and professionally supported evidence (e.g. from social worker);

ii) places will be offered next to children who have a brother or sister, including an adopted, foster, half- or step-brother or sister, living at the same address and attending the same school at the time of admission;

iii) places will then be offered in cases of exceptional family, social or medical need (which must be described on the application form and verified by professionally supported evidence) which makes the school concerned the most suitable one for the individual child;

iv) the remaining places will be offered to children who live nearest to the school, as measured using the shortest approved walking route. All distances will be measured using the Council's computerised Geographical Information System.

Children who have a Statement of Special Educational Needs will be offered a place at the school if it is named in their statement in accordance with the Educational Act 1996 and the Special Educational Needs Code of Practice.

## Figure 2: Admissions criteria to one foundation school

### Foundation school

Oversubscription: If the number of preferences received is more than the number of places available, places will be allocated in the following order:

i looked after children;

ii where a child has a sibling attending [the school] at the time of application and who will still be on roll at the point of entry (natural brother/sister, stepbrother/sister, fostered or adopted child) in each case where this child also lives in the same household;

iii those living nearest to [the school], measured by safest distance walking route, will take priority.

## Figure 3: Admissions criteria to one academy

### Academy

Where the number of applications for admission is greater than the published admissions number, applications will be considered against the criteria set out below:

Children who are 'looked after' under provision of the Children Act 1989.

Siblings in the Academy at the time of admission (siblings would include half, step, adoptive and foster siblings provided they also live at the same address as the applicant).

Students in the defined catchment area: in the case of oversubscription, geography will be used as the tie breaker. Distance will be measured in a straight line from the child's home to the entrance of the Principal's office with those living closest being given priority.

The admission of pupils with a statement of special educational needs is dealt with by a separate procedure. Pupils for whom a statement of special educational needs has been made in which [named] Academy is named will be admitted.

Whilst many schools have what might be considered to be clear and relatively simple criteria, this is not inevitably the case. Indeed in one case the following comments are made:

A complex procedure applies when, in any band and any category, there are more applicants than there are places available. Please see the school's full admissions policy (voluntary aided school).

In another case the allocation of places is not likely to be clear to all parents/carers, particularly those who might have lower educational levels of educational attainment:

Within the [local area] Consortium Boundary, after the allocation of places under criteria 1, 2 and 3, half of the remaining places will be allocated to boys living to the north and half to boys living south of the [named river]. If there is an uneven number of places available, the additional place will be allocated to the side of the river having most applicants. Any places not filled by those living on one side of the river will be transferred to the other. In both cases those living closer to the School, as measured in a direct line on a map from the home address to the School, will be accorded higher priority (foundation).

Another example of complexity in relation to an academy is given in Figure 4, particularly in relation to the distance criterion. There is also a lack of clarity in relation to the sports assessment.

#### **Figure 4 Admissions criteria to one academy**

When the Academy is oversubscribed, priority for admissions will be given to those children who meet the criteria set out below, in priority order:

1. Students with statements of special educational needs where the Academy has consented to be named in the statement.
2. Students in public care (looked after children).
3. 10% of students will be admitted on the basis of aptitude in sport, using a specified assessment process.
4. Pupils for whom it is essential to be admitted to the Academy because of special circumstances to do with significant medical or social needs evidenced by written medical advice.
5. Student who, on the date of admission, will have a sibling (i.e. a natural brother or sister, or half brother of sister, or a legally adopted brother or sister or half-brother or sister, who will be living with them at the same address at the date of their entry to the Academy) on the roll of [named] Academy.
6. Of the remaining places:
7. 50% will be offered to students living within three miles and south of [named river], on the basis of proximity, i.e. students who live the nearest radial distance to the Academy on the close of the admission application date. The radial distance is measured as a direct line from the Academy's main building entrance on [named road]. Home to academy distance will be measured as the direct line distance between the applicant's home to the Academy's main building entrance on [named road].
8. The remaining 50% will be offered to applicants living within three miles and south of [named river], on the basis of an independently operated random allocation.

As noted above religious schools tended to have multiple admissions criteria relating to religion, religious denomination or religious practice. Moreover, overall just over one in ten schools (11%) had criteria within broad categories (for example, open and religious places). More voluntary aided schools than other types of schools used these nested criteria (34%). Figures 5 and 6 give examples of such criteria.

**Figure 5: Example of criteria nested within broad categories**

### **Voluntary aided school**

If there are more applications than places available, the criteria in the paragraphs below will be used.

#### Church Applicants

After the places for local applicants and faiths other than Christian (see below) have been filled, applicants who have submitted a Common Application Form to the local authority and have submitted a supplementary application form to the School will be placed in one of three groups, based on information supplied in the form and confirmed by representatives of the church or worshipping community.

Children in Care who meet the criteria in any of the Groups 1, 2 and 3 below will be given priority over all other church applicants.

#### **Group 1 - 'At the Heart of the Church'**

The parent and/or child is likely to fit into this group if he or she is a very committed Christian and his/her faith is absolutely central to their life. In practice, it is highly likely that the parent and/or child worships very regularly in church (as a guideline, this means three or more times a month for at least the last three years). The definition of worship includes not only Sunday services but also weekday ones and it includes Sunday school or its equivalent on a Sunday or on another day so long as the group is about 'faith development'.

This group will be considered **first**. If there are fewer applications in this Group than the total number of places available, all applicants in this Group will be awarded places. If there are more applications in this Group than places available, they will be offered places in accordance with the following order of priority:

A Applicants with compassionate grounds, supported by written professional evidence appropriate to such grounds (for example, but not limited to, Doctor in relation to medical grounds; Social Worker or Educational Psychologist in relation to learning or psychological difficulties) when it can be demonstrated that the school is the most appropriate for the child's needs.

*If you wish the Governors to consider compassionate grounds, you must attach the supporting written professional evidence to the school supplementary form.*

B Applicants with existing sibling(s) already at the school, including the Sixth Form, and who are on the register at the closing date.

C Applicants who are not in categories A or B and are not eligible for a place at either of the [Catholic Church Secondary Schools].

D Applicants who are eligible for a place at one of the [LA's] Catholic Church Secondary Schools mentioned above.

#### **Group 2 – 'Attached to the church'**

The parent and/or child is likely to fit into this group if he or she is a Christian and he/she sees a particular church as 'theirs' and the church would see them as part of its regular community. In practice, it is highly likely that the parent and/or child is a regular worshipper (as a guideline, twice a month for at least the past two years). The definition of worship includes not only Sunday services but also weekday ones, and it includes Sunday school or its equivalent on a Sunday or on another day so long as the group is about 'faith development'.

This group will be considered **second**. If there are fewer applications in this group than the total number of places remaining available, all applicants in this Group will be awarded places. If there are more applications in this Group than places available, they will be offered places in accordance with the order of priority (A to D), as above.

#### **Group 3 – 'Known to the Church'**

The parent and/or child is likely to fit into this group if he or she is a Christian and has a home church. In practice, it is highly likely that the parent and/or child has been to church in the last year on special occasions other than weddings and funerals (e.g. Harvest, Christmas, Easter), or at least four other occasions in the

last year. This child may well be a member of a uniformed organisation attached to the church that has some active church involvement (e.g. Parade service).

This group will be considered **third**. If there are fewer applications in this Group than the total number of places remaining available, all applicants in this Group will be awarded places. If there are more applications in this group than places available, they will be offered places in accordance with the order of priority (A to D), as above.

#### Local Applicants

Up to 16 places are designated for local children whose applications are received by the closing date. Places will be offered to those whose home is within a distance of 500 metres from the School. It is not essential for local applicants to complete the school's supplementary form. However, in view of the possibility of over-subscription, applicants may wish to submit a supplementary form to the School.

