

Chapter 9

THE ADMINISTRATIVE ARRANGEMENTS FOR TRANSFER

Background

9.1 Understandably, in light of their effects on young people, the main focus of many of the comments and views expressed to us during the public consultation were the Transfer Tests, ⁽¹⁾ commonly referred to as the “Eleven-Plus” examination. Against this background, we have given very careful consideration to the arrangements for transfer.

9.2 The present arrangements for the transfer of pupils to post-primary schools are governed by the provisions of the Education (Northern Ireland) Order 1997, which set out the roles and responsibilities of the education and library boards and school Boards of Governors in arranging for the admission of pupils in accordance with the stated preferences of parents.

9.3 A key feature of the Transfer Procedure is that all schools must draw up criteria which can be used to determine the admission of pupils in circumstances where the total number of applications for admission exceed a school’s approved admissions number for the school year. Each school’s maximum enrolment number is determined by the Department of Education on the basis of the school’s physical capacity.

(1) *Gallagher, T. and, Smith, A. (2000), The Effects of the Selective System of Secondary Education in Northern Ireland. Main Report, Bangor: Department of Education*

9.4 The nature of each school's admissions criteria is governed by Regulations⁽²⁾ which prescribe certain general requirements, but the published criteria, and how they are applied, are the sole responsibility of the Board of Governors, who would be liable under the law to defend any challenge or appeal by a parent or others.

9.5 The essential difference in the admissions criteria of grammar schools is that they are permitted to use academic ability or aptitude as a criterion for determining admissions in over-subscribed circumstances, ie, pupils with Grade As must be selected before pupils with Grade Bs and so on.

The Transfer Tests

9.6 While there were some - whether parents, pupils, teachers or governors - who felt that the present Transfer Tests are an appropriate means of assessing the relative academic abilities of young people at the age of ten or eleven and for determining their choice of school (and educational pathway), they were in a small minority. The overwhelming body of evidence from the public consultation has been opposed to the use of such tests in influencing young people's future education chances. We were particularly impressed by the views of young people about their experiences of the Tests and their effects on themselves and others.⁽³⁾ We have been left in no doubt that the Tests are socially divisive, damage self-esteem, place unreasonable pressures on pupils, primary teachers and parents, disrupt teaching and learning at an important stage in the primary curriculum and reinforce inequality of opportunity. There is evidence also that the Tests are not an appropriate or accurate method of assessing the individual abilities and aptitudes of young people, or of their potential to benefit from an academic education.⁽⁴⁾ Viewed against our Vision for the education service,

(2) Department of Education for Northern Ireland (DENI) (1997), **Secondary Schools (Admissions Criteria) Regulations (Northern Ireland) 1997** S.R. No. 439, Belfast: HMSO

(3) Leonard, M., and Davey, C., (2001), **Thoughts on the 11-Plus**. Belfast: Save the Children

(4) Gardner, J., and Cowan, P., (2000), **Testing the Test (2000)** Belfast: Queen's University of Belfast

and in particular, the underlying principle that all young people should be equally valued and should have the same opportunities to develop to their full potential, the existence of high stakes tests, which have as their overriding objective the selection (and separation) of pupils on a narrow academic basis, at such an early stage in their education career, is both inappropriate and unsustainable. In reaching this view, we have had regard also to the implications of the European Convention on Human Rights.

9.7 Accordingly, we recommend that the use of the Transfer Tests as a means of selecting pupils for transfer to post-primary education should be ended at the earliest possible opportunity.

9.8 In making this recommendation, we are very much aware that at the time this Report is being issued there will be thousands of young people preparing for the Transfer Tests in November 2001. Clearly those arrangements cannot be changed by what are, at this stage, proposals which will be subject to consultation before the planning of any new arrangements could be started. The possible arrangements for implementation of our recommendations are discussed at Chapter 13.

Age of Transfer

9.9 We were asked also to consider whether eleven remains the most appropriate age for transfer from primary to post-primary education. There were those who advocated transfer at age twelve, largely on the basis of greater maturity (and ability to cope with the change), although some also made the point that this should be linked to a wider reorganisation of early years education, with the commencement of primary education being delayed to age six, in line with arrangements which operate in other European countries. Our Terms of Reference did not extend this far, but in any event we were not persuaded that there is sufficient evidence of significant educational advantage in raising the age of transfer at this stage. Such a change, in the absence of a compensating change in the commencement age for primary education, would increase primary school enrolments by some twenty-five thousand pupils, at the expense of the post-primary sector, and would have considerable staffing, resource and accommodation implications for both primary and post-primary

schools. This could only properly be considered in the context of a holistic review of the arrangements for pre-school and early years education.

