

Changes to the Admissions Framework

Response of the Association of School and College Leaders

- 1 The Association of School and College Leaders (ASCL) represents 15,000 members of the leadership teams of maintained and independent schools and colleges throughout the UK. This places the association in a unique position to consider this from the viewpoint of the leaders of both secondary schools and colleges.
- 2 ASCL welcomes the attempt to make the code simpler, shorter and more easily understood. However, it is important to note that this has meant that specific guidance has been removed and there is a danger that this may weaken the code to an undesirable degree. See the points made in paragraphs 5 and 6 below.
- 3 These changes may also lead to problems with Admissions Appeals Panels who may, for example, not see the need to make the kinds of adjustments for different ethnic groups that the old code suggested. There are also ambiguities. The Admissions Appeal Panel effectively appears to have a power to reject a pupil admission number, even if this has been approved by the Schools Adjudicator, through its power to decide how many the school can admit over the number without prejudice to efficient education. The relevant clause is not entirely clear, but potentially changes the approach to the occasional need to exceed the pupil admission number. Is there an intention to move the burden of proof? If so, why? A lay panel considering an individual case cannot be in a good position to determine the number of pupils that a school can admit without prejudice to the education (or safety) of all its pupils. ASCL would also like it to be clearer that the panel cannot rule for the admission of a pupil because of its sympathy with the circumstances of the child or the parents, but only because the admission policy of the school has not been followed or is manifestly unjust.
- 4 ASCL sees advantages and disadvantages in the removal of the requirement for Local Authorities to coordinate in-year admissions. ASCL can see the logic of the case put by the consultation, but members in areas where there is a very large number of in-year admissions see advantages in retaining Local Authority coordination.
- 5 While recognising that it is a government policy to allow popular schools to expand, ASCL members remain concerned about the impact on other schools and children. ASCL members are particularly concerned about backdoor increases to pupil admissions numbers. Given that no successful school can grow large enough to accommodate all those who might wish to attend it, the effect on other schools and children would be the prime consideration for the Schools Adjudicator in making a decision. ASCL does not believe that restricting the Schools Adjudicator to consideration only of health and safety constitutes a satisfactory framework for decision making.
- 6 The government is also seeking to improve social mobility and improve the life chances of the least advantaged children in society. ASCL strongly supports these aims. Proposals that lead to a further stratification of schools will work against them. We are not convinced that sufficient thought has been given to the likely operation of the new

system, and its effect on those children left behind in the less popular schools that will inevitably shrink as more popular neighbours expand. Nor are there enough safeguards to prevent covert social and academic selection.

- 7 ASCL regrets that the opportunity has not been taken to grasp the nettle of sixth form admissions. Admissions at 16 are quite different from admissions at 11. In general, ASCL argues for the regulatory frameworks applicable to different sectors to be aligned so far as possible. In this case it would make sense for the admissions rules that apply to the various post 16 sectors to be brought into line, and there seems to be no issues of principle that would prevent that.
- 8 ASCL welcomes the change to a period of 7 years between consultations.
- 9 ASCL understands the intention behind the pupil premium proposal and welcomes it. However, ASCL is concerned that there may be unintended consequences and would wish to see a pilot before this became a part of the code.
- 10 ASCL recognises the force of the argument that it should be permissible for the children of the staff of the school to have a degree of priority, and does not believe that in an average or large secondary school this will result in undue distortion or unfairness. Many schools would wish to have the endorsement of their staff, which gives confidence to parents.
- 11 The restriction of the scope of the Schools Adjudicator seems reasonable when coupled with the widened possibility of objections. Without that widened range, ASCL would have severe reservations.
- 12 ASCL welcomes the general simplification of the Admissions Appeal Code. There are concerns, though, that with the reduced guidance within the Code and the great increase in admissions authorities, the effectiveness of training, and particularly re-training, may suffer.
- 13 The new timetable for appeals is helpful. ASCL is not convinced, however, that enough has been done to reduce the burden on over-subscribed schools that face a large number of appeals each year.
- 14 The clarification of the three-stage process is helpful (with the exception of the issue raised above in paragraph 3.
- 15 I hope that this is of value to your consultation, ASCL is willing to be further consulted and to assist in any way that it can.

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Association of School and College Leaders
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