If there are more local applicants than designated places, priority will be given to Children in Care resident within 500 metres of the School. For the remaining local applicants, the discriminator will be the distance from School to home within the 500 metre radius. This means that the applicant whose home is the closest to the School will be placed at the top of the list for this category. Distance from the School will be measured in a direct line between home and the School. If there are fewer local applicants than designated places at the closing date, the unfilled places will be made available to the remaining applicants.

#### Faiths other than Christian

Up to 4 places out of the 216 places each year are included for members of faith communities of the principal religions represented in England other than Christianity (Buddhism, Hinduism, Islam, Judaism and Sikhism). This is because some non-Christian families request a place at a Church school and because the presence of such pupils enriches the spiritual, academic and cultural life of the school. The governors require that such students should be willing to respect the Christian life of the school. Applications for these places must be made on the School's supplementary form. Places will be offered on the basis of the criteria explained above, making appropriate adjustments in terminology (e.g. 'place of worship' instead of 'church')

#### Distance discriminator

The final discriminator on all cases will be the distance from the school to home. This means that the applicant whose home is the closest to the School will be placed at the top of the list for their category. Distance from school will be measured in a direct line between the home and the School. Distance criteria will be applied in exactly the same way to all children, regardless of the Local Authority area in which they live.

Such admissions criteria inevitably make understanding the admissions process more complicated for parents/carers to understand.

### **Figure 6: Example of admissions policy to one voluntary aided RC school**

#### **Voluntary aided RC school**

Plain English Campaign's crystal mark does not apply to [text below]

As [the school] is a voluntary aided school, the Governing Body is the Admission Authority...

*Parents may be invited to the school by mutually convenient appointment to meet the Headteacher or Deputy Head so that they can discuss the application for admission [our emphasis]*

...

All admission requests will be dealt with on an equal preference basis therefore parents are requested to give reasons for listing [the school] as one of their 3 preferences.

The Governors will give priority to the applications in the following order:

1 Looked After Children in Public Care who are baptised Catholic children or Children formally received into the Catholic Church.

2 Priority will be given to baptised Catholic children or children formally received into the Catholic Church

currently attending our feeder Catholic primary schools [schools named].

3 Provided that there are sufficient places, baptised Catholic children or children formally received into the Catholic Church and whose home address is within the parish boundaries of one of the feeder parishes will be also eligible for admission.

4 Provided that there are sufficient places, baptised Catholic children or children formally received into the Catholic Church and whose home address is outside the parish boundaries of one of the feeder parishes will also be eligible for admission.

5 Children who have not been baptised as Catholics nor have been formally received into the Catholic Church but who are Looked After Children (children in the care of the Local Authority).

6 If any places still remain (up to the 'admission number') children with other religious commitments will be eligible for admission on the understanding that parents would be willing to have their children educated in a Christian environment and would be in sympathy with the Catholic ethos of the School.

A Consideration would be given to admitting non-Catholic children from regular church going families who would positively identify with the essentially Catholic atmosphere of the school. Applicants would be expected to supply a letter of support from their Church Minister and a baptismal certificate.

B Consideration would be given to admitting children who are followers of other world religions who, with their parents/carers, are sympathetic to the aims and ethos of [the school] and have a supporting letter from a minister of religion where appropriate.

C Consideration would also be given to admitting other children who clearly have a religious influence in their lives including those children who have attended the feeder primary schools.

7 Provided there are sufficient places consideration would be given to admitting children who, with their parents/carers, are deemed by the Governors to be sympathetic to the ethos of [the school].

In the event of places not being available for all applicants the Governor will use the above priority order to apply their over subscription criteria. A completed supplementary form will be required from applicants in order for the Governors to apply criteria 3, 4, 5, 6 and 7.

All admissions to [the school] are subject to Governors' final approval.

Tie Break

When the offer of places to all applicants in any of the sub-categories listed above would still lead to over subscription, places up to the admission number will be offered to those pupils living nearest to the school (based on the [LA] definition of shortest distance).

In this case there is a lack of clarity about the meaning of 'consideration would also be given...' and the statement 'are deemed by the governors to be sympathetic to the ethos of the school' is subjective. There is also scope for considerable discretion by the admission authority.



## Grammar schools

Grammar schools, by definition, are schools that select pupils with high academic ability. Whilst testing is the norm for such schools, we also looked at other oversubscription criteria used. These are presented in Table 9.

**Table 9: Main admissions criteria in addition to ability**

Criteria	Percentage of schools (N=164)
In care	93
Distance	79
Siblings	57
Catchment area	43
Medical/social need	31
Special educational needs	29
Feeder	8
Religious criteria	6
Report from primary headteacher	4
Difficult journey to another school	3
Ability/aptitude in subject area	2
Random	2
Ethos	2
Compassionate factors	2

The main additional criteria used by grammar schools were in care, distance and siblings, followed by catchment area and medical/social need. In 12% of cases children in care were not the first oversubscription criterion. A minority of schools had inner and outer catchment areas (6%) or used nested criteria (5%) (comprising more than one category of applicants and with admissions criteria within each of these). Other criteria were used by 6% of schools, one notable example was:

Those who are able to travel daily from their home address by public transport in under one hour. Parent intending to move within the one hour criteria must provide a solicitor's letter stating this intention before the [non verbal reasoning] test in October (voluntary aided).

Those who are successful in two of the three elements and who are strongly recommended for a selective education by their current headteacher (foundation).

## 5 Supplementary information forms

### Introduction

In the course of analysing LA secondary school admission brochures, it became clear that a number of schools across England were seeking additional information about prospective pupils, by asking parents/carers, to complete supplementary information forms (SIFs) in addition to the common application form (CAF) administered by the LAs. In order to investigate this further, an analysis of SIFs was undertaken to give an indication of what additional information was being sought by schools and to see if this varied across different types of school.

The School Admissions Code (DfES 2007) provides guidance to schools about their use of supplementary information forms:

Admission authorities **must not** use supplementary application or information forms that ask:

- a) for any personal details about parents, such as criminal convictions or marital, occupational or financial status;
- b) for details about parents' achievements, educational background or whether their first language is English;
- c) for details about parents' or children's disabilities, special educational needs or medical conditions, unless this is in support of positive action...;
- d) about parents' or children's interests, hobbies or membership of societies (this does not apply to membership or participation in activities as part of religious observance or practice at schools designated as having a religious character) (para 1.71).

Admission authorities **must not** discriminate against children whose parents fall into certain social groups. No personal information about parents is relevant in considering an application for a place at a school and criteria which focus on parents cannot legitimately be included as oversubscription criteria. Collecting such information may suggest that it can be taken into account and therefore be misleading to parents (para 1.72).

Given the potential for discrimination, admission authorities may only use supplementary application/information forms that request additional information when it has a direct bearing on decisions about acceptable oversubscription criteria; for example, asking for a reference from a priest or other religious minister for a school designated as having a religious character...(DfES, 2007, para 1.73).

At faith schools, a supplementary form can ask parents or children about their membership of or relationship with the church or religious denomination (DfES, 2007, para 1.76).

The Code also prohibits the use of particular practices at the pre-admissions stage. In particular, although photographs of children can be requested by schools that use tests to decide who should be admitted, they must not be used by other schools (DfES, 2007, para 1.78). In addition, supplementary forms must be completed by parents/carers: children must not be asked to complete application forms (DfES, 2007, para 1.79). Finally, as noted above, interviews must not be used to decide whether a child is to be offered a place at a school (DfES, 2007, para 1.46).

## Methods

### Procedure

Secondary schools utilising SIFs were identified through the details of the application procedure made available for parents/carers. In the majority of cases these details were made available via the LA secondary school admission brochures or websites. In some cases, the brochure mentioned that some schools responsible for their own admissions *might* require SIFs and advised parents to contact the schools directly in order to find out if this was the case. Where it was suggested that this was the case, individual school entries in the brochures were read to see if a SIF was required and; if this information was available they were included in the population. For the remaining voluntary aided and foundation schools, CTCs and academies, school websites were checked to see if the application process was mentioned and whether it stated that a SIF was required or advised parents just to complete the CAF. Schools requiring SIFs were then included in the population.