9.10 We have concluded, therefore, that for the purposes of the future development of post-primary education, transfer should continue to take place at age eleven.

Selection by Ability or Aptitude

9.11 We have considered also whether the Transfer Tests should be modified or replaced by an alternative form of selective assessment, for example, to incorporate some additional or different measures of ability or individual aptitudes which might provide a more objective and robust test of ability for the purposes of transfer to a particular type of post-primary school. While it is our view that age eleven remains an appropriate age for transfer from primary to post-primary education, we are convinced that there is no place in this process for a special test or assessment process which would be designed primarily to segregate children at such an early age on the basis of a narrow and perhaps premature assessment of their attainment needs and potential. This would be at odds with our Vision for education and in particular, the principles of equality of opportunity, access and excellence for all young people.

9.12 In forming this view, we have had regard to the considerable volume of research and the ongoing debate about the nature of human intelligence and the development of alternative teaching and learning approaches. Certainly the conventional view that intelligence equates largely with academic ability has influenced many aspects of education, not least the expectations of teachers about the learning potential of students, and the premature channelling of young people into narrow curricular pathways, based on assessments of just some of their abilities. This is inappropriate at age eleven, the more so if all schools are expected to provide curriculum opportunities at KS3 which are broadly the same for all pupils, and which will prepare and enable them to choose courses at KS4 more specifically related to their career pathway, aptitudes and interests.

9.13 We recommend, therefore, that assessment of academic ability, whether by external testing or teacher evaluation, should not be used by post-primary schools for the purpose of selecting pupils for transfer from primary education.

Future Transfer Arrangements

9.14 The ending of the Transfer Tests will remove the need for coaching in preparation for transfer from primary to post-primary school and end the distortion of the primary curriculum which occurs at present in P6 and P7 in many schools. Other important gains will be the increased opportunities to develop the primary curriculum to cater for the individual aptitudes and learning abilities of children, and, as mentioned earlier, to develop the assessment arrangements further to inform and support pupils' learning throughout Key Stages 1 and 2 and beyond. The removal of the Transfer Tests will also enable post-primary schools to adapt and develop their curricular and assessment provision to ensure better continuity and progression in learning from P7 (Primary Year 7) to Year 8.

9.15 The objective of the new transfer system must be to place the needs of the learner and the aspirations of parents at the centre of the transfer arrangements. In support of this, the objective should be to develop arrangements where high standards of academic and vocational education are available to all young people as part of post-primary provision. This will give children experience of a range of learning styles and inform and facilitate their choice of subjects and career pathway at the end of KS3 and KS4. Development of provision along these lines will also assist in reinforcing equality of opportunity and parity of esteem between vocational and academic subjects and between schools which choose to specialise in particular areas at KS4 and beyond.

9.16 As mentioned in Chapter 8, the overriding purpose of the assessment system in schools should be to recognise achievement, diagnose learning needs, inform provision and identify aptitudes. To this end, we propose that there should continue to be an annual report on each pupil and a meeting between the parent/guardian and the teacher - which would be based on and

informed by the Pupil Profile - to consider progress, needs and action to raise standards. In Primary Year 7 this meeting would be held in early February in advance of the timetable for expression of parental preferences for transfer.

9.17 We have concluded that the Pupil Profile should not be made available to post-primary schools in advance of the completion of the transfer arrangements. Its purpose in the transfer process would be to provide parents with as much objective information as possible about the pupil's progress, attainments, abilities, aptitudes and potential, in order to inform and guide parental preferences for transfer to post-primary school. This is a feature of the present arrangements also, but would have the potential to be more meaningful and valuable in the absence of the Transfer Tests. Ultimately, it would be a matter for parents and pupils to decide how to use this information and guidance; but the expectation would be that the large majority of parents would accept the professional judgement and advice of the primary school teacher/principal in deciding their school preferences.

