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Secondary school admissions in London 2001 to 2015: compliance, complexity and control Report

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Secondary school admissions in London 2001 to 2015: Compliance, complexity and control

by

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Education Research Group

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Summary

The research reported here provides an up-to-date analysis of London secondary schools' admissions criteria and practices between 2001 and 2015. It also examines admissions policies and practices at a local and individual school level.

In 2015, all schools gave top priority to children in public care (looked after children) in line with legislation; more schools than in previous years used banding and random allocation across an area or zone; both mechanisms are designed to obtain academically and socially mixed intakes. More schools also overtly selected a proportion of children on the basis of aptitude in a subject area.

More schools were responsible for admissions in 2015 than in previous years. This is a result of the increased number of academies. In London, the proportion of secondary schools that are responsible for their own admissions has increased from just over 40% in 2001 to nearly 80% in 2015.

Admissions arrangements should be clear, fair and objective. Whilst many are, particularly those for community schools and academies that have adopted the same criteria, some are unduly complex. Some individual schools that are responsible for their own admissions – especially those with a religious character but also some academies with no religious character – have complex arrangements; the complexity is compounded when looked at across an area, with high number of admissions criteria, categories of places, and combinations of different arrangements (including banding, random allocation and partial selection by aptitude).

One practice that has become especially problematic is that of banding. The arrangements regarding the number of groups/bands and the type of banding implemented vary. Banding also requires pupils to be tested. In some local authorities testing is organised in school time and the results used across schools that use banding. However, a more common pattern is for children to have to take different tests for individual schools on several different days including weekends, making it difficult for parents who have atypical working patterns – e.g., shift work – and increasing stress levels for children and parents.

In short, whilst compliance appears to be high as far as certain admissions arrangements are concerned (e.g., prioritising looked after children and not interviewing pupils or parents), problems remain. In particular, some admissions arrangements are complex and there is a concern that with increasing academisation and more schools controlling their own admissions, there will be even greater complexity. Moreover, the complexity raises concerns that schools are choosing pupils rather than parents choosing schools for their children.

There are a number of implications for policy arising from this research, which would serve to make the school admissions system 'simpler and clearer' (cf. Department for Education (DfE), 2016, p. 17).

- To enable all parents to be able to make informed preferences, admissions arrangements should be simplified.

- Schools in an area, facilitated by the local authority, should come to an agreement about the best way to ensure ‘fair access’ to all schools especially for children from disadvantaged families. This would necessitate simplification of admissions arrangements and a reduction in the range of definitions, admissions criteria and mix of these across different schools.
- The government should provide additional templates of admissions arrangements to assist with establishing a genuine level playing field *across an area*. These could be used to decide the most appropriate combinations across the area to ensure access to schools for all children and, in addition, equitable access across different social groups.
- No schools should carry out their own admissions – that is, decide if applicants meet the admissions criteria – as the incentives for schools to ‘choose’ the most desirable pupils are great given the quasi-market that is in operation. Opportunities to ‘select in’ and ‘select out’ are particularly great when parents complete supplementary information forms detailing reasons for choices, and where parents and families are ‘known’ to the school. Allocations to schools should be made according to published admissions criteria and administered by an independent body.
- Tests for banding should be carried out in school time to reduce the testing burden on children (and their parents). Given that banding should have the same overall goal – to ensure academically mixed intakes – there is a strong argument for groups of schools to work collaboratively with local authorities to ensure this, with area-wide banding being incentivised.

1 Introduction

This report focuses on secondary school admissions in London where there is a highly developed schools' quasi-market. The aim of the research is to provide an up-to-date analysis of secondary schools' admissions criteria at transfer to secondary school and practices for admissions between 2001 and 2015, and to examine in more detail admissions policies and practices at a local and individual school level.

We provide a brief policy context and this is followed by a short review of recent, relevant literature. We then outline the methods adopted for the analysis of admissions arrangements. We present our findings regarding school admissions criteria and practices, both over time and for schools of different types for admission in 2015, and then examine admissions arrangements at a local level. The final section discusses the findings and presents implications for policy.

2 Policy context

A brief overview of the development of the secondary school system in England is necessary in order to understand the significance of secondary school admissions and how admissions relate to ongoing concerns regarding academic selection. The 1944 Education Act established a system of primary and secondary education, with schools being provided by local education authorities and voluntary bodies, normally the churches. Admissions to local education authority schools were determined by the local authority and to most voluntary schools by the school's governing body. The Act allowed for a 'tripartite' system of secondary education, with grammar schools for the most academically able, technical schools for those deemed to have technical aptitude and secondary modern for the remainder. Admission was based, in the main, on the results of the 'eleven plus' a test of ability taken in the final year of primary school. Following the 1964 general election and concerns about equality of opportunity, the Labour Government requested local education authorities to submit plans for the introduction of comprehensive education.¹ Although this request was withdrawn following the election of a Conservative government in 1970, proposals for comprehensive reorganisation continued to be submitted and by the early 1980s comprehensive education was almost universal, although grammar schools were retained by some local authorities, including seven in outer London (Barnet, Bexley, Bromley, Enfield, Kingston-upon-Thames, Redbridge and Sutton).