For the schools where this information was not included on their websites, the oversubscription criteria were examined to see if, in order to apply, the school would require information not contained on the CAF. Schools not appearing to need such additional information were excluded from the population. For the few schools which appeared to require additional information, the websites and admissions policy were re-checked and, in the last resort, contacted by telephone. For ten LAs, where identifying whether schools required SIFs or not was too difficult owing to the unavailability of information from school websites, the LA was contacted and asked to confirm which schools required SIFs. This substantially confirmed the results of the previous steps.

### Population and sample

Using this procedure, 602 schools with one or more SIFs were identified. These could be used to apply to a specific school or to more than one school (e.g., in the case of grammar school consortia where parents/carers could fill in a single form to be considered for admission to all the schools). Furthermore, not all schools using SIFs required that all applicants complete them, for example schools may have only required parents/carers seeking places under specific criteria such as specialist or religious places to complete their form.

Our intention was to analyse all SIFs. In the first instance, the LAs' and schools' websites were searched to see if a copy of the SIF used for 2008 entry was available online: some posted SIFs for each school on their websites, but the majority of LAs did not hold copies of SIFs for the schools in their areas. For the 123 grammar schools identified, many shared SIFs. Where these forms were administered by the LA or by a consortium, this body was contacted with a request for the relevant form. Where the grammar school issued and administered its own SIF, the individual school was contacted. For the remaining schools, the LAs and if necessary schools, were contacted for their SIFs. The forms collected represent 260 schools in total, a notional response rate of 43%. Table 10 gives the characteristics of the population and sample (only academies were in the sample).

**Table 10: Types of school in the population and sample of schools using SIFs**

School type	Number in population N=602	Number (percentage) in sample N=260
Academy/city technology college	29	11 (4)
Grammar schools	123	78 (30)
Non-grammar foundation	93	31 (12)
Non-grammar community	10	5 (2)
Non-grammar voluntary aided	347	135 (52)

The percentage of schools in the sample did not match that in the population. There was a higher notional response rate for grammar schools (63%) than for other school types, with the lowest response rate being recorded for non-grammar foundation schools, academies and voluntary aided schools (33%, 38% and 39% respectively). The response rate was high for grammar schools because of the comparative ease of accessing their SIFs owing to the prevalence of consortia sharing application forms. Given that the sample was neither representative nor random, the results of the analysis cannot be taken as applicable for the entire population of schools using SIFs, but is likely to give a fair indication of the nature of the format and questions asked.

### Coding

The coding scheme was developed to take account of the advice given in the School Admissions Code (2007) to distinguish between questions which asked for permitted information (SEN, religion and religious practice for religious schools), expressly prohibited information (parental occupation, financial status, parents'/carers' mother tongue) and information which could be interpreted as prohibited but which was not categorically stated as forbidden by the Code (refugee status, arrival date in the UK). In addition, given the advice in the Code that prospective pupils must not be asked to complete SIFs themselves, that photographs should only be sought if an academic test is to be administered and that interviews at the pre-admission stage must not be used, information was also coded on these matters.

The sampled SIFs were also coded according to their physical and descriptive characteristics, such as the number of A4 pages they comprised and what questions were included on the forms, i.e. what information the SIFs were seeking to extract from parents/carers and from the prospective pupils. The number of open questions, which person was requested to complete them (parents/carers, prospective pupil, faith referee, specialist referee), and the amount of space (measured as equivalent lines of a standard lined A4 page) given for each question were coded. If a reference was requested separately this was also coded as were type of attachments parents/carers were asked to include with their form (photograph, religious proof such as baptismal certificates).

### Results

This section presents the results of the analysis of the SIFs. As there are distinct differences between the grammar and the non-grammar schools in the sample, the results for the non-grammar and grammar schools are presented separately.

#### Non-grammar schools

The sample of non-grammar schools in the sample represent 38% of the population of such schools that were identified as using SIFs. Table 3 gives a summary of the composition of the sample in terms of school type.

**Table 11: Number of schools in the sample by school type**

School type	Number (percentage)
	N=182
Academy	11 (6)
Community	5 (3)
Foundation	31 (17)
Voluntary aided	135 (74)

As shown in Table 11, almost three-quarters of the sample comprised voluntary aided schools (74%), with just under a fifth (17%) being foundation schools and the remainder academies and community schools (of these five schools, four were specialist schools and one a school selecting a proportion of pupils on the basis of ability). Thus, it is principally schools with a religious character that utilised SIFs as they wished to seek additional information about the religion, religious denomination or practice of prospective pupils/parents/carers.

### **Number and length of forms**

The majority of schools (75%) asked parents/carers or external referees to complete a single form with most of the remaining schools (21%) asking for two forms to be completed. The maximum number of SIFs issued by a single school was eight, due to the school issuing separate forms for different religious groups.

The length of the total number of forms issued by each school ranged from 1 to 16 A4 pages (mean number 2.7). Three-quarters of schools asked parents/carers, pupils and referees to complete a form or forms of three or fewer pages in length.

### **Religion, including religious denomination or practice**

Of the schools in the sample, 70% used SIFs to ask about religion, including religious denomination or practice. Most of the voluntary aided schools (91%) requested this information in relation to parents/carers, pupils or the family as a whole either via closed and open questions completed by the parents/carers or through a religious referee such as a priest. A small number of other schools<sup>6</sup> also sought this information: such requests are permitted by the School Admissions Code for schools with a religious character and academies with a religious sponsor and religious criteria (DfES 2007, para 1.76).

### **Questions expressly forbidden by the Code**

In terms of questions which have been expressly forbidden by the School Admissions Code, few schools were found to ask for personal details of parents/carers. No school asked about the criminal conviction of parents. A small number of voluntary aided schools asked about parental occupation (8 schools), marital status through a direct question (4) or financial status, mainly through a question about the child's entitlement to free school meals (2).

As well as looking at whether a form asked about the marital status of parents/carers through a *direct question*, we also sought to establish whether schools sought information which could be used indirectly to determine the marital status of parents, for example by asking for the address of *both* of the child's parents/carers. Just under a quarter of schools (23%) asked such questions.<sup>7</sup>

<sup>6</sup> 2 academies and 2 foundation schools.

<sup>7</sup> 32 voluntary aided, 8 foundation and 2 academies.

Parents/carers are commonly asked to name the child's current school on the CAFs; however, it is not clear as to why information about previous schools, i.e. those attended before the current primary school, should be sought. Eight voluntary aided schools asked whether a child had attended a religious primary school (this may be due to attendance at a religious primary school forming part of the school's oversubscription criteria). One voluntary aided school asked whether the pupil had been excluded. One in ten<sup>8</sup> schools asked for details of previous primary schools and just under one in ten<sup>9</sup> asked about the length of time spent at the current or previous primary schools.

Questions about ethnicity, the nationality and country of birth of parents/carers were asked by a small minority of schools. Seven asked about ethnicity,<sup>10</sup> and eight asked about nationality and the country of birth of parents/carers.<sup>11</sup> Three voluntary aided schools asked about the parents'/carers' refugee status, six when the family moved to the UK, four how long the family had lived at their current address, and one whether the family had homelessness status. One foundation school asked parents/carers if they had refugee status. Just over one in ten schools<sup>12</sup> asked for information about which school siblings attended and/or their occupations.

### **Parents' educational level**

The School Admissions Code stipulates that SIFs should not contain questions seeking information about parents'/carers' educational levels. No schools requested this directly. However, the forms for some schools did contain questions about the child's and parents'/carers' language skills, including parents'/carers' mother tongue which is specifically mentioned by the Code as an inappropriate question. Five schools<sup>13</sup> asked about the languages the pupil speaks and 14<sup>14</sup> sought information about the language spoken at home or the pupil's mother tongue.

