

REF: EL/LK/TOR/06-O5

## **Response to the Department of Education's Consultation on New Admissions Arrangements for Post-Primary Schools (June 2005)**

### **Introduction**

1. The Equality Commission for Northern Ireland ("The Commission") welcome this opportunity to respond to the Department's proposals on New Admissions Arrangements for Post-Primary Schools, fulfilling our ongoing commitment to promote equality and inclusion within our education system in Northern Ireland. In our response to the recommendations of The Independent Review Body (The Burns Report) which was the initial template for the debate on new post primary school arrangements, the Commission highlighted a significant body of evidence to demonstrate that the present selection system contributed to social exclusion and inequality. Therefore, our response examines the Department's proposals within the context of putting forward recommendations and analysis that will promote equality of opportunity. It is fundamentally important that, whatever measures the Department of Education implements with regard to new admission arrangements for primary schools, key consideration be given to building the future of our educational system in such away that the tangible result will lead to measurable equality of outcomes for all our students in Northern Ireland, regardless of economic and social status.
2. The Commission is an independent public body established under the Northern Ireland Act 1998. The Commission is responsible for implementing the legislation on fair employment, sex discrimination and equal pay, race relations, sexual orientation and disability. The Commission's remit also includes

overseeing the statutory duties on public authorities to promote equality of opportunity and good relations under Section 75 of the Northern Ireland Act 1998.

## **Context**

3. In Northern Ireland, post primary school arrangements have been implemented by means of a selective transfer test system to secondary and grammar schools since 1947. Following the election of a Labour Government in 1997 research was commissioned by the Department of Education to examine the effects of a selective educational system. Among many of the key findings from this research was the fact that although grammar schools showed particularly high levels of educational attainment, in stark contrast, secondary schools had a long record of low educational attainment.
4. An Independent Review Body was established by the Department to consider what changes were needed to the existing template governing admission arrangements in post-primary education. The Independent Review Body published its recommendations in the Burns Report, one of which was the decision to abolish the 11-plus test. The last 11-plus examinations will take place in November 2008.
5. The Commission's response gave broad overall support the key recommendations of the Review Body, including the abolition of the Transfer Tests, the development of a Pupil Profile, and the collaboration and co-operation of networks of schools in a system of Collegiates. However, the Commission did not support the recommendations in relation to admissions. It does not consider that the emphasis on 'parental preference' as the key selection tool to the exclusion of other methods is satisfactory. The Commission argued strongly that the proposed use of parental preference as the key admissions criterion, far from achieving the objective of equality of outcomes, will instead result in middle-class parents having more influence on the final destination of their children than working-class parents. Accordingly, the Commission does not

accept that parental choice should be given statutory priority for admissions purposes.

6. This current consultation on 'New Admissions Arrangements for Post-Primary Schools' relies heavily on the key recommendations of the Review Body. In addition to focusing on the process for admission to post-primary schools, the proposals outline the Department's plans to introduce a new curriculum which seeks to incorporate a better balance between academic and vocational subjects, based on the individual pupil profile. The proposals also examine localised collaboration partnership arrangements between schools and contain plans to pilot what are referred to in the document as 'Specialist Schools' over the next five years, through changing the curriculum of some of the existing schools, while at the same time maintaining a broad-based curriculum that will shape the curriculum of all schools in general.

### **General Observations**

7. Overall, the Commission agrees with the key principles and objectives underlying the new admissions arrangements, in particular, the emphasis placed on putting the interests of the child at the centre of the decision-making process. We also agree that the system should be fair and free from any bias or indirect discrimination against particular groups or individuals.
8. We are pleased that the Department has considered the Commission's recommendations with regard to amending the proposed new post primary admissions process, the introduction of continuous assessment, the addition of dialogue with receiving schools guided by the 'Pupil Profile' and principal teacher/ parent dialogue on post-primary options.
9. The Commission agrees with the information being made available to parents from post primary schools. This information should also include what transport arrangements are available to pupils, including accessible transport, to enable parents and

pupils to make an informed choice about the suitability of the school.