Significant changes to school-based education took place under the Conservative governments between 1979 and 1997. The 1980 Education Act gave an increased emphasis to parental 'choice' of school; and following the 1988 Education Reform Act schools were funded predominantly on the basis of pupil numbers and were required to admit pupils up to the school's physical capacity. Public examination results were also published via 'league tables'. A quasi-market was thus created (Le Grand and Bartlett, 1993). Concerns about secondary school admissions were expressed following the introduction of these reforms (for details see West and Hind, 2003). Following the

¹ Via Department of Education and Science Circular 10/65.

election of the Labour Government in 1997, the 1998 School Standards and Framework Act established a new legal framework for admissions, including a School Admissions Code and the Office of the Schools Adjudicator (OSA).²

The first Code (Department for Education and Employment (DfEE), 1999) noted that admission 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’ (DfEE, 1999); a second Code was published in 2003 (Department for Education and Skills (DfES), 2003). Significant regulatory changes followed the 2006 Education and Inspections Act. This strengthened the force of the Code from one which admission authorities should ‘have regard to’ to one with which they must ‘act in accordance’. Thus, the third School Admissions Code included ‘mandatory’ provisions, identified in the text by the terms ‘must’ or ‘must not’, whilst other provisions retained the lower standard of compliance (designated ‘should’ or ‘should not’) (DfES, 2007). The 2006 Act also prohibited interviews that determined whether the applicant is to be admitted to the school; regulations also required admission authorities to give ‘first priority in its oversubscription criteria to all relevant looked after children’.³ The 2008 Education and Skills Act further strengthened the statutory admissions framework. A fourth Code was published in 2009 (Department for Children Schools and Families (DCSF), 2009) noting that the application and allocation process was to be made easier, with, from 2010, parents only needing to apply to the local authority in which they lived and national closing dates for applications being specified (local authorities were given responsibility for coordinated admissions in 2002). In 2010, the Code was amended slightly (DCSF, 2010): whilst the actual provisions were similar the OSA lost its power to dictate and legally put in place changes to admissions arrangements via their determinations (Parker, 2016a). A further Code was introduced in 2012 (Department for Education (DfE), 2012), which was in force for admissions in 2015/16.⁴

Parents or carers must be allowed to express a minimum of three ‘choices’, or more accurately ‘preferences’ for state-funded secondary schools for their child, generally at the age of 11 years when children move from primary to secondary school (DCSF, 2010; DfE, 2012). In London, parents can make up to six preferences (via the Pan-London Admissions Scheme). They are required to complete a ‘common application form’ which is provided by and returned to their local authority. In some cases schools are permitted to seek additional information about prospective pupils, by asking parents or carers to complete supplementary information forms (SIFs). If there are fewer applicants than places available at a particular school, all those expressing a preference must be offered a place for their child;⁵ if there are more applicants than places available, the school’s published oversubscription criteria are used to determine which children are offered a place.

² Adjudicators resolve differences over the interpretation and application of legislation and guidance on admissions and on statutory proposals concerning school organisation. Determinations are legally binding.

³ Education (Admission of Looked After Children) (England) Regulations 2006.

⁴ A new Code was issued in 2014 (DfE, 2014); this applies for admissions from 2016/17

⁵ Except in the case of grammar schools.

3 Relevant literature

A number of research studies have examined secondary school admissions criteria and practices in England (Flatley et al., 2001; West and Hind, 2003; West et al., 2004; Coldron et al., 2008; West et al. 2009; 2011; Noden et al., 2014) and studies focusing specifically on London schools have also been carried out (West et al., 2003; Pennell et al., 2006; West and Hind, 2006; 2007; West et al., 2009). Much of the research has addressed differences between schools of different types, revealing that some schools are more likely than others to use criteria and adopt practices that enable schools to 'select in' certain categories of pupils (see also Allen and West, 2009; 2011). Other issues raised by the research have included the complexity of the admissions process at the individual school level, particularly with respect to schools that are responsible for their own admissions.

Annual reports produced by the Office of the Schools Adjudicator (OSA) are also pertinent to the current research. In both 2014 and 2015 the complexity of some schools' admission arrangements were highlighted as a matter of concern. The 2015 report noted that the admission arrangements for community and voluntary-controlled schools are 'almost always clear and uncomplicated so it is easy for parents and others to understand how places will be allocated' (OSA, 2015 p. 31). Frequently the arrangements for schools that are their own admission authority are 'less clear and more, or even very, complicated' (p. 31). This echoes concerns expressed by West et al. (2009). Significantly, the OSA's 2014 report also noted that such 'unnecessarily complex' arrangements appear to be 'more likely to enable the school to choose which children to admit rather than simply having oversubscription criteria...that are reasonable, clear, objective and procedurally fair' (OSA, 2014, pp. 7-8).

In this report we focus specifically on admissions to comprehensive⁶ secondary schools in London. We build on research carried out in previous years in the capital and address:

- Changes over time to secondary school admissions arrangements.
- Comparisons between schools of different types – community/voluntary-controlled, voluntary-aided, foundation and academies (converter and sponsored academies and free schools).
- Admissions arrangements at a school and local level and associated complexity.

4 Methods

In this section we focus on secondary school admissions criteria and practices for admission in September 2015 and compare these with those for 2001, 2005, 2008 and 2012. For admission in 2015, composite secondary school admission brochures for all London local authorities (and the Corporation of the City of London) (N= 33) were downloaded from local authority websites. These were supplemented where necessary with information from individual school websites. A total of 429 state-funded secondary

⁶ That is, not grammar schools.

schools were included in the sample. Of these, 19 were grammar schools (which are excluded from our analysis) and 410 comprehensive (non-grammar) schools. The admissions criteria and practices used by individual schools for 2015 were recorded and comparisons on aggregate made regarding these and admissions arrangements in 2001, 2005, 2008 and 2012 (see West and Hind, 2003; Pennell et al., 2006; West et al., 2009; Noden et al., 2014). (Some new criteria were included in the database over time.)