### **Special educational needs**

Schools have a duty to admit children with a statement of special educational needs that names the school on the statement (DfES 2007, para 2.6). However, admission authorities must not ask for details about children's special educational needs, unless this is in support of 'positive action' (para 1.71c). Under the Code schools may request information via their SIFs relating to positive action to support their needs. A significant minority of schools (33)<sup>15</sup> asked for information about statemented SEN. For seven schools this was accompanied by instructions that details need only be given if the statement named the school in question or indicated that parents should refer to the criteria before answering the question<sup>16</sup>. However, this was not always the case; most of the schools seeking information about statemented SEN (23)<sup>17</sup> did not specify that only statements naming the school need be disclosed.

A minority of schools<sup>18</sup> also asked about children's non-statemented SEN. This information was elicited either through questions asking about SEN without mentioning statements, or by specifically asking for information about non-statemented SEN (e.g., if the child had a school action plan). One voluntary aided school also asked about whether the child had been classed as 'gifted and talented'.

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<sup>8</sup> 17 voluntary aided and 1 foundation.

<sup>9</sup> 7% (10 voluntary aided and 2 foundation).

<sup>10</sup> 6 voluntary aided and 1 foundation.

<sup>11</sup> 7 voluntary aided and 1 foundation school in each case.

<sup>12</sup> 25 voluntary aided and 1 foundation.

<sup>13</sup> 3 voluntary aided and 2 foundation.

<sup>14</sup> 10 voluntary aided, 2 foundation and 2 academies.

<sup>15</sup> 26 voluntary aided, 5 foundation and 2 academies.

<sup>16</sup> 5 voluntary aided, 1 foundation and 1 academy

<sup>17</sup> 19 voluntary aided, 3 foundation, 1 academy

<sup>18</sup> 19 voluntary aided, 2 foundation, 2 community and 2 academies.

## Hobbies

The School Admissions Code specifically states that schools should not use their SIFs to ask about children's hobbies. This does not include questions about religious activities used by schools with religious criteria, but rather refers to questions which ask about non-religious activities on the part of pupils and parents/carers. Two voluntary aided schools asked about such hobbies.

Although the School Admissions Code stipulates that information should not be sought about non-religious hobbies, a number of schools with specialist status, which, like other schools with a specialism can select up to 10% of children on the basis of aptitude in particular subject areas, do ask about hobbies in these specialist areas. Overall, 15 schools with specialist status asked about hobbies in relation to their specialist area.<sup>19</sup> Additionally, a small number of schools responsible for admissions (17 (9%)) asked about children's *attainment* in academic or specialist areas.<sup>20</sup>

## Admissions Procedure

Apart from advising schools about how they can use their SIFs, the School Admissions Code also covers admissions practices. Giving priority to parents/carers who name the school as their first preference is not permitted by the Code (DfES, 2007, para 2.13) nor is giving priority to pupils with a family connection to the school other than through siblings currently attending the school (DfES 2007, paras 2.13h and 2.13k).

A small number<sup>21</sup> of voluntary aided schools asked parents about their other school preferences, either by asking whether the parents/carers' had placed their school as first choice or asking them to name their other preferences. In terms of non-current sibling links, nine schools<sup>22</sup> asked whether the child's siblings previously attended the school. Four schools<sup>23</sup> asked about other family connections to the school, such as cousins, parents and school governors. The Code also prohibits the use of interviews to determine the allocation of places. On the SIFs, four schools<sup>24</sup> indicated that there would be interviews for children.

In terms of admissions procedures, the Code stipulates that parents/carers should not be asked to attach a photograph of the child unless the school administers a test and needs to be able to check the identity of the prospective pupils on the examination day. However, four schools<sup>25</sup> which did not administer either a general academic examination or a specialist admissions test were found to ask parents/carers to send a photograph of the child attached to the SIF.

Finally, the Code indicates that the SIF should not be filled in by the children. The vast majority of schools in the sample asked that forms be filled in by parents/carers or referees such as religious leaders. However, three schools (a foundation and voluntary aided school and an academy), asked the child to answer one or more questions. The foundation school asked the child to fill in one open question which had space for ten A4 lines of writing, the academy asked the child to fill in two open questions which together had space for 16 A4 lines of writing and the voluntary aided school asked the child to fill in three open questions which together had space for 27 lines of A4 writing. Thus, where children are asked to fill in part of a school's SIF, they were asked to write a substantial answer to the question, with each question giving a mean space of 8.8 lines of A4 for the answer.

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<sup>19</sup> 7 foundation, 3 voluntary aided, 2 community schools and 3 academies.

<sup>20</sup> 9 foundation, 5 voluntary aided and 3 academies.

<sup>21</sup> 7 out of 135 (5%).

<sup>22</sup> 5 voluntary aided and 4 foundation.

<sup>23</sup> 3 voluntary aided and 1 foundation.

<sup>24</sup> 2 voluntary aided and 2 foundation.

<sup>25</sup> 3 voluntary aided and 1 foundation.

### **Open questions for parents/carers**

Of the schools in the sample, 62% asked parents/carers to fill in one or more open question on the SIFs. Of these 112 schools, 55% required parents/carers to fill in one open question only, with a further 20% asking two open questions and 25% asking three or more open questions. The maximum number of open questions put to parents/carers across all of the SIFs issued by the school was 14.

The areas covered by the open questions varied: schools asked about children's activities in relation to specialist areas, children's/parents'/carers' religious activities, children's SEN, medical and social needs and more general questions, for example, asking parents/carers why they had chosen the school.

General open questions were asked with most frequency across the sample: 35% asked one or more open questions of a general nature.<sup>26</sup> In terms of open questions relating to specialist activities 12 schools<sup>27</sup> asked parents/carers to give information about the child's specialist activities via one or more open questions. Just over a fifth of the schools in the sample<sup>28</sup> asked parents one or more open questions about pupils' educational, medical and social needs. A fifth of schools<sup>29</sup> asked parents/carers about their or the child's religious activities. Of the 36 voluntary aided schools, the majority (25 schools) asked parents/carers to fill in one or two open questions with the remainder asking parents/carers between three and five open questions about their family's religious activities.

### **Non-religious referees**

According to the Code, it is not permissible for schools to use reports from headteachers about children's 'past behaviour, attendance, attitude or achievement' when formulating oversubscription criteria (DfES 2007, para 2.13f). However, a small number of schools asked non-religious referees to complete a reference on the form. One voluntary aided school asked the child's headteacher to give a reference and two voluntary aided and two community schools asked for another type of reference, principally from an individual who can comment on the child's activities in a specialist subject area. In addition, one voluntary aided and one foundation school asked the child's headteacher to confirm that the parents/carers had completed the SIF with the correct information prior to being returned to them.

Although only one school sought a headteacher's reference directly on the SIF, nearly a quarter of schools in the sample (23%) asked parents/carers to name the child's current headteacher or give the telephone number for the child's current primary school on the form.<sup>30</sup>

### **Other questions**

A small proportion (14%) of schools<sup>31</sup> asked parents/carers to confirm that they would support the ethos of the school (but in neither a practical nor financial manner), for example, by allowing the child to attend religious services. Finally, three schools<sup>32</sup> used the SIF to ask marketing questions of parents/carers, such as how they heard about the school. It is not clear that asking such marketing information is reasonable.

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<sup>26</sup> 56 voluntary aided, 7 foundation and 1 academy.

<sup>27</sup> 4 community, 5 foundation and 1 voluntary aided schools and 2 academies.

<sup>28</sup> 27 voluntary aided, 2 community, 6 foundation schools and 3 academies.

<sup>29</sup> 36 voluntary aided schools and one academy.

<sup>30</sup> 30 voluntary aided, 8 foundation and 1 community school and 3 academies.

<sup>31</sup> 25 voluntary aided and 1 foundation.

<sup>32</sup> 2 foundation and 1 voluntary aided.