9.18 The Pupil Profile would also be made available to the receiving school (by the transferring school) at the point when the admission to the school had been agreed: this would normally happen in June and would provide the opportunity for the school to begin to plan for the induction of all Year 8 pupils in September. This should involve liaison with the transferring school with a view to ensuring that the individual needs and aptitudes of the child are properly addressed.

Parental Preferences and Admissions Criteria

9.19 The purpose of the Regulations governing the use of schools admissions criteria should be to reinforce the Government's policy objectives, to ensure consistency across all school sectors/types, and to provide for fairness in the determination of parental preferences in circumstances where schools are over-subscribed.

9.20 In considering the nature of the arrangements which would best serve the needs and aspirations of pupils and parents in a non-selective education system, we have examined the workings of the Open Enrolment system and whether this cornerstone of schools admissions policy should be modified, for

example, by placing some restriction on the nature and scope of parental preferences (for the school they would wish their children to attend). While acknowledging that the exercise of parental preference does not give parents an absolute right to have their child educated at the school of their choice, we have concluded that it would be unreasonable to fetter or dictate parents' preferences in a non-selective context, for example, by the application of pre-determined catchment areas for individual school enrolment purposes. To attempt to do so would be incompatible with the aim of ensuring that each pupil should have equality of opportunity and access to education provision that meets their individual needs.

9.21 We have also taken into account the recent report by the Admissions Criteria Working Group, which was established by the Department of Education earlier this year. The remit of the Working Group was to consider the implications for schools admissions arrangements and, in particular, schools admissions criteria, the Human Rights Act, the New Targeting Social Need (New TSN) policy for the public sector, and the equality provisions of the Northern Ireland Act 1998.

9.22 Ideally, the context within which **informed parental preferences** would be made, in the absence of the Transfer Tests, would be one where post-primary schools worked co-operatively and in partnership, in order to ensure that all pupils had breadth of choice and access to provision that best meets their needs and aspirations. As discussed at Chapter 10, we envisage also that, in the proposed Collegiate structure, schools would have the opportunity to become specialist centres, where their expertise and facilities would offer Collegiate pupils high quality and focused provision. Schools would decide, in liaison with others in the Collegiate, how best to implement specialist provision. This would undoubtedly require additional facilities in some areas to improve access, equality of opportunity and reinforce parity of esteem between schools.

9.23 In these circumstances, the Pupil Profile should provide parents, each child and each child's teacher with the information and evidence with which to identify courses, pathways or specialisms in a Collegiate that would be able to offer the best opportunities to each child. Informed by the Pupil Profile, the

parents and the child, assisted by the teacher, would be able to review the information provided by a Collegiate on:

- curriculum provision at KS3 and KS4;
- career pathways catered for or specialist provision;
- post-16 provision (either on site, or available in association with another school and/or FEC and TO);
- school ethos,

and then express preferences for post-primary schools.

9.24 Against this background, we recommend that parental preference should be accorded statutory priority for admissions purposes, and that all schools should be required to admit pupils in strict order of parental preferences: first preference applications should be admitted before second preference applications, etc.

9.25 It is inevitable, however, that there will continue to be different perceptions about the educational effectiveness or suitability of some schools, perhaps informed by their status in the local community, their ethos or their performance. It is a natural feature of the Open Enrolment system that some schools will be more or less popular than others, and schools admissions criteria will therefore continue to play an important role in maintaining consistency and fairness in admissions to the more popular schools. It is essential that these criteria should be equitable and designed to provide equality of opportunity in support of the best interests of the pupil.

9.26 A necessary starting point in working towards the specification of admissions criteria (at Year 8), in a non-selective system, is to establish first the

limitations which should be put on the criteria which Boards of Governors could use. We propose that the following restrictions should be applied -

- no selection on the basis of academic ability or aptitude (this should refer to restriction on use of a child's performance in any tests, examination or interview);
- no use of the date of application or pre-enrolment forms;
- no use of the Pupil Profile and the primary school Record of Achievement.

9.27 In addition to these general restrictions, the Regulations should also prescribe the type of criteria which must be given priority in all schools' admissions criteria - to ensure transparency and consistency with the Principles of the new post-primary arrangements. We have given much consideration to this issue and, in particular, to the balance to be drawn between the use of mandatory criteria and the extent to which schools should have discretion to develop their own admissions criteria in order to enable them to select pupils down to the last available place.