5 Findings

Admissions criteria and practices

In this section we highlight key features to emerge from our analysis of admissions criteria and other policies and practices relating to comprehensive secondary schools, including academies and free schools. In the first instance we review changes over time. We then examine differences between school types for 2015.

Changes between 2001 and 2015

One of the starkest changes over time is that a majority of secondary schools now control their own admissions: in 2015, nearly 8 out of 10 (79%) secondary schools in London were their own admission authority compared with 44% in 2001. Changes to admissions criteria and practices between 2001 and 2015 are shown in Table 1.

Table 1 Admissions criteria in publicly-funded comprehensive secondary schools in London (2001-2015) (percentage table)

Criterion	2015 N=410	2012 N=392	2008 N=398	2005 N=362	2001 N=382
In care	100	100	100	85	-
Siblings	91	92	95	96	94
Distance	90	92	95	95	86
Medical/social need	63	65	61	70	72
Catchment area	18	18	11	8	6
Statement of special educational needs	68	55	50	47	44
'Feeder' primary school	12	11	20	18	15
Religion	25	25	24	25	27
Supplementary information form	33	26	-	-	-
Priest's reference	19	15	-	-	-
Random allocation (zone/area)	6	4	-	-	-
Partial selection by ability/aptitude in subject	10	8	8	7	5
Banding	23	21	19	-	20
Interview with pupil	0	0	<1	-	14
Interview with parent	0	0	0	-	8

Note: This is not an exhaustive list of criteria/practices.

Key: - not recorded

All secondary schools mentioned giving top priority to children in care in 2008, 2012 and 2015. In 2015, high proportions continued to give priority to siblings, distance⁷ and

⁷ Distance can also be used as the final tie-breaker.

medical/social need. A higher proportion of schools than in previous years made reference to children with statements of special educational needs as an admissions criterion. It is important to stress that this is not an 'oversubscription' criterion: if the school in question is named on the child's statement of SEN (now Education, Health and Care Plan), the child must be admitted. Other notable differences include a higher proportion of schools using random allocation across a zone/area, banding⁸ and partial selection by aptitude/ability in a subject area (normally 10% of places). More also required a supplementary information form to be completed and a priest's reference. No schools stated that they were using pre-admission interviews. This can be seen to reflect a move towards greater transparency and objectivity within the school admissions process over the past 15 years. However, there is more overt selection: the proportion of schools selecting a proportion of pupils on the basis of aptitude/ability in a subject area has doubled since 2001, increasing from 5% to 10%.

School admissions and school type 2015

In light of previous research revealing that schools of different types have different admissions criteria, Table 2 compares admissions arrangements in six different types of comprehensive school: community/voluntary-controlled schools, whose admissions are the responsibility of the local authority; voluntary-aided schools and foundation schools whose admissions are the responsibility of the school governing body; and three different types of academies (sponsored, converter and free schools) whose admissions are the responsibility of the academy trust.

As shown in Table 2, there were some differences between schools of different types in terms of the criteria used. All secondary schools prioritised children in care. High proportions of schools included siblings and distance as admissions criteria. Medical or social need was more frequent in community and voluntary-controlled schools than other school types. More sponsored academies, free schools and community/voluntary-controlled schools mentioned children with statements of special educational needs as an admissions criterion. Random allocation across a zone or area was more frequent in free schools than other school types as was prioritising children from 'feeder' schools; banding was less common in foundation and converter academies.

It is important to stress that there are different types of academy. Sponsored academies were established by the Labour government, in the main, to replace schools that were deemed to be failing. Converter academies and free schools were introduced by the Coalition Government following the 2010 Academies Act (see West and Bailey, 2013). Schools that are maintained by local authorities (community schools, voluntary-aided, voluntary-controlled and foundation schools) can apply to become academies. Academies – and free schools (the DfE policy term for newly established academies) – have admissions policies and criteria agreed with the DfE as part of their funding agreement.

⁸ Pupil ability banding is a permitted form of selection designed to ensure that the intake for a school includes a proportionate spread of children of different abilities (DfE, 2012).

Table 2 Admissions criteria in publicly-funded non-grammar secondary schools in Greater London (2015) by school type (percentage table)

Criterion	AC N=150	C/VC N=87	VA N=67	AS N=65	FS N=22	F N=19	All N=410
In care	100	100	100	100	100	100	100
Siblings	96	92	84	85	91	100	91
Distance	91	90	82	94	96	90	90
Medical/social need	59	81	61	63	36	58	63
Catchment area	11	16	22	29	36	5	18
Statement of special educational needs	62	78	49	86	82	53	68
'Feeder' primary school	16	0	15	14	23	5	12
Religion	21	0	91	9	9	0	25
Supplementary information form	30	2	90	28	36	16	33
Priest's reference	17	0	70	6	9	0	19
Random allocation (zone/area)	3	0	10	8	27	5	6
Partial selection by ability/aptitude in subject	12	2	16	9	9	5	10
Banding	16	25	22	42	23	10	23

Note: This is not an exhaustive list of criteria/practices.