## **Grammar schools**

Many of the grammar schools in the sample belong to the same consortia, meaning that children need only sit one 11 plus examination in order to be considered for admission by all of the consortium's schools. Parents/carers for such consortia grammar schools for the most part need complete only one SIF in order to be considered for admission to all the consortium's schools.

The majority of the grammar schools in the sample used SIFs solely to enable parents/carers to enter their 11 plus examination and as a result they principally used very short forms. More than half (54%) had forms one page in length, with a further 39% using forms two pages in length. A minority of schools used longer forms, with three using forms of three pages and three of eight pages. The vast majority of the grammar schools used one SIF to gain information from parents/carers, with just one using two forms.

## **Personal details**

None of the grammar schools in the sample asked for any information about parents'/carers' personal details which have been expressly stated as being inappropriate by the School Admissions Code. A small number of grammar schools (15%) asked about parents'/carers' marital status through indirect questions.<sup>33</sup> One foundation school asked parents/carers to give information about how long the child had been at his or her current or previous primary schools. Around a fifth (19%) of grammar schools in the sample sought information on ethnicity.<sup>34</sup> One foundation school asked parents/carers to give information about whether they were refugees or seeking asylum.

## **Parents'/carers' education**

No school asked for information on parents'/carers' education directly but four foundation schools sought information about parents'/carers' mother tongue and one asked for information about the languages spoken by the child.

## **Special educational needs**

In terms of special educational needs, a significant minority of the schools asked about non-statemented SEN (19%), with only four asking about children with statements of SEN.

## **Hobbies**

None of the schools in the sample asked parents/carers about their non-religious hobbies, which is prohibited by the Code.

## **Open questions to pupils**

None of the schools in the sample asked the children themselves to fill in any part of the form, including open questions. Furthermore, the majority of the grammar schools in the sample did not ask parents/carers to fill in open questions on the SIFs: 69% had no open questions for parents/carers. For the 24 schools that asked parents to fill in open questions, the vast majority only asked parents/carers to fill in a single open question, with three asking them to fill in two open questions (the maximum).

In general, the answers parents/carers are asked to give to open questions were expected to be short. On average, where they are required to fill in one or more open questions, they were given a mean

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<sup>33</sup> 10 foundation, 1 community and 1 voluntary aided.

<sup>34</sup> 5 community, 5 voluntary controlled, 5 foundation.

space of three lines of A4 paper to write their answer.<sup>35</sup> Only six questions across the sample give parents four or more lines of space to parents/carers, although three questions are more substantial, giving parents/carers ten or more lines of A4 to give their answer.

The majority of the schools asking open questions used them to gain more information about the child's needs, be it of an educational, medical or social nature, with over a quarter of schools (26%) seeking this information. This holds for all school types excluding voluntary controlled grammars, of which none in the sample sought this information. Four schools asked a more general open question.

### **Current school contact details**

None of the schools in the sample used open questions to referees such as headteachers to gain information about children. However, a significant minority of the grammar schools in the sample sought the contact details or the name of the headteacher of the child's current school, with 42% (33 schools across all types) seeking this information.

### **Other questions**

One voluntary aided school asked that parents/carers pledge to support the ethos of the school in a non-practical or financial way. Seven schools asked marketing-related questions such as where the parent/carer heard about the school.<sup>36</sup>

### **Photographs**

Although all of the grammar schools in the sample were able to ask parents/carers to attach a photograph of the child to the SIF as they administered tests, only 18 schools (23%)<sup>37</sup> did so.

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<sup>35</sup> This excludes the open question used by 3 schools on a shared online form as it was impossible to accurately estimate the space available for parents/carers to write in.

<sup>36</sup> 6 voluntary aided and 1 community.

<sup>37</sup> 2 community, 7 foundation and 9 voluntary aided.

## 6 Discussion

This report set out to analyse secondary schools' admissions criteria and practices in England in light of the new legislative and regulatory context following the 2006 Education and Inspections Act and the third School Admissions Code (DfES, 2007). Our analysis revealed that most admissions criteria and practices were broadly in line with the Code and the legislation, although a minority of schools had criteria that cannot be considered clear or objective.

Virtually all schools gave priority to children in care, as required by legislation, although a small minority of schools responsible for their own admissions did not. A minority of schools also failed to give *top* priority to this group of children, although by law they should. Over half of schools mentioned in their admissions criteria children with statements of special educational needs: a higher proportion were community and voluntary controlled schools and academies as opposed to voluntary aided or foundation schools.

In a significant minority of schools, in the main those with responsibility for their own admissions, some criteria used are designed to select in certain groups of pupils. It is noteworthy that the highest proportion of schools that selected a proportion of pupils on the basis of ability/aptitude in a subject area were academies and foundation schools. And over a quarter of voluntary aided schools made reference to the school's 'ethos' in their admissions criteria.

Very few schools reported the use of interviews, prohibited by the Education and Inspections Act 2006, although there was some evidence of pre-admission meetings. A small number of grammar schools, which are by definition academically selective, also use oversubscription criteria such as aptitude/ability in a subject area or seek reports from the primary headteacher.

Supplementary information forms (SIFs) were used by some schools. These may request information not permitted by the School Admissions Code or information which is unrelated to the school's admissions criteria. This information could be used to select in or select out certain groups of pupils. The nature of the information required in the SIFs (in terms of questions and the length of the forms) may result in some parents being disadvantaged during the admissions process and raise questions about the 'fairness' of the process.

Schools seeking information not allowed for by the Code were virtually all voluntary aided or foundation schools as opposed to either academies or schools whose admissions are the responsibility of the local authority. In terms of other personal details (not specifically mentioned in the Code), very few schools seek this information. Questions which ask for information which does not apply directly to a school's oversubscription criteria could be used to select in or select out certain groups of children, or they could be used by schools for other purposes such as monitoring applications (e.g., in terms of ethnicity). However, such questions could be perceived by parents/carers to be for other purposes. For example, asking about non-statemented special educational needs or the child's mother tongue could be interpreted in different ways by parents/carers. On the one hand, they may view this as a signal that the school will take declared needs into account and that this will benefit their application; on the other, they may interpret the question as a means through which schools would obtain information about difficulties which might affect a child's performance and that this would act against their child being offered a place.

Furthermore, in a minority of cases, principally schools which were their own admission authorities, the SIFs which parents/carers needed to fill in were lengthy and complex in that they required a number of open questions to be interpreted and completed. This may disadvantage some parents in the application process, particularly those who are unfamiliar with the secondary school application

process and those for whom English is not their first language. This in turn could deter such parents from submitting an application.

There have been noteworthy changes since 2001. Virtually all schools now give priority (and in the main top priority) to children in care. Very few schools now use interviews or criteria that could be used for social/covert selection (e.g., giving priority to the children of former pupils/staff). More however select on the basis of aptitude/ability in a subject area (5% compared with 3%). As in 2001, most of these were schools responsible for their own admissions. In 2008, in contrast to 2001, random allocation was used by a small proportion of schools in the event of oversubscription. Finally, more voluntary aided schools gave priority to children of other faiths than in 2001 (42% versus 23%).