10. Any new admission arrangements for post-primary schools must take into account that the existing transfer system was also a reflection of our social values. Hence the deep-seated cycle of disadvantage and under-achievement associated with it is also symptomatic of, and does not remove the historical social culture of the wider society which created our present educational system. Therefore by opting for new admission for post-primary based on mainly parental preferences, we re-enforce the economic and social inequalities prevalent in society as a whole rather than presenting an effective challenge to the failures of the past.
11. We acknowledge and welcome the Department's view that the choice of post-primary school at the age of 11 need not necessarily be the only or final determinant of a child's educational pathway before they leave school, and that the Department's proposed measures consider the needs of children as they grow older, at the end of key stage three when the child is 14, which marks the child's transition from a more general education to a more differentiated provision, including access to subjects/courses under the Entitlement Framework. The Commission considers that the possibility of transfer at 14 may benefit children from poorer backgrounds, from ethnic minorities, or with disabilities, for example, by offering a real opportunity to enter a school most suited to bringing out the best in the pupil and enhancing their potential. We would encourage the Department to explore this option.
12. The Commission welcomes the capital investment within our education system of £890 million over the past five years and the commitment from the Department to invest a further £23 million over the next three years, in recognition of the fact that additional resources would be needed to implement the proposed changes to new admission arrangements for post-

primary schools.<sup>1</sup> However the Commission believes that this present review is an opportunity to revitalise educational structure in Northern Ireland. Within the context of the Department's proposed measures, real consideration should be given to making improvements in our pre-school and primary sector, as well as to significant extra resources to post primary schools in areas where there is a history of under-performance, to promote greater choice as an aid the selection process.

## **Specific Comments**

### **Pupil Profile**

13. The Commission welcomes the proposal to develop a yearly 'Pupil Profile' which will provide parents with information on their child's progress through school and, unlike the current Annual Report, as well as assessing the child's aptitude and attitude for learning, it will contain much more information, (for example, highlighting the particular interests of the child), which will also be used within the ongoing teacher assessment to indicate areas of future development and learning. The 'Pupil Profile' will be introduced in 2007/08 for students in P5 and eventually thereafter from P1 to the end of compulsory schooling.
  
14. This particular measure complies with our recommendation that the Department introduce a system of continuous assessment covering all aspects of the new curriculum. The Commission believes the introduction of a 'Pupil Profile' is a very positive development, shaped as it is around continuous educational assessment rather than being subject to the fluctuating variables that influence examination results, which in the past were the main indicator of educational achievement.

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<sup>1</sup> **Barry Gardner MP, Minister for Education for Northern Ireland Address to National Association of Schoolmasters and Union of Women Teachers (NASUWT) Annual Conference, Limavady March 2005.**

## **Advice and Information**

15. All advice and information should be fully accessible, including information on the post-primary admissions process and the post-primary school prospectus, available on request in alternative formats. External factors should also be considered, such as the availability of school transport, and how well the transport available meets the requirements of pupils and parents alike. This would also apply to services in the school such as sports facilities, catering arrangements, curriculum strengths and weaknesses etc, school discipline, pupil services, medical facilities etc. A note of caution: not everyone is computer literate or has access to a computer - information from the Education and Library Boards' website should also be available in hard-copy, and should include the name and contact numbers of the Education Transfer Officers within all the Board areas.

## **The New Curriculum – Entitlement Framework**

16. The Commission endorses the principles and general practice associated with the Department's plan to introduce a new curriculum that may promote a greater balance of emphasis between vocational and more traditional academic subjects. The proposed 'Entitlement Framework' will replace the general education all students receive until the age of 14. This will enable students in post-primary education to choose from a range of 24 subjects (at post -16, this rises to 27 subjects). At the same time the Framework should help to ensure that students' minimum core subject areas will be made up of one-third academic subjects, one-third vocational subjects and one-third student choice. We welcome this innovation as an effort to promote choice within education, and to promote the inclusion of others who in the past would not have responded as well to an educational system which over-emphasised the value of academic achievement, in comparison with skill development achieved through vocational pursuits.

## **Co-operation and Collaboration**

17. We strongly endorse the co-operation and collaboration of school networks in a system of collegiates for all schools without exception, but are concerned that no reference is made within the text of this consultation document to the position of special schools. The Commission has previously challenged the Review Body's recommendation to exclude special schools outside the Collegiate System. Historically, disabled people have been faced with social exclusion, in particular from mainstream education. Excluding special schools from the collegiate system would reinforce this exclusion, in contradiction of the principles and objectives underpinning the Department's proposals, and would undermine the government's commitment that all pupils should enjoy the benefits of mainstream education. The Commission believes that the co-operation and collaboration of a collegiate would facilitate a wider choice for those pupils who are in special, rather than mainstream, schools.

## **Specialist Schools**

18. We welcome the Government's plans to pilot a number of specialist schools in Northern Ireland over the next five years. In developing these specialist academies within existing schools, consideration might be given to those schools in traditionally economically deprived areas, as part of an overall effort to ensure that the pilots facilitate the identity of issues for development to successfully achieve specialist academies in a broad range of schools.