Key: AC (academy (converter)); C/VC (community/voluntary-controlled); VA (voluntary-aided); AS (academy (sponsored)); FS (free school); F (foundation).

In light of research indicating that voluntary-aided schools (in the main with a religious character) are more likely to use religious admissions criteria, and also adopt admissions criteria that differ from those of non-religious schools, we compared *converter* academies with and without a religious character (see Annex A, Table A1). Fewer converter academies with (than without) a religious character made reference to siblings, distance, children with statements of special educational needs and medical/social need. A high proportion made reference to religious criteria. Around 8 out of 10 required the completion of a supplementary information form (often used to confirm religion or religious denomination) and referred to the need for a priest's reference. These differences are not dissimilar to those between community/voluntary-controlled schools and voluntary-aided schools (see Table 2). We also looked at admissions criteria used by *sponsored* academies with and without a religious character (see Annex A, Table A2). Unsurprisingly, more sponsored academies with a religious character than without used religious oversubscription criteria, more used supplementary information forms, and a third required a priest's reference. Banding and random allocation within an area were more common in academies with no religious character.

Complexity and control of admissions

At an individual level, some schools have straightforward arrangements; this is particularly the case with community schools and academies which adopt the same criteria as community schools (see Annex B, Figure B1). However, some schools –

particularly those with a religious character but also some ‘non-religious’ academies – have complex arrangements. Thus, one academy with a religious character had 12 pages on the admissions arrangements to the school (see also Annex B (Figures B3 to B6) for examples of complex arrangements at an individual school level).

At the local authority level there is added complexity as a result of the ways in which admissions criteria are defined by individual schools. Figure 1 gives two examples: one relates to the definition of siblings and the other to the child’s home address (used to ascertain distance to the school).

Figure 1 Definitions of siblings and home address in one local authority

Siblings

1 free school: Siblings are generally defined as full, half, adopted, foster or step brother or sister or a child living as part of the family by reason of a court order.

1 voluntary-aided school: ‘siblings’ includes step and half sisters.

1 academy: Students whose siblings (brothers, sisters, half brothers and half sisters) live at the same address.

1 voluntary-aided school: Siblings are defined as the legal half/step brothers living in the same household as father or mother. A child who is legally adopted and living in the same household would be considered as a sibling.

Home address:

5 academies: The home address is the child’s ‘permanent address’.

1 free school: The home is the address where child is registered with their GP.

2 academies: The home address is based on a joint declaration from the parents stating the pattern of residence; if residence is shared equally the parents are asked to determine which address is to be used; otherwise the address where the child spends the majority of the school week is used.

3 voluntary-aided schools: The home is the address where the child resides for 50 per cent or more of the school week.

Turning to the mix of admissions criteria and practices used by individual schools within a local authority area, we find great complexity. This is exacerbated by the fact that parents can select schools in other local authorities where there is likely to be a different mix of admissions arrangements. We exemplify this complexity with reference to two different local authorities.

In one local authority – see Figure 2 – the admissions arrangements are straightforward for four schools, each of which uses the same four criteria. However, other schools have more complex arrangements. Thus, some schools use banding, but have different numbers of bands; some prioritise religious denomination and practice; and some select a proportion of pupils on the basis of aptitude in a subject area. There are also examples of schools prioritising the children of school founders and the children of teachers. Schools with a religious character prioritise pupils on the basis of faith in complex ways and require the completion of a supplementary information form by the parent and (normally) the priest. Looked at *across* the local authority the arrangements are not straightforward.

Figure 2 Admissions arrangements: Examples in one local authority A

Schools with no religious character

4 schools (1 community/1 foundation/2 academies) have 4 criteria: looked after children; medical/social need; siblings; distance.

1 academy uses banding (5 equal groups). Criteria: looked after children; distance within band in academy priority area.

1 free school has 9 criteria including 10% of places for music aptitude; children of founders of the school; and four different distance criteria. SIF required for aptitude places.

Schools with a religious character

1 academy has 5 criteria: looked after children; siblings; 25% of places for children attending Church of England primary schools and distance; children of staff; distance. SIF required.

1 academy uses banding (3 ability groups 25% 50% 25%) and two categories 'foundation' (based on Church of England attendance) and 'open'. Criteria: looked after children; siblings in each category/band; distance. SIF required.

In another local authority (see Figure 3) there is complexity both at the individual school level and across the authority. Banding is used by 7 of the 18 schools but different numbers of bands are used (3, 5, or 9). In addition, to banding, there are examples of random allocation across an area and within bands. Schools may also use banding together with selection of a proportion of pupils on the basis of aptitude. Furthermore, schools with a religious character prioritise children on the basis of faith often with various categories of places, so restricting access to only some children.

Figure 3 Admissions arrangements: Examples in one local authority B

Academies with no religious character

1 academy has 4 criteria: looked after children; medical/social needs; siblings; distance.

1 academy uses banding within catchment areas; inner and outer catchment area; looked after children and random allocation within each ability band.

2 academies use banding (9 groups). 4 criteria: looked after children, medical/social need, siblings, distance.

1 academy uses banding (3 groups). 5 criteria: looked after children; places for aptitude in music/sport; siblings; medical/social need, random allocation within ability band. SIF required for aptitude places.