### **Implications for policy**

- The Education and Inspections Act 2006, associated regulations, the 2007 School Admissions Code and determinations made by Schools Adjudicators have been effective in reducing the use of criteria that may advantage some groups of pupils over others. However, this research has brought to light further issues relating to the admissions process which suggest legislative changes are needed if some groups of pupils are not to be discriminated against. One concern is that the admissions process is unduly complex. Admissions criteria for community and voluntary controlled schools are, in the main, clear, objective and relatively simple for parents/carers to understand. The situation is different with voluntary aided schools; there can be a high number of criteria relating to religion and religious practice, creating difficulties for parents/carers and allowing scope for discretion in many cases. There is a case for a simplified procedure for determining religion and religious practice (see Allen and West, 2009).
- A significant proportion of academies and foundation schools select a proportion of children on the basis of aptitude/ability in a subject area. Fair banding across a wide area on the basis of the range of ability of children in the area or random allocation are likely to be more effective if the overall aim is to widen access to particular schools and create greater social equity.
- It would be in the interests of parents/carers with children who have statements of special educational needs, to have information in a consistent form across all schools in an authority. This information is helpful for parents/carers of children with statements who may not be familiar with the admission process and its exclusion may signal that their child is not welcome at a particular school.
- There is a concern about the nature of the SIFs – both in terms of their length and the questions asked – which may result in some parents being disadvantaged during the admissions process and raises questions about the ‘fairness’ of the process. Few schools sought information which was not permitted by the Code. However, more schools asked other personal questions which have not been prohibited by the Code. Further guidance to schools as to what is and what is not appropriate to ask would help admission authorities to have a clearer understanding of how they should use their supplementary information forms (cf Office of Schools Adjudicator, 2008).
- According to the DCSF: ‘The admissions system can appear very complex to some parents’ (2007, para 1.65). However, our research suggests that the system may not appear complex but *be* complex. This is highly likely to be the case with parents/carers who are not highly educated. There is a strong case for admissions to all schools to be as simple and straightforward as the community schools (and some academies) identified in this report. Choice advisers may assist with the admissions process, but they do not address the inherent complexity and lack of clarity.

- More fundamentally, schools that are responsible for their own admissions may exert discretion when making decisions about which pupils should be offered places in the event of the school being oversubscribed. It is not clear why decisions need to be taken at this level given the incentives for schools to perform well in school performance tables. For community and voluntary controlled schools, some academies and some voluntary aided schools, the local authority acts on behalf of the schools in question. This can be seen to be an independent body. However, for most schools responsible for their own admissions, the school itself makes the decision about who should be offered a place. There is a strong case for either the local authority or possibly a religious body with no vested interest in the outcome to take responsibility for the allocation process to ensure procedural fairness.
- Key questions still remain in relation to the link between admissions criteria and practices and school composition. Until data are made available enabling the patterns of application to be related to patterns of offers, it is still unclear whether school autonomy in relation to school admissions may be a factor in determining which pupils apply to which schools and which are offered places.

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## Annex A

**Table A1 Admissions criteria in maintained non-grammar secondary schools in England 2008**

Criterion	England N=2970	C/VC N= 1909	VA N=485	F N =482	A/CTC N=94
In care	99	100	98	99	98
Siblings	97	100	90	98	85
Distance	93	96	79	95	87
Medical/social need	60	66	39	58	57
Catchment area	61	67	47	54	46
Statement of special educational needs	53	62	34	36	67
'Feeder' primary school	38	37	58	30	14
Religion	17	3	90	1	12
Compassionate/exceptional factors	10	11	10	5	7
Random allocation	6	8	4	3	15
Partial selection by ability/aptitude in subject	5	1	7	14	15
Ethos	4	<1	27	<1	0
No alternative school/difficult journey	4	5	1	6	2
Banding	3	1	4	3	33
Special educational needs without statement	2	3	2	2	1
Partial selection by ability	1	<1	3	4	0
Interview with parent	<1	<1	<1	<1	1
Interview with pupil	<1	<1	<1	<1	0

### Notes

This table does not provide an exhaustive listing of admissions criteria/practices used.

## **Annex B**

### **Examples of admissions criteria**

- **Community**

There is no guarantee of a place at the school. In the event of oversubscription places will be allocated using the following criteria in the order given:

- 1 Children Looked After;
- 2 children with a sibling attending the school;
- 3 remaining applications.

In the event of oversubscription within any of the above criteria, priority will be determined by straight line distance from home to school, those living closest being given the highest priority. Exceptional medical circumstances (supported by medical evidence) may override the above.

- **Community and academies in one LA**

Should there be more applications than places available, the following criteria will be used to allocate the places.

In accordance with the Education Act 1996, children with a Statement of Special Educational Needs are required to be admitted to the school named in the Statement. Thereafter, the following priorities will apply:-

1. Pupils who are 'looked after' by a local authority where the person with parental responsibility completes the application form.
2. Pupils living in the catchment area of the school/academy.
3. On medical grounds supported by a medical certificate.
4. Brothers and sisters of pupils attending the school/academy when the pupil starts at the school/academy...
5. On the shortest distance, measured in a straight line, between the main entrance of the school/academy site and the pupil's home address (mid point, front of house), with those living closer to the school/academy being accorded higher priority.

The admissions criteria will be applied separately and sequentially until places are filled. Priority is not given within each criterion to children who meet other criteria. If the Council is unable to agree a place for all children meeting a specific criterion, the distance criterion (5 above) will be used as a tiebreaker.

- **Academy**

Where the number of applications for admissions is greater than the published admissions number, applications will be considered against the criteria set out below. The criteria will be applied in the order in which they are set out below;

A Pupils with statement of Special Educational Needs where the Academy is named on the statement; and looked after children, as defined under section 22 of the children Act 1989.

B Brother or sister attending [the] Academy. This includes siblings living in the same household, step-siblings and adopted siblings, but does not apply to cousins.

C Proximity to school as measured by comparing the distance from the student's permanent home address to the front gate of the school by a safe walking route, with those living nearer being accorded the higher priority.

D Confirmed special medical reason which necessitates attendance at [the] Academy (a letter from a hospital consultant is required as proof of such a reason).

E Special personal circumstances which necessitate attendance at [the] Academy. Such circumstances will be assessed by the Admissions and Appeals Committee of the...Academy.

- **Voluntary aided school**

Places will be allocated in the following order of priority:

1. Looked after children
2. Children whose home address is within the designated catchment area at the time of application
3. Children who are siblings (at the time of admission) of present students of [named school]
4. The children of a parent/guardian who at the time of application is a practising member of the Church of England\*
5. The children of a parent/guardian who at the time of application is a practising member of another Christian denomination\*
6. Children attending [named middle school]
7. The children of a parent/guardian who at the time of application is a practising member of another faith or religion\*
8. Children attending either [one of two named middle schools]
9. Children with exceptional medical reasons

\* A practising member is defined as one who, for a period of six months prior to the time of application, has attended public worship at the church or religious meeting place at least once in each calendar month. Christian Denomination is defined as those churches or groups with adherence to the doctrine of the Trinity. Other faiths and religions are those faiths or religions practised, which are not Christian and are founded on a doctrine which worships a God(s).

- **Voluntary aided school**

Pupils will be admitted without reference to ability or aptitude. The number of intended admissions for the academic year commencing September 2008 will be 180.

Where applications for admission exceed the number of places available, the following criteria will be applied (in the order set out below) to decide which children to admit:

1a children who are in receipt of a Statement of Special Educational Needs (in accordance with the 1996 education act) as being in need of an educational placement at the school.

b Children who are in public care ('Looked After' children)

2 Anglicans

A The practicing Anglican children of practicing Anglican families.

B Practicing Anglican Children.

C Children of practicing Anglican families.

3 Other Christian Denominations

In recognition of the wider Christian commitment of the school, parents/carers who attend worship at a Christian\* Church.

The same order of preference as to religious commitment, residence and relationship will apply as for Anglican parents/carers.

4 Other Applicants

A Children who attend a Church of England (Aided) primary school and whose parents wish them to continue to be educated within a formal Christian ethos. Such applications to be accompanied by a written statement from either the visiting clergy at the school or the headteacher of the primary school.

B Children whose parents have a religious commitment (other than those specified above). Such applications should be accompanied by a written statement from a religious leader.

C Any other children. These should be accompanied by a supporting letter from the parents.

Notes:

Where applications for admission exceed the number of places available, the following criteria will be applied, in the order set out below, to decide which children to admit:

1. How regularly and frequently the child attends worship at a Christian\* Church.
2. How regularly and frequently at least one parent attends worship at a Christian\* Church.
3. The number of years the child's attendance at Church has been sustained.
4. The number of years the parent's attendance at Church has been sustained.
5. Whether brothers or sisters currently attend this school.
6. Whether the child attends a Church of England (Aided) primary school.
7. Whether the child is a practicing member of another faith community.

