



General Teaching Council  
for Northern Ireland

# Consultation on New Admission Arrangements for Post-Primary Schools

Council Response.

June 2005

# CONSULTATION ON NEW ADMISSION ARRANGEMENTS FOR POST-PRIMARY SCHOOLS

## 1.0 Introduction

The General Teaching Council for Northern Ireland (GTCNI) was established to promote the professional interests of teachers and has been in existence since October 2002. It is the statutory, independent, self-regulatory body for the teaching profession and is dedicated to enhancing the status of teachers and to upholding the highest standards of professional conduct and practice.

- 1.1. In seeking to respond to this consultation, the Council has found itself in a difficult situation. In short, the Council is concerned that the timing of this consultation exercise is out of kilter with the ongoing work of the Costello implementation team. That team is presently considering a variety of issues in terms of the entitlement curriculum, specialist schools and how best to expedite the cooperative working that the new entitlement curriculum will require. Whilst the Council might have reservations about the introduction of specialist schools into an educational landscape already fraught with uncertainty, it is the issue of how the system will facilitate cooperative working that the Council is most concerned with at this stage.

### Cooperative working logistics.

At the moment all the system is aware of is the introduction of an entitlement curriculum, presumably with a requirement that schools admitting pupils are in a position to ensure that all pupils will have access to it. What is not clear is the nature of the practical arrangements that need to be put in place to facilitate access for all to the new entitlement curriculum.

In essence this consultation process requires that we reflect on how best to facilitate admission to the post primary system but with no real understanding as to:

- How that system will be structured?
- What the relationships – contractual or otherwise – will be between diverse schools?
- How “specialist schools” will impact on demand and how these will integrate into the new collective arrangements? Indeed, there is some evidence that the move to greater school diversity can distort local admissions arrangements. In this context there is a danger that the development of specialist schools could distort schools` admissions within a given area and consequently arouse feelings of injustice among those denied places by virtue of the application of admissions criteria which may generally favour those living within the relevant (frequently highly favoured) catchment areas.<sup>1</sup>

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<sup>1</sup> Meredith, Paul – Diversity, Diversity, Diversity – Education and the Law, Vol. 13, No.3, 2001

- What arrangements will be put in place to preserve “integrity of entitlement” at a time of demographic decline and consequent financial retrenchment? If the entitlement curriculum is delivered by consortia of schools how will the constituent parts be assured in an environment that is inherently volatile?
- What will be the final format of pupil profiles? The Council has had some insight into CCEA thinking but thus far does not feel that it would be in a position to make a definitive evaluation of this particular aspect of policy.

The Council recognises that the issue of admissions criteria is vital in a post-academic selection era but would suggest that the timing of this consultation is inappropriate. The Council believes that the structural issues, some of which are mentioned above, should be resolved in advance of any consultation on admissions. Our response must therefore be contextualised within these reservations.

The response is in keeping with the Council’s aim to contribute to the development of a world class education system for all children and young people in Northern Ireland. Moreover, the Council’s Mission Statement, which dedicates it to enhancing the status of teaching and promoting the highest standards of professional conduct and practice, will be assisted by admissions procedures for post-primary schools which take account of the professional experience and wisdom of the teaching profession. Moreover, it is important to emphasise that whatever admissions criteria are put in place, that the pressures on children and parents must be greatly diminished under any new arrangements.

## 2.0 Principles and Objectives

- 2.1. The principles outlined at paragraph 2.2, chapter 2 of the consultation document are laudable and provide a sound basis for the development of detailed policy. The principle which puts the interests of the child at the centre of the decision making process is in keeping with articles enshrined in the UN Convention on the Rights of the Child, of which the UK is a signatory [ratified by the UK on 16<sup>th</sup> December 1991]. Article 3(1) states:

“In all actions concerning children, whether undertaken by public or social welfare institutions, courts of law, administrative authorities or legislative bodies, the best interests of the child shall be a primary consideration.”

The above article emphasises that all actions concerning the child should take full account of his or her best interests. Indeed, the state has an obligation to provide adequate care when parents or guardians fail to do so.

- 2.2. Furthermore, Article 12 enshrines the child’s right to express an opinion, and to have that opinion taken into account, in any matter or procedure affecting the child. Article 12(1) says that:

“State Parties shall assure the child who is capable of forming his or her own views the right to express those views freely in all matters affecting the child, the views of

the child being given weight in accordance with the age and maturity of the child.”

It is suggested that this obligation is met implicitly in the principles outlined at 2.2 but that for greater clarity the obligation should be made explicit.