1 academy uses banding (5 equal bands) and has aptitude places. 8 criteria: including looked after children, two catchment areas, siblings, medical/social need, feeder schools, distance. SIF required.

Schools with a religious character

1 voluntary-aided school has 9 criteria and all but two relate to religious practice; 4 priority categories within each (include siblings, medical/social/pastoral need, age at baptism, distance). SIF required.

1 academy has 9 criteria. 8 criteria relate to religious practice. 5 priority categories within each including siblings, Catholic primary school attended, medical/social need, distance. SIF required.

There can also be complexity as regards other aspects of the admissions arrangements in particular, testing where banding is involved. The tests themselves vary (e.g., non-verbal reasoning test, cognitive ability test). In one local authority tests were on different days for different schools: for one academy and one free school the tests were on a Saturday; for three, the tests were on adjacent weekdays. However arrangements are not always so complex. In one local authority the tests were all on the same day – albeit on a Saturday, making it potentially difficult for parents/carers.

In other local authorities testing took place in school time. In one, all year 6 pupils attending a primary school in the local authority took the test at their school in a three week period in September/October; and in another in November. In some local authorities pupils were tested in year 5. In one, the majority of schools (14 out of 17) use banding which is organised at a local level. The stated aim is to achieve an ‘admission intake that reflects the full range of abilities of all children in the local authority. It is used to help reduce segregation and enables schools to achieve comprehensive intakes with a broader ability range and a wider social mix than would otherwise be the case’ (see Figure 4).

Figure 4 Banding arrangements in one local authority C

Each secondary school’s intake is divided equally across four bands, designed to be representative of the range of ability of children in the local area. All children in local authority primary schools are tested on their numeracy and literacy in the Summer term of Year 5. The test scores are then submitted to the Local Authority. The Local Authority uses this information to determine the range of ability for children in the local area. The children whose test scores place them in the top quartile (25%) are assigned to Band D and the children whose test score places them in the lowest quartile (25%) are assigned to Band A. The second quartile of children is assigned to Band C and the third quartile assigned to Band B.

However, not all banding is designed to achieve an intake that reflects the full range of abilities of all children in the local authority. In some individual schools, the banding is designed to achieve an intake that reflects the *national range* of abilities and in others the ability of the applicants to the school. Significantly, if the local range of ability is below the national ability range and the latter is used, the intake will be skewed towards the most able for that particular local area. If the banding reflects applicants and the applicants are of higher average ability than those in the local area, again the intake will be skewed towards the more able. In addition to tests for the purposes of banding, there can also be tests to determine aptitude/ability in a subject area; these are organised by the secondary school concerned, so making the admissions process more complex and potentially difficult for parents to negotiate.

6 Discussion

Recent governments have attempted to tackle what are seen as unfair admissions policies and practices. Concerns came to the fore prior to the election of the Labour Government in 1997 and changes have been made to legislation and policy since then. Now school admissions are co-ordinated by local authorities. There is statutory guidance regarding the admissions process with a School Admissions Code along with

the Office of the Schools Adjudicator. There is broad political consensus about the need for admissions to be fair. The Coalition White Paper 'The Importance of Teaching' (DfE, 2010) talks about 'ensuring a level playing field on admissions...' (p. 12) and the Conservative White Paper 'Educational Excellence Everywhere' states: 'Admissions: our priority is to ensure parents can easily understand how to get a place at their local schools' (DfE, 2016, p. 17).

Our analyses reveal that there is a high level of compliance as regards prioritising looked after children. The use of 'covert' or 'social selection' via interviews is no longer apparent in published admissions criteria. More schools in 2015 than in previous years mentioned children with statements of special educational needs as an admissions criterion; this can be seen to be a signal to parents that children with such needs can be admitted. In 2015, more schools than in previous years used banding and random allocation across an area or zone; both mechanisms are permitted by the School Admissions Code (DfE, 2014) and are designed to obtain academically and socially mixed intakes. More schools also selected a proportion of children overtly on the basis of aptitude in a subject area. This is more likely to be in order to enhance the school's position in the examination league tables, although it could also contribute to a more socially mixed intake.

As regards control of school admissions, previous research has demonstrated that some schools which are responsible for their own admissions, have more advantaged intakes (e.g., Allen and West, 2009). The reasons are not straightforward (Allen and West, 2011), but more schools are now responsible for admissions than was the case previously as a result of the increased number of academies.⁹ In London, the proportion of secondary schools that are responsible for their own admissions has increased over time – from just over 40% in 2001 to nearly 80% in 2015. The fact that admissions *decisions* are carried out at school level is problematic: it is not possible to know what goes on 'behind closed doors'. Indeed, the Academies Commission (2013) reported that 'numerous submissions to the Commission suggest some academies are finding methods to select covertly' (p. 65).

Admissions arrangements should be clear, fair and objective. Whilst many are, particularly those for community schools (and academies that adopt these), this is not invariably the case. Thus, there are many examples of schools with a religious character and non-religious academies with complex admissions criteria. This issue has been raised in previous research (West et al., 2009; 2011) and by the Chief Schools Adjudicator (OSA, 2014; 2015). Looked at across an area, the actual arrangements can be extremely complex.