An authorised Church official must provide information, usually the parish priest/minister.

Points are awarded according to each criterion, and when the total has been calculated for each child, the governors will allocate places to those children reaching the appropriate qualifying 'score'. This is the point at which 180 pupils can be admitted. This 'score' varies from year to year as it is dependent upon the number of applications received and the nature of the church affiliation of that year's parents/carers, so it cannot be determined before all applications have been processed. Should a situation occur where either:

A offering places to all of a group of parents/carers on a particular point score takes us over our admission number, or

B all remaining candidates have zero points and the intake is not yet full

then governors reserve the right to offer the final places to those children living nearest to [the school] as measured by the straight line method from the pupil's registered address to the school.

\* Please note that the governors have defined 'Christian church' as being any Church in membership of , or sharing the statement of belief of 'Churches Together in England'

- **Foundation school**

These criteria are to be adhered to in the rank order shown.

1 Any student residing within the priority (catchment) area of the school, provided that the parents have submitted an application by the deadline date.

2 'Looked after' Children or those in Public Care.

3 Any student who will have a brother or sister attending [named school] at the start of the academic year.

4 Proximity of the child's home to the school, with those living nearer being accorded the highest priority. Ease of access to the school or other schools will be taken into consideration. The distance will be measured by straight line between the central part of your home and the central part of the school...

## Annex C

### Examples of content and form of supplementary information forms

- **Voluntary aided schools in one LA**
  - The LA distributes and collects the SIFs for these schools; parents/carers need only submit the forms once to apply for both schools.
  - Parents/carers submit two forms: a general 'Additional Information' form completed by the parents/carers and a 'Reference' form completed by a referee. The general form is simple, consisting of one page and two questions not covered by the CAF, namely the faith and place of worship of the child and what category for admissions they fall into.
  - Parents/carers can submit either a minister's reference or a 'supporting reference' filled in by a referee who is not a minister or equivalent but who is associated with religious-related community activities. A spokesperson for the LA said parents often ask who such a referee might be and usually the answer is given that it is 'someone like a Brownie leader'.
  
- **Foundation school (with a performing arts specialism)**
  - Separate SIF to be completed by parents/carers/children applying for specialist performing arts places only; there are separate sections for those whose aptitude lies in music, singing, drama and dance.
  - The form consists of 4 A4 pages and is completed by parents/carers and children. There is a space equating to 10 lines of A4 for a 'child's statement' where the reasons for applying for a specialist place and what the child hopes to gain from attending the school are to be given. There is an identical space for their parents to address the same question.
  - In these statements the parents and children are asked to consider the 'ethos' of the school: 'Selected pupils will be expected to work hard at all their subjects in the National Curriculum, as well as at their specialism in the Arts. The school encourages all pupils to achieve their full potential and with those selected, their talents in the Arts will be developed to levels of excellence. This will be in the context of the education of the whole child. A partnership between the school and home therefore is essential if a pupil is to succeed to the best of their ability'.
  - The parents/carers are asked to attach a photograph of their child; children attend auditions and this would count as a test for which the School Admissions Code specifically permits photos to be collected by the school.
  - The form asks questions about the child's attainment, in particular music, drama and dance examinations.
  - Details about the nature (private or at school) of lessons and the length of study that the child has taken in each of the specialisms are also requested. They are also asked 'hobby' questions related to activities which they have undertaken in the specialist areas e.g. examples of pieces sung, performances they have participated in.
  - The form asks parents/carers to complete a large number of open questions: there are 13 open questions in total (including the two mentioned above) although parents will only complete a fraction of these as their child will not be asking for assessment in all of the specialist areas available.
  - As well as asking for current school details (headteacher's name) the form also asks for details of a referee for the specialist activity.
  
- **Voluntary aided school**
  - This school asks all parents to complete a number of SIFs depending on the criteria under which they are applying. There are 7 forms in total: two 'general admissions' forms, a

‘clergy’ form, a ‘statement of religious commitment’ for non-Church of England religious parents/carers, and three performing arts specialist forms, one each for dance, drama and music. Therefore parents applying under religious and specialist criteria would fill in up to 4 different forms. Parents not applying under religious or specialist criteria must fill in two forms. These 7 forms comprise 11 A4 pages in total.

- The school has an assessment test for all applicants, and asks for a passport photograph. It also asks for ‘proof of address’ evidence in the form of a utility bill for example.
- The first general admissions form asks for current school details (phone number) and for the parents to state under which category they are applying.
- The second general admissions form asks for several pieces of information which are expressly forbidden by the School Admissions Code: the marital status of the parents (as it asks if the parents both live with the child and whether the parent has access to the child) and whether the pupil is entitled to free school meals and the type of accommodation (whether they live in an hostel or bed and breakfast accommodation) parents/carers live in (financial status) and language spoken at home (mother tongue).
- The second general admissions form asks for several other pieces of personal information: the child’s ethnicity; parental nationality (directly and country of origin and language spoken at home); the school attended by and occupation of the child’s siblings; whether the pupil has refugee status; general disabilities and medical problems (such as allergies) and the name of the child’s doctor.
- The second admissions form says the information will be used ‘if your daughter is offered a place’ but is requested for all parents/carers during the general admissions round (to be returned by 19 October 2007).
- The ‘clergy’ reference form says parents who hold ‘positions of responsibility in the church’ will have priority in the admissions procedure and asks the referee to detail these activities.
- The music and dance specialist forms ask for details relating to attainment (exams taken) and for certificates to be included with the application.
- All specialist forms (music, dance and drama) ask ‘hobby’ questions including details of clubs involved with, classes taken and performances involved in.
- All three specialist forms ask specifically for a headteacher’s reference (on the child’s ‘attendance and punctuality’) to be included in the form and for a separate specialist reference to be attached. The headteacher’s reference must show that child is punctual and attends school as a minimum criteria for audition.
- All children are also asked to complete a personal statement of up to 100 words (9 lines of A4) for each specialism; the form states that this statement will be used in the event of a tie break situation.
- Only a ‘limited’ number of specialist children are auditioned.

- **Voluntary aided school**

- This form is 3 A4 pages long and is filled in by all parents/carers.
- It asks for several pieces of information which are expressly forbidden by the School Admissions Code (parental occupation; marital status indirectly by asking if each parent’s address is different from their son’s; and a passport photograph, forbidden as the school does not administer a test).
- Not expressly forbidden information about the age of and school attended by the child’s siblings are also requested.
- The form also asks for details of any *statemented* SEN, which is needed to apply the oversubscription criteria, and also about *other* i.e. non-statemented SEN with space (one line of A4) to elaborate the nature of the SEN.
- The form also asks about ‘health problems’ giving a one line space for parents to elaborate the nature of the problem. It is not made clear that information needed only to apply the criteria need be given.