- 2.3. It should also be pointed out at this juncture that schools often have to achieve a balance of rights and meet a range of legal responsibilities. It is therefore important that new admissions arrangements do not place schools in contradictory situations. The principles in 2.2 which uphold transparency and consistency are therefore important.
- 2.4. Moreover, the commitment that the new admissions arrangements be fair and free from any bias or indirect discrimination against particular groups or individuals is in keeping with Article 2 of the convention which places an obligation on states to protect children from any form of discrimination. Again, the state must not violate any right and must take positive action to promote anti-discriminatory practice. The principle that refers to the relationship between schools and the communities they serve reflects competence 12 of the new revised teacher competences being proposed by GTCNI which states:

“Teachers will have developed a knowledge and understanding of the interrelationship between schools and the communities they serve, and the potential for mutual development and well-being.”

- 2.5. The objectives for the new admissions arrangements outlined at 2.3 are built on, and in keeping with, the principles outlined at 2.2. The objective which states:

“.....ensure as far as possible that the admissions criteria of schools in a local area are complementary, so that each child is given some priority under at least one set of admissions criteria in that area;”

is particularly important but will present schools with complex coordination arrangements to ensure that this objective is met. This will require greater cooperation among schools and more coordinated planning. Partnership relationships among schools will be of paramount importance to ensure that the new admissions arrangements work. It is important that all necessary steps are taken to ensure that the demographic downturn does not exacerbate the existing competitive ethos which often bedevils school relationships.

- 2.6. Furthermore, in keeping with the principles of the new Northern Ireland Curriculum which will necessitate greater co-operative working among schools, it is important that some management arrangement is put in place to ensure that this objective is met as well as the other objectives outlined at 2.3. Given that the Education and Library Boards currently provide data and manage the post-primary transfer arrangements, including school admissions criteria, they might be best placed to take this work forward. The objectives outlined will only be achieved if schools work in partnership and the quasi-market which has negatively impacted on school relationships in the post-Education Reform era is finally put to rest. The objective which also allows schools flexibility in setting their criteria to reflect their local circumstances is in keeping with the philosophy that schools should be responsive to their local communities (although the format of the menus presented for consultation can either maximise school responsiveness or consistency and standardisation and Council takes the view that more detailed modelling analysis is required in this area

before decisions can be taken, see paragraphs 18.0 to 18.2). Moreover, some schools might want to interpret this objective more broadly to include the school's ethos and traditions. The objective that takes into consideration the particular circumstances of pupils with special educational needs is important and must impact on the detailed criteria to ensure that the new admissions arrangements are in keeping with the new SENDO legislation.

### 3.0 Choosing a Post-Primary School

- 3.1. In keeping with the principles and objectives outlined at 2.2 and 2.3 in the consultation document, the process of choosing a post-primary school will require that parents decide which schools best meet their child's educational needs, aptitudes, interests and aspirations. Parents will then list those schools in order of preference on the Transfer Form. As stated in paragraph 3.3 parents should feel confident about being able to secure a place for their child in a school which will be suited to his or her educational needs, interests and aspirations. It is in this context that the new Pupil Profile will be of pre-eminent importance in ensuring that parental confidence in the system is maintained and that children's educational needs are met. It is, therefore, of paramount importance that the new primary assessment procedures and the pupil profiles are fit-for-purpose. The consultation document does not provide sufficient details about the profiling process for an informed comment to be made and it has to be acknowledged that this is a significant weakness in the consultation process given the undoubted importance of the proposed profiles and the implications that they will have for children in the primary sector and young people in the secondary sector and their parents. Indeed, the profiling process will have major implications for teachers and schools in general.
- 3.2. The development of a pupil profile mechanism will raise many complex theoretical, policy and practical issues which will have to be resolved if confidence in the new admissions procedures is to be established and maintained. This work will, of necessity, fall to CCEA and it is therefore not the intention of GTCNI to go into the issue of pupil profiling at this juncture. However, Council feels strongly that the profiling must reflect the whole curriculum experience of children in the primary school and that the integrity of the curriculum must be supported by the profiling process. The Council has had some insight into the ongoing work being carried out at CCEA on this issue and looks forward to a more detailed consideration of the issue at a later date. The pupil profile, although only at the embryonic stage of development, has the potential to increase choice for parents. For the first time the opportunity exists to establish a coherent process to enable teachers to identify pupils' aptitudes and developmental needs in a structured and coherent manner.