One practice that has become more problematic is that of banding; this is designed to achieve academically mixed schools, although previous research has queried the motives for introducing the banding, with evidence suggesting that at least some schools have sought to obtain intakes that were skewed towards higher ability pupils (West, 2005; see also OSA, 2015). However, two issues arise as a result: first the

⁹ Academies (of all types), voluntary-aided schools and foundation schools are all responsible for their own admissions

banding arrangements themselves and second the associated testing. As regards the banding arrangements, area-wide banding is in place in three local authorities in London.¹⁰ In the remaining cases, banding is carried out at the individual school level (although testing can be organised by the local authority). The banding arrangements themselves vary considerably as regards the number of groups/bands and how the banding works in practice. As the banding in theory should have similar goals – to obtain an academically mixed intake – there is a strong case for similar arrangements to exist across an area and for area-wide banding (as opposed to school-based banding) to be introduced (see also Parker, 2016a; West, 2005).

As regards the testing for banding to take place, in some local authorities the testing is organised in school time and the results used across all schools that use banding. However, a more common pattern is for children to have to take different tests on several different days (cf. OSA, 2015) including weekends, making it difficult for parents who have atypical working patterns – e.g., shift work – and making the admissions process even more stressful for children and parents. Moreover, although random allocation across an area/zone can be used to achieve a more balanced intake, the admissions arrangements can also be very complex, for example, with inner and outer zones and banding combined, and in some cases partial selection by aptitude/ability in a subject area as well.

In conclusion, compliance appears to be high – according to the published information – at least as far as certain admissions arrangements are concerned (e.g., prioritising looked after children and not interviewing pupils or parents). However, problems remain. In particular, some admissions arrangements are complex; there is a concern that with increasing academisation and more schools controlling their own admissions, there will be even greater complexity. Moreover, at least in some cases, schools appear to be choosing pupils rather than parents choosing schools for their children.

There are a number of implications for policy arising from this research; these would serve to make the school admissions system ‘simpler and clearer’ (cf. DfE, 2016, p. 17).

- To enable all parents to be able to make informed preferences, admissions arrangements should be simplified. At present some individual schools have complex arrangements; this is compounded at the local area level resulting in even greater complexity for parents making preferences.
- Schools in an area, facilitated by the local authority, should come to an agreement about the best way to ensure ‘fair access’ to all schools especially for children from disadvantaged families (cf. RISE, 2015). Admissions arrangements should be organised accordingly. This would necessitate simplification of admissions arrangements and a reduction in the range of definitions, criteria and mix of these across different schools.
- The government should provide additional templates of admissions arrangements to assist with establishing a genuine level playing field *across an area* (cf. DfE, 2012,

¹⁰ Tower Hamlets, Greenwich and Hackney (although the schools do not use the same cut-of points). Lewisham ended banding from 2016/17.

2014). These could be used to decide the most appropriate combinations across the area to ensure access to schools for all children and, in addition, equitable access.

- No schools should carry out their own admissions – that is, decide if applicants meet the admissions criteria – as the incentives for schools to ‘choose’ the most desirable pupils are great. Opportunities to ‘select in’ and ‘select out’ are particularly great when parents complete supplementary information forms detailing reasons for choices, and where parents and families may be ‘known’ to the school. Allocations to schools should be made according to published admissions criteria and administered by an independent body (cf. Parker, 2016b).
- Tests for banding should be carried out in school time to reduce the testing burden on children (and their parents). Given that banding should be designed to create academically mixed intakes, there is a strong argument for groups of schools with local authorities to work collaboratively to ensure this, with area-wide banding being incentivised (cf. Parker, 2016a).

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Annex A Academies admissions criteria and religious character

Table A1 Admissions criteria in converter academies in Greater London (2015) by religious character (percentage table)

Criterion	No religious character N=118	Religious character N=32
In care	100	100
Siblings	98	88
Distance	94	81
Medical/social need	61	53
Catchment area	4	38
Statement of special educational needs	64	56
'Feeder' primary school	13	28
Religion	0	100
Supplementary information form	15	84
Priest's reference	0	78
Random allocation within area	2	6
Partial selection by ability/aptitude in subject	11	16
Banding	15	19

Table A2 Admissions criteria in sponsored academies in Greater London (2015) by religious character (percentage table)

Criterion	No religious character N=53	Religious character N=12
In care	100	100
Siblings	83	92
Distance	93	100
Medical/social need	59	83
Catchment area	30	25
Statement of special educational needs	87	83
'Feeder' primary school	9	33
Religion	0	50
Supplementary information form	23	50
Priest's reference	0	33
Compassionate/exceptional factors	0	0
Random allocation within area	9	0
Partial selection by ability/aptitude in subject	9	8
Banding	49	8

Annex B Examples of Admissions Criteria 2015/16

Figure B1 Seven schools in one local authority (Total N=12) (3 community schools, 3 academies, 1 voluntary-controlled school)

If you apply for any of these schools, your child will be placed in one of five ability bands (1A, 1B, 2A, 2B and 3), depending on the scores they obtained in tests taken in Year 5. If your child has not taken the test we will ask the primary school for an assessment based on your child's ability.

First priority will go to children with a statement of special educational needs (SEN) or an education, health and care plan (EHCP) naming the school.

Remaining places, within each ability band, will be given in the following priority order:

1) Looked after children and previously looked after children who have been adopted or become subject to a child arrangements or special guardianship order, immediately following having been looked after. A 'looked after child' is a child who is in the care of an English or Welsh local authority in accordance with section 22 (a) of the Children Act 1989.

2) Children with a sibling, living at the same address, attending the school at the time of the child's admission. Sibling means a full/half/step brother or sister, or a child living as part of the family unit.