## **Pupils with 'Compelling Individual Circumstances'**

19. We agree with the Department that pupils with 'compelling individual circumstances' such as the need for access to a particular medical treatment would present a strong case for a pupil to be admitted to a particular named school, should be decided on the merit of each specific case. The Commission would caution against listing the types of cases that should be

included within the above definition, as it is likely to have the effect of excluding genuine cases. The Department is right to advocate that there should be sufficient flexibility within the proposed new arrangements to respond to individual cases, given the small numbers involved. We would also recommend that pupils with compelling individual circumstances, who would benefit from attending a particular 'named school', should be 'supernumerary' i.e. admitted over and above the approved admissions and enrolment numbers of the particular school in question.

### **Independent Central Panel**

20. The Commission is in favour of Boards of Governors being replaced by an Independent Central Panel. The panel should be of reasonable size, no more than seven people, less if possible. The panel may well need to hear oral arguments from the parent, and in some cases the student, and within this context, a smaller panel is easier to address. As the Department has suggested, the composition of the panel should be an educationalist, social worker, and other relevant persons, where appropriate, directed to take the best interests of the pupil into consideration. We acknowledge that familiarity with a particular school's environment or resources, for example, would be an essential component in determining any conclusions reached by the panel.

### **Pupils with a Statement of Special Educational Needs (SEN)**

21. We understand that the rationale underpinning the statementing process for pupils with 'special educational needs' was intended to ensure that the pupil would be admitted to the appropriate school which would best meet their educational requirements. We have no objection in principle to the Department's recommendation that pupils with statements could be included in the school admissions number, before the transfer process begins and we accept that those who are statemented after the transfer process has begun would be counted as supernumerary.

## **Admissions Criteria for Oversubscribed Schools**

22. The Department has identified four possible areas as the main way to develop the admissions criteria. They are as follows:
- Family Focused Criteria which would prioritise those pupils at a particular school at the time of application.
  - Community Based Criteria which would prioritise those pupils within the local community, with pupil intake coming from the local primary schools or on the bases of parishes normally associated with Catholic Maintained sector.
  - Geographical Criteria which would prioritise those pupils based within the generally well defined area around the school-centred catchment area based on electoral wards or District Council area.
  - Tiebreakers would be used when all of the above measures had been exhausted using two methods including random selection and proximity from home to school.
23. The community-focused/geographical criteria will, more than likely, reinforce existing social divisions, and economic disparity between social groups, through selection by a postcode lottery. With the exception of random selection associated with the tie breaker option, none of the other options are free from inherent obvious inequalities and will limit options available to many pupils. The Equality Commission believes that one of the disadvantages of the present grammar/secondary system is that there exists, in each school type, a localised social profile. Grammar schools have a largely middle-class social profile of pupil whose parents are, usually, in well-paid occupations. In secondary schools, there is a concentration of pupils whose parents are in lower skilled/lower paid occupations and/or without employment. The Commission recommends that the Department review the possibility of a system, such as that

which gives priority in nursery places, where each school allocates a proportion of places to children of lower socio-economic groups.

### **Issues not considered within the proposals: Accessible Transport**

24. The Commission is disappointed that no consideration has been given to the provision of auxiliary services, especially transport and more particularly, accessible transport, in ensuring effective education for disabled pupils. The lack of accessible transport has serious consequences for the availability of options to disabled pupils and students within pre-school, primary, post-primary and third level education. If the Department's proposals are to have real meaning for disabled students, then it must invest significantly in new accessible transport vehicles within all of the Education and Library Boards and, where appropriate, Health Trusts. In this regard, there must be a much more joined-up approach from the relevant agencies.

### **Conclusion**

25. Overall, the Commission welcomes the Department's decision to review the transfer process relating to post-primary education and is happy that the immediate outcome will be the removal of the existing transfer test. We are pleased that the Department has given consideration to some, though not all, of the Commission's recommendations to the Review Body. In particular we welcome the introduction of a system of continuous assessment covering the full curriculum. We also welcome the development of the relationship and dialogue between primary and post-primary schools, including an advice and support system which enables both to engage with parents and pupils regarding options for post-primary education.
26. The Commission would welcome clarification as to the position of special schools within the collegiate system. We would like reiterate our view that all post-primary schools should be included within the collegiate system. We believe that the

inclusion of further education colleges within the new partnership and collaboration arrangements is an excellent recommendation.

27. The Commission would welcome the introduction of a positive social and economic integration measure within the admissions criteria for post primary schools that will give consideration to ensuring that the social and economic profile within the student population reflects, in proportionate terms, a percentage of pupils from lower income families.

**Equality Commission for Northern Ireland  
24 June 2005**