### 4.0 Advice from the Primary School

- 4.1. The key to parents getting appropriate advice from their child's primary school will be dependent on the quality of the information provided in the pupil profile. However, teachers in primary schools will have a key role in providing appropriate information to parents and this will depend to a large extent on the confidence that teachers have in the assessment and profiling arrangements. Furthermore, the issue of the availability of the pupil profile for post-primary schools during the transfer process and the use to which it can legitimately put needs to be clarified. Council takes the view that the profiles should not be made available to post-primary schools prior to admissions.

## 5.0 Advice from the Post-Primary School

- 5.1. The procedures to enable parents to obtain advice from post-primary schools is in keeping with the best practice now taking place. However, the practicalities of making such arrangements should not be underestimated. Schools in general put an enormous amount of work into organising open evenings/days and setting up meetings with parents. These arrangements usually cause significant disruption to teaching and learning. It is important that no additional burdens are placed on schools. For example, if post-primary schools had an obligation to meet individually the parents of every prospective pupil, this could place an intolerable burden on the principal and senior staff of post-primary schools. Furthermore, what situation would arise if particular parents did not attend these meetings and what impact would this have on decision making?

## 6.0 Advice from DE/Education and Library Boards

- 6.1. The suggested advice which the Department will issue should help parents understand the transfer process. However, the Department will have to ensure that the advice it issues does not place intolerable demands on schools and in particular principals and senior staff. Many senior staff in post-primary schools have a range of teaching and management commitments which are at present extremely demanding and no undue additional burdens should be added to existing workloads. The Department will also have to ensure that intolerable demands are also not placed on principals of primary schools who will be at the forefront in ensuring the efficiency of the new admissions arrangements. Moreover, on an annual basis it might be useful if DE and the ELBs could provide each school with a summary breakdown about how the admissions criteria are operating locally in terms of applications and actual admissions.

## 7.0 Continuing Advice during Post-Primary Education

- 7.1. The points raised in paragraphs 3.14, 3.15 and 3.17 acknowledge that children mature intellectually at different rates and as they grow up develop particular aptitudes and interests. It is suggested that the issues raised in paragraphs 3.15 to 3.17 need to be dealt with within an educational framework that has as its *raison d'être* the promoting of lifelong learning. Such a framework would be coherent and comprehensive and enable pupils to map out their learning routes, whether academic, vocational or both. The development of such a framework will require better co-ordination of educational policy by the Department and cross-departmental cooperation at government level. The proposals in the Tomlinson report provide policymakers with the beginnings of such a framework and should inform policy discussions on this matter. The practical arrangements for the ongoing review of individual pupil achievements, interests and aptitudes could then be contextualised within this enabling framework. In the absence of any clear understanding of the “collective working arrangements” likely to emerge as a result of Costello, it is difficult to envisage how paragraph 3.16 arrangements might work out. Several questions emerge:

- Are there likely to be schools within such arrangements that effectively cater solely for academic provision, with “vocational pupils” to be farmed out?

- If it is envisaged that there may be significant movement of pupils at the end of Key Stage 3; how is this to be managed? Is it envisaged that there will be a series of “mini Craigavon” scenarios?

It is also difficult to consider educational pathways given the government’s response to Tomlinson and the fact that DE only offered initial advice about the entitlement framework on the 15<sup>th</sup> June 2005. (circular 2005/18)

## 8.0 Timetable for the Admissions Process

- 8.1. It is essential that the timetable for the New Post-Primary Admissions Process is coherent and streamlined to make it manageable for all parties involved. It is important that the process does not cause undue disruption to the normal life of both primary and post-primary schools. The management of the admissions process will be streamlined by ensuring that all partners in the service co-operate to ensure that the educational needs of children are met. Unfortunately, until now the quasi-market which operates in the school sector has not been conducive to the promotion of a cooperative ethos among schools. The whole admissions process will have to be underpinned by a greater commitment to cooperation and the Department of Education will have a key role in promoting such cooperation. Furthermore, the whole admissions process might need to be reviewed in the light of experience.
- 8.2. The proposed timetable outlined on page 27 of the consultation document does appear to be fit-for-purpose, except the requirement for post-primary schools to have discussions on an individual basis with prospective pupils and their parents during the month of November in the primary 7 year. Our concerns about this responsibility being placed on post-primary schools has already been raised [see paragraph 5.1].

## 9.0 Pupils with Compelling Individual Circumstances or a Statement of Special Educational Need

- 9.1. It is recognised that children with compelling individual circumstances or a statement of special educational needs necessitate arrangements which ensure that the educational and other needs of these children are met by schools. Paragraph 4.1 of the consultation document acknowledges that sufficient provision and flexibility within the new arrangements are therefore required to ensure that those needs are met.