9.28 We are aware that the Department has issued guidance to Boards of Governors and other interests, based on the conclusions reached by the Admissions Criteria Working Group. This guidance alerts Boards of Governors to the type of criteria which could reasonably be used, and to those criteria which might be open to challenge on New TSN or equality grounds. However, the guidance leaves Boards of Governors with discretion to draw up their own criteria, as now.

9.29 While we would endorse most of the general conclusions reached by the Working Group in relation to the reasonableness or otherwise of particular criteria, we believe that the arrangements for admissions to schools, particularly in a non-selective transfer context, are so important and sensitive that it would be unfair and inappropriate to leave these to the discretion and potential differential interpretation of individual Boards of Governors.

9.30 Accordingly, we consider that there should be a statutory requirement on all schools to use the following criteria (in order of priority).

- **Parental (and pupil) preference**, ie first preferences would have priority over second preference applications, etc.. This should be the first priority criterion in determining the allocation of places. In circumstances where a school was over-subscribed at any parental preference stage, the Board of Governors should be required to apply the criteria set out below:
 - **siblings** already at the school, **or the eldest child** of a family - this would recognise the importance of family and would ensure also that first (or only) children would not be disadvantaged, compared to sibling connections;
 - **children of staff** at the school, provided this applies to all staff employed at the school;
 - **compelling individual circumstances**, ie, special consideration for social, welfare or other personal reasons, which would be supported by appropriate documentary evidence to justify different treatment from the generality of other applicants;
 - **proximity to the pupil's home**, ie, those for whom the school is the nearest suitable school.

9.31 We recommend that, in the interests of consistency and fairness, the Department of Education should establish a new statutory framework governing the type of criteria which should be given priority by Boards of Governors, in the drafting and application of admissions criteria for all schools - on the lines of the proposals set out above.

Timetable for Transfer Procedure

9.32 The timetable for the present arrangements is dictated largely by the timing of the issue of the results of the Transfer Tests in early February. Thereafter, parents have the opportunity to discuss their transfer preferences with the primary school principal and to return these to the relevant education

and library board. The actual process of determining parental preferences takes place between mid-March, when first preference forms are issued by Boards to schools, and end-May, when Boards advise parents of school placements. In between there can be a complex series of transfers of preference forms between Boards and schools until all children have been placed. Thereafter it can take up to three months, in some cases, for the determination of appeals.

9.33 This timetable is considered to be unreasonably long by many parents and can cause stress and uncertainty. The removal of the Transfer Tests from the procedure should be used to simplify and shorten the timetable. The objective should be for the great majority of placements to be made by mid-May, and for all appeals to be decided before the end of the summer term, in the interests of the pupils. We consider that, in the absence of the Transfer Tests, this shorter timetable should be achievable, assisted by greater use of information technology for the recording and transfer of parental preferences between schools.

Transport Assistance

9.34 We are aware that parental preferences can be influenced to some extent by the arrangements for home to school transport assistance. Our proposals for the development of a Collegiate structure will have implications for transport assistance and these are considered in more detail at Chapter 10.

Summary

9.35 The present selective system, in recent years, has increased school enrolments in the grammar school sector at the expense of other school types: its ending would provide the opportunity for the development of a process of **informed parental preference** as the basis for choosing which school would be most likely to meet the educational needs, aptitudes and interests of each child. Of course, the expression of parental preferences does not mean unqualified parental choice and there would continue to be oversubscribed schools. Nevertheless, the allocation of priority to parental preference, when applied in the context of the changes in pupil assessment and a revised curriculum, would support the delivery of equality of opportunity, access and parity of esteem for

all. In addition, our recommendations, if implemented, would provide a number of other distinct advantages for pupils, parents, teachers and schools:

- they would remove the stress imposed on pupils by the current Transfer Tests;
- they would remove the pressure on primary schools and teachers that has led to the distortion of the KS2 curriculum;
- they would reduce the time and bureaucracy created by the current selective Transfer Procedure;
- they would improve the continuity of the curriculum across KS2 and KS3;
- they would improve the quality and quantity of information available to parents on their children's progress and development through school.