3) Children with an acute medical or social need for a particular school. This must be professionally supported. This may also apply to an immediate family member. The application must be supported by a letter written by a hospital consultant, GP or social worker, setting out the reasons why the school is the only one that can meet the child's needs and the implications for the child if they are not offered a place at the school.

4) Other children based on home to school distance. Distance from home to school is measured as a straight line from the centre of the home address to the main entrance of the school.

Figure B2 Sponsored Academy

Where the Academy is named on a pupil's Statement of Special Educational Needs or Education Health and Care Plan, that child will be admitted by the Academy. If the number of applications for admission to the secondary school is greater than the published admissions number, applications will be considered against the criteria and order set out below:

a) Looked After Children and Children who have been previously looked after (pursuant to the Admissions Code).

b) Children of staff at the school where there is a demonstrable skill shortage...Priority will be limited to one place for each form of entry in any year.

c) Children who at the time of the admission have a sibling who attends the academy. For this purpose "sibling" means a whole, half or step-brother or -sister or an adopted child resident at the same address.

d) Children of staff in the school - Where there is no demonstrable skill shortage, priority may be given where the academy is oversubscribed to a child of a person who will have been employed in the academy for two or more years at the time the application for admission is made. Priority will be limited to one place for each form of entry in any year.

e) Distance measurement - A child's home will be the address at which the child normally resides...

i) In those cases where the relevant local authority measures distance on behalf of [the school] the method they adopt for measurement and also selection between equal applicants and those living in flats will apply.

ii) In those cases where [the school] is required to carry out the measurement itself priority will be given to those children who live closest to the school using a straight line measurement taken from Ordnance Survey Data from the Academy building's main reception to the main entrance

of the child's home. Where a child resides in a block of flats, the distance will be measured from the Academy building's main reception to the main entrance of the building in which the flats are located.

Tie Breaker: If [the school] is unable to distinguish between applicants using the published criteria, including those who live in blocks of flats with the same building entrance, places will be offered via a random draw which will be supervised by someone independent of the academy.

Figure B3 Sponsored Academy

For entry during the normal admissions round into Year 7 the allocation of places will take place within a framework of Fair Banding. All applicants are placed in one of nine ability bands depending on the score they achieve in a non-verbal reasoning test. The number of places available to be offered from each band will produce an intake that represents the full range of ability of applicants to the Academy.

Where the Academy is oversubscribed, after allocation of applicants with a statement of special educational needs, applicants who live within a four miles straight line distance from the Academy are ranked within each band in the following order:

- Looked after children and previously looked after children...
- Applicants for whom it is essential that they be admitted to the Academy because of significant medical needs evidenced by written medical evidence. The Academy will make a judgment based on the evidence provided as to whether it is the only school able to meet the applicant's needs.
- Applicants who have an older sibling in Years 7 to 12 attending the Academy at the time of application. A sibling is defined as a child who lives as a brother or sister in the same house including natural brothers or sisters, adopted siblings and stepbrothers or sisters.
- All other applicants i.e. applicants who do not meet the above criteria.

Within each of these criteria applicants will be ranked according to the home to Academy distance (defined below).

If at the end of this process there are unallocated places in any band, these will be filled by unallocated applicants, alternating between the band above and below, using the same allocation criteria set out above.

If the number of applications from within four miles is exhausted then applicants outside of the four mile zone will be considered using the same criteria as above.

Distances will be measured in a straight line from the applicant's home address, with those living closer to the Academy receiving the higher priority. All distances will be measured by the computerised Geographical Information System maintained by the [named] LA school admissions team...

The applicant's home address ... must be their normal place of residence. If there is a genuine equal share custody arrangement between the two parents, the address that will be used will normally be the address of the parent who is claiming Child Benefit for the child, however all available evidence will be considered.

Where distance is the determining factor, and more than one applicant has the same home to school distance for a single place, lots will be drawn to determine the rank order.

Figure B4 Converter Academy with a religious character

Governors will admit applicants in the following order of priority:

1. Baptised Roman Catholic girls and girls who are baptised members of Eastern Rite Churches in communion with Rome who are looked after and previously looked after girls who have been adopted.
2. Baptised Roman Catholic Girls and baptised girls who are members of Eastern Rite Churches in communion with Rome and where [the school] is in possession of a completed supplementary form.
3. Other looked after girls and previously looked after girls who have been adopted.
4. Christian girls baptised in other denominations who are enrolled on and participating in a formal course of preparation for the First Sacraments in a Roman Catholic parish at the time of application and where [the school] is in possession of a completed supplementary form.
5. All other girls.

Where more applications are received than there are places, applicants will be ranked according to the following criteria:

Within each category 1 to 5 priority will be given to:

- (i) Girls who have a sibling in years 7 to 10 at the time of application.

Within categories 1, 2 and 4 applicants will be:

- (i) ranked according to Sunday Mass attendance in the following order: those who attend weekly; fortnightly, monthly; occasionally; never.
- (ii) then allocated to an ability band according to the outcome of the tests. Where there is oversubscription by Catholic applicants to a particular band, applicants will be allocated to the adjacent band for the purposes of the admissions procedure.

Within category 5 (other girls):

- (i) Where places remain after all applicants in (i) to (iv) have been considered, governors will take account of the outcome of the tests and the places still available within the ability bands. Applicants scoring test results within one of the three ability band score ranges will be awarded places until all places within the bands have been allocated.