- As a voluntary aided (Catholic) school, the form also asks religious-related questions (which church/mass attended; date of baptism and holy communion with requests for certificates to be attached). Parents/carers are also asked to include a priest's reference.
  - There is a one page (A4) space for a parental open statement for parents/carers to give reasons as to why they want to attend the school bearing in mind that it is a 'Catholic, all-boys, non-selective, comprehensive school'. Parents can continue their statement on a 'separate sheet if necessary'.
- **Voluntary aided school**
    - The form is administered and returned to the LA.
    - It asks parents to fill in closed questions which give the religion of the child and the name of the priest and place of worship they attend ('if applicable'). Parents/carers are also asked to attach a baptismal certificate.
    - The rest of the one page form is filled in by the referee, who can be a Christian or other religious leader; this reference is needed for non-Catholic parents/carers only. It consists of one open question (in a six line of A4 space) for the religious leader asking 'how you know the child and how frequently they worship within your community'. They are not asked to give a reference for the parents/guardians.
- **Foundation school**
    - The bulk of this one page form (which consists only of closed questions) repeats requests for information contained on the CAF such as child's name, address and date of birth.
    - It asks for one piece of information forbidden by the Code: whether there is any previous sibling connection with the school (i.e., if any of the child's siblings have previously attended the school).
    - It also asks for the child's current headteacher's name and telephone number (current school details) and a marketing question about how the parent/carer heard about the school.
- **Voluntary aided school**
    - This is a one page form which asks for some details which are not forbidden by the Code. However, these do not relate to the criteria – they include the age and school attended of the child's siblings and also whether the parent/carer has applied to any other schools and if so which ones (which undermines the 'equal preference' system).
- **Voluntary aided school (with a science specialism)**
    - This one page form for specialist (science) applicants asks for parents to sign a statement in effect agreeing to support the ethos of the school: 'If my child is admitted to [named] Catholic School, I / We agree to co-operate with the school in ensuring that all school rules are kept, the correct uniform is worn at all times and that the expectations, ethos and standards of the school are maintained through our support'.
    - Parents are also asked to complete an open question (four lines of A4) detailing why they are applying for a specialist place at the school and to state if they are applying under any other criteria.
- **Foundation school**
    - This three page form asks for a number of personal details, namely: mother tongue and, indirectly, marital status through questions regarding parental responsibility; ethnicity, nationality, asylum seeker status, languages spoken and religion (religion is permitted).
    - The form also asks for details of the child's school history, i.e. not only their current school but also previous schools attended with the attendance dates.

- The form also asks for medical details (not relevant to its criteria), for example it asks for a doctor's name and address, details of any medical conditions and medicines taken, dietary requirements and food allergies.
- **Voluntary aided school**
  - This two page general form asks for a number of personal details. Some of these are forbidden by the Code (mother tongue, marital status indirectly by asking for the address of both parents/carers if they differ from the child's address). Others are not, but do not relate to the oversubscription criteria (whether child was excluded from school, whether the child has non-statemented special educational needs under the Code of Practice and at what stage, along with questions relating to the child's special educational needs).
  - The non-statemented SEN question 'will not affect admissions but helps with advance planning'.
  - All parents/carers **and** children are required to sign a statement supporting the school's mission statement 'At [named] Catholic School we will build up a loving community with Christ at its centre, develop potential to the full and strive for excellence; work and play in harmony; and treat each other with dignity and justice'.
  - Catholic parents/carers are required to enclose baptismal certificates and state what parish they are attending and if they have received their first holy communion.
  - Non-Catholic, Christian parents/carers are required to submit a religious leader's reference (one page form) and baptismal or dedication certificates. The one page form includes a two line A4 space for the referee to answer an open question relating to whether the child is a practicing Christian. Non-Christian parents/carers need to get a reference in the form of a letter from their religious leader.
  - Specialist parents/carers are asked to state what their specialism in performing arts (music, dance, drama) will be – the introduction states: 'If you would like your child's *ability* in Drama, Music or Dance to be taken into consideration, then please indicate below the area/s in which they have *ability*. Judgement will be made using evidence from *grade exams* if taken (not essential), practical demonstration and evidence of *previous involvement* within the art form indicated' [our emphasis]. This therefore implies that the selection for specialist places will be based on ability (reinforced by the inclusion of exam grades in the judgement procedure) rather than aptitude.
- **Voluntary aided school**
  - This one page form for this voluntary aided (Catholic) school does not ask for any information not available on the CAF which does not relate to the child's religion.
  - The form asks whether the child is a baptised catholic, the date of the baptism, the name of and address of their current church/priest, what other sacraments they have received (multiple choice) and if they are not Catholic, what their religion is.
- **Foundation school**
  - The four page form for this school has three open questions for parents to fill in, the spaces for each of which are 23 lines of A4. These open questions relate to the child's international residence and contact with different cultures and how this has impacted on the child, which requires the parent/carer to reveal personal details. For example: 'Please describe any significant exposure to an internationalist ethos in the home, with dates and details, focusing on the strong and positive influence on the child'.
  - The form also asks for details regarding the child's linguistic ability, asking what languages are spoken and with what proficiency; as this includes information about the mother tongue this contradicts the Code.
- **Voluntary aided school**



- This one page church leader's form is completed by the priest only and is returned by the priest directly to the school.
  - The form consists of a series of closed questions relating to the father, mother and child's church attendance separately.
  - The form also contains a space of approximately 1.5 lines of A4 for the priest to 'comment on the level of commitment of the family'.
- **Voluntary aided school (with mathematics/IT specialism)**
    - This school has two SIFs, one for parents/carers which is seven pages long (although the writing is in very large print) and one for a religious referee which is four pages long.
    - The school asks parents/carers to give the phone number of the child's current school.
    - In terms of personal information, it asks who has parental responsibility for the child and specifically says 'i.e. Mother, Father or both' giving an indirect indication of parents/carers' marital status.
    - The school also asks for sibling details which do not relate to its oversubscription criteria – the age and school attended by each of the child's siblings.
    - Parents/carers are asked to fill in a variety of open questions, five in total, about why the child was not baptised when a baby (if applicable), why the family have only recently started attending church (if applicable), why the child is not attending a Catholic primary school (if applicable), why the parents/carers want the child to attend a Catholic secondary school and what information should be taken into account when considering whether the child should have a place.
    - This last question was coded as an open question. However, parents/carers are invited to give details of 'a particular *aptitude* in Maths or IT' [our emphasis] if relevant for the application. Although this does not ask for attainment, it could be interpreted as a question about attainment by parents/carers, for example they could say the child performs well in these subjects at primary school.
    - Parents/carers are asked to attach a birth certificate and baptismal certificate.
    - The religious referee is asked to give multiple choice answers about the parents/carers' and child's religious activities.
    - The referee is also given 2 open questions (which are 16 lines and 12 lines in length) to comment on 'special circumstances, which you believe, should be considered' and more generally to give any information which is relevant to the application (with an example given of 'e.g. involvement in your local Parish').
  - **Academy (with a specialism in sports)**
    - This two page form is filled in by parents/carers and children for sports places at the academy.
    - The form does not ask for personal details apart from the telephone number of the current school.
    - Parents/carers are asked to fill in details of any clubs or sporting associations which the child belongs to and give a contact name for the coach and a telephone number, indicating that a reference could be sought.
    - Parents/carers are specifically asked to list 'all your son/daughter's sporting *achievements* to date' [our emphasis] giving the school the details it would need to select children according to attainment.
    - There is also an open question for parents/carers about why they think the child should be considered for a place.
    - There are also two open questions for the child to complete: the form specifically stipulates that 'The following two questions must be completed by the STUDENT' [emphasis in original]. These questions are eight lines each in length and ask why they should be considered for a specialist place at the school and what their sporting ambitions are.

- **Voluntary aided school**

- This school has two forms, one of which is a one page form completed by the parents/carers and the other of which is a three page form which is partially completed by the parents/carers and partially by a religious referee.
- The first form asks whether the parents/carers have a preference for single-sex education, for details about whether the child has English as an Additional Language and a variety of questions about SEN. As well as asking whether the child has a statement, the form also asks whether the child is under school action, school action plus or is gifted and talented.
- The second form asks parents/carers specifically whether they will support the Christian ethos of the school and to say what category of admission they are applying under.
- The second form is otherwise entirely concerned with questions about religiosity put to both the parents/carers and the religious referee. There is a short, one line open question for parents/carers to give relevant information about religious activities, such as what might have prevented them from making regular attendance (although parents/carers are invited to continue on a separate sheet if necessary).
- There are also two open questions for the referee, one which asks ‘What are your views on this application?’ which is six lines long (although the referee is instructed to continue on a separate sheet if necessary) and one which asks the referee to give details if they believe the information given by the parents/carers is inaccurate, which is two lines in length.