## 10.0 Compelling Individual Circumstances

- 10.1. In drawing up admissions arrangements for children with compelling individual circumstances it is imperative that objectivity and fairness is maintained. It is envisaged in the consultation document that such cases would be few in number. However, it is often the few cases that provide the greatest problems for schools and stress for individual pupils and their parents. The consultation document quite rightly points out that it is impossible at this juncture to give a definitive list of the types of cases which should be considered under this category. It is suggested that, rather than trying to predict what type of case might, sometime in the future, fall under this category, it would be better to develop criteria to judge if individual cases fall within the category and to test individual cases as they arise against the criteria. The criteria could be as follows:

- an objective medical condition which necessitates a child being placed in a particular school, confirmed by a GP;
- a personal or social circumstance which necessitates a child being placed in a particular school, confirmed by:
  - i health and social services;
  - ii the criminal justice system, including the courts or PSNI.

It is suggested that pupils admitted under compelling individual circumstances should be supernumerary to the school's admissions and enrolment numbers. However, schools will require an appropriate level of resource allocation to ensure that the needs of these pupils are met. This could require additional funding to provide such pupils with the necessary pastoral, welfare and educational support. Furthermore, the Department would need to clarify the guidance it provides to schools in these circumstances, on class and group sizes in practical subjects and especially if such pupils are to have classroom assistants as this can also impact on compliance with class/group size regulations. These problems can also be variable in different year group cohorts and make timetabling of groups in practical subjects unnecessarily complex if not impossible. (DENI circular - Class Sizes in Practical Subjects in Post- Primary schools 2001/14)

#### 11.0 The Proposal to Establish a Central Panel to Consider Special Circumstances

- 11.1. GTCNI acknowledges the sensitive issues surrounding the admission of pupils with compelling individual circumstances. The suggestion to establish a central panel to consider such cases (suitably established) would indeed bring a degree of objectivity to the decision making process. However, the consultation document emphasises that schools serve local communities and Boards of Governors have a key role in representing the interests of the local community which a school serves. It is therefore not good practice to exclude Boards of Governors from the decision making process on school admissions. It is therefore recommended that Boards of Governors should still consider the admissions of pupils with compelling individual circumstances. Procedures could be put in place to assist Boards of Governors with their decision making and statutory obligations. Boards of Governors could also receive professional background information (medical, social service based or legal) to enable them to consider individual cases.
- 11.2. If the admission of pupils with individual compelling circumstances cannot be achieved at the Board of Governor level, then cases could be referred to a Central Panel, at which a final admissions decision would be made.

#### 12.0 Pupils with Statements of Special Educational Needs

- 12.1. In the light of the overall changes to school admission procedures it would be appropriate to include pupils who already have a statement, prior to the beginning of the transfer process, within a school's admission numbers. This would remove some of the operational difficulties that schools can have when required to place statemented pupils as supernumeraries, (class size, group size, deployment of classroom assistants etc). The

counting of pupils who are statemented after the transfer process has begun as supernumeraries could take place as the number of such instances would be small.

### 13.0 Admissions Criteria for Oversubscribed Schools

- 13.1. The consultation on the admissions criteria for oversubscribed schools is of central importance for the overall new admissions arrangements for post-primary schools. The consultation document has already made it clear that informed parental choice and the needs of the child are to be the pre-eminent consideration in shaping the new admissions arrangements. It is noted that the current open enrolment arrangements will continue to apply, i.e. where a parent applies to a school and that school has places available, the child will be admitted (paragraph 5.1). Moreover, the principles and objectives outlined in paragraphs 2.2 and 2.3 set parameters against which new admissions criteria must be tested. Indeed, the objective at 2.3 which states that as far as possible the admissions criteria of schools in a local area must be complementary, so that each child is given some priority under at least one set of admissions criteria in that area, is particularly significant.
- 13.2. It is also important that the new admissions criteria are unambiguous and fit-for-purpose. The Council welcomes the consultation document's emphasis on consistency, fairness and transparency in paragraphs 5.3 and 5.4. It is also the case that admissions criteria should be expressed positively so that children and their parents have a positive experience during the decision making process. Under no circumstances must the new admissions criteria create the sense of stigma which bedevils the current transfer arrangements. For this reason Council agrees with the House of Commons Education and Skills Committee that acceptable admissions criteria once established should be identified and clearly defined in regulation or primary legislation. The Council suggests that this will ensure that the same menu of admissions criteria would be available to all schools, including integrated schools. (Council's reservations about the range of menu formats is discussed in paragraphs 18.1-18.2) The emphasis that integrated schools will continue to sort applications on the basis of religion and apply admissions criteria to each group separately is in keeping with the particular characteristics of integrated schools. The issue of admissions criteria for specialist schools has not been addressed in the Consultation and this is a serious omission which affects Council's ability to come to an informed opinion.