Tie Breaker

Within each category (i) to (v) in the event of an equal right to a place, priority will be given to the girl who lives nearest to the school as measured by [the] LA's computerized mapping system. In cases where applicants have exactly the same distance between their home and the school, [the LA] will randomly allocate places on behalf of the governors.

Figure B5 Sponsored Academy

All pupils applying to the academy will be asked to sit the CAT test. Children will be placed into one of four ability bands dependent on their CAT score. The boundaries of each band reflect the national range of abilities. Children with statements of special educational need and looked after children who do not take the test will be allocated to the appropriate band on the basis of an alternative appropriate assessment. Having received a band allocation on the basis of their CAT score each pupil will then be allocated to the inner, middle or outer zone (1) on the basis of the proximity of their home address to the academy's front gate using a GIS system.

Of the 200 places available at the academy, 25% will be available to each of the four bands. These shall then be divided between the inner, middle and outer zones (1) giving 50% to the inner zone, 30% to the middle zone and 20% to the outer zone.

This gives the following numbers per zone and band as follows:

Inner zone: 25 places each band (100 in total).

Middle zone: 15 places each band (60 in total).

Outer zone: 10 places each band (40 in total).

Oversubscription Criteria

Pupils with statements of special educational need for whom the academy is named on the statement are admitted ahead of other applicants but will be included in the band and zone allocation in which they fall. Pupils with a statement living further than 3km from the academy's front gate will still be considered in the outer zone for the band in which they are placed. Pupils meeting priority 1 to 5 below who live further than 3km from the academy front gate will be considered in the zone with the most places. Places in all zones and bands shall be allocated according to the following oversubscription criteria:

1. A looked after child or a child who was previously looked after but immediately after being looked after became subject to an adoption order, residence or special guardianship order.
2. Children with a child protection plan for whom the academy is their nearest school.
3. Children with a sibling on roll at the academy in years 7 to 13 at the time of application.
4. Children whose acute medical or social need justifies a place at the academy.
5. Children of staff who work at the academy full time with at least two year's continuous employment or where the academy reasonably considers a member of staff has been recruited for a position for which there is a demonstrable skill shortage.

If the total number of applicants meeting oversubscription criteria 1-5 in any one band and zone exceeds the stated number then places shall be allocated from the alternative zones within the same band if available.

All remaining places in each band and each zone will then be allocated amongst remaining applicants in that band and zone using a random computerised lottery. In the event of a tie-break random computerised lottery will also be used.

In the case of twins or multiples if one child is allocated a place through the lottery their sibling(s) will automatically be allocated a place from the band and zone in which they have been placed.

(1) Zones

Inner zone – Children living within 1,000 metres measured in a straight line from the home address to the front gate of the academy.

Middle zone – Any location from 1,000 metres to 2,300 metres of the academy's front gate.

Outer zone – Any location from 2,300 metres to 3,000 metres of the academy's front gate. The 3km cut-off for the outer zone doesn't apply to pupils who meet oversubscription criteria 1-5.

Figure B6 Sponsored Academy

Where the number of applications for admission is greater than the published admissions number, the following criteria will be applied to determine those children who will be offered places:

1. Aptitude in technology: 10% of the places each year (18 places) will be allocated to the applicants who obtain the highest scores in the technology aptitude test. If more than 18 applicants achieve the highest scores, the group achieving the lowest high score will be randomly ranked to ensure they are selected fairly. The random allocation will be generated electronically and will be verified by an independent observer to guarantee fairness.

2. Applications will then be considered against the ability band in which the applicant is placed by the NVRT test score. The number of places available in each ability band will be determined by GL Assessment by matching the percentage of places in each band to the ability profile of the applicants for places that year. Those percentages will be applied to the number of places for the year available after deducting the 10% allocated to those applicants with the highest scores for aptitude in technology.

After the admission of students with statements of special educational needs where the academy is named on the statement, the following criteria will be applied to determine those children that will be offered places within each band. The criteria are listed in priority order:

A. Looked after children and children who were looked after, but ceased to be so because they were adopted (or became subject to a residence order or special guardianship order). Such students will be given top priority in each band before the oversubscription criteria are applied.

B. Students who have an older sibling continuing in Years 7 to 11 at [named Academy] at the time of their admission (If the sibling is staying on at the academy in the year the applicant start). (The definition of a sibling in relation to this admissions policy means a whole, half, adopted, foster or step-brother or -sister resident at the same address).

C. Students residence in relation to two geographical zones:

90% of places will be allocated to Zone A - a zone up to two mile radius from the fixed point highlighted on the area map shown on the academy's website.

10% of places will be allocated to Zone B - a zone over two miles radius from the fixed point. The fixed point is at the gate at the main academy entrance on [named road]...

If the admission number is not exceeded after criteria A and B have been applied, all remaining places in each band will be allocated at random to ensure that the correct proportions are allocated from each band: 90% of the places in each band will be allocated to students in Zone A, and 10% to students in Zone B. The random allocation will be generated electronically and will be verified by an independent observer to guarantee fairness. If at the end of this process there are unallocated places in any band these will be filled by unallocated applicants from the next nearest band(s) using the same allocation criteria set out above. If the number of applications from a single zone is exhausted then all applicants regardless of geographical zone shall be included in the random allocation for the remaining places in that band or adjacent bands.