### 14.0 Admissions Criteria – Family-Focused Criteria

- 14.1. The criteria identified in Table 2, Appendix 3 of the consultation document identifies quite clearly the significance of family-focused criteria used by oversubscribed schools during 2004-2005. The criterion, "a brother or sister already at the school" was 72.5% and eldest child was 45.0%. The criterion, "parent is a past pupil of the school", is also quite important with 22.5% of schools using this. (figures for all post-primary schools)
- 14.2. It is clear that schools have an expectation that family-focused criteria would form an important part of a menu. The two criteria suggested in the consultation are appropriate; however, the proviso that this would not include siblings who formerly attended the school could weaken schools family ties which are significant for many of our schools. Many families and schools are proud of the strong, even intergenerational ties between them. However, it must also be noted that there is an inherent bias to mixed schools with regard to family- focused criteria in that the sibling criterion affords greater opportunities to families.

### 15.0 Admissions Criteria – Community-Based Criteria

15.1. Paragraph 2.2, Principles and Objectives, acknowledges that schools normally serve local communities. It is therefore appropriate that community-based criteria should feature as part of a school's admissions criteria. However, the term "community" is not unproblematic in terms of:

- definition; and
- territoriality, boundary limits and geographical stability.

The consultation document quite rightly acknowledges the part that criteria such as feeder primary schools and/or parishes play in school admissions. Defining community in terms of parishes or feeder primary schools will be a significant challenge for schools and the wider service. However, if schools are to embark on new cooperative, non-competitive relationships, then it should be possible to draw up admissions criteria which facilitate these new relationships. These criteria should be guided by the underpinning rationale set out in Chapter 3, paragraph 3.2 of the consultation document:

“In the coming years, the range of educational opportunities will be extended through the Entitlement Framework and the development of Specialist Schools. It will also be normal for local schools to collaborate with one another and with their local FE college in order to ensure greater flexibility and choice for pupils.”

The paradigm shift from the past ERO quasi-competitive market among schools to more cooperative relationships, which is outlined at paragraph 3.2, should enable schools, CCMS and the Education and Library Boards to draw up community-based criteria in keeping with the new ethos of cooperative relationships.

## 16.0 Admissions Criteria - Geographical Criteria

16.1. School-centred catchment: There are significant problems associated with this proposal. The operationalisation of a school-centred catchment criterion would be complex and possibly bureaucratic. The proposal that catchment areas could be drawn up by the school or by an independent body would involve work of labyrinthine complexity and increase the likelihood of disputes both of a political and legal nature which would not be conducive to the philosophy underpinning the consultation document. Indeed, a school-centred criterion could be interpreted to go some way to undermine the principles of the consultation document outlined in Chapter 2, paragraph 2.2 in particular, which states that:

“new admissions arrangements should put the interests of the child at the centre of the decision-making process.”

Furthermore, catchment areas are not stable over time because of demographic trends and socio-geographical pressures. Therefore, the amorphous nature of many catchment areas would necessitate continual revision and again this would be a potential for increased bureaucracy and dispute. However, if a system of geographical boundaries were to be drawn up in a central manner or by consortia of schools, the consortia should be given access to appropriate expertise including Geographical Information Systems (GIS). Geographical criteria raise the important issue of school transport. It is therefore essential

that school transport arrangements are factored into any new admissions arrangements. Of course, apart from the technical issues associated with school transport arrangements in terms of availability, routes and cost, the safety of children must be of pre-eminent importance.

- 16.2. The child-centred catchment criterion outlined, although not without its own difficulties would be more in keeping with the overall philosophy of the consultation document. This criterion is also in keeping with the objective 2.3, Chapter 2.3 which states that the new admissions arrangements are to:

“ensure as far as possible that the admissions criteria of schools in a local area are complementary, so that each child is given some priority under at least one set of admissions criteria in that area.”

It is also likely that a child-centred criterion would reduce the level of bureaucracy which would be associated with a school-centred catchment approach. Moreover, the child centred criterion might be viewed favourably by the Integrated and Irish Medium Sector.

- 16.3. With regard to the practical application of geographical criteria, schools would require assistance in drawing up clear maps so that parents are able to see clearly at which school their child would be given priority. Of course, drawing boundaries is not just a technical exercise (which could be expedited with assistance from the Ordnance and Survey) but also involves micro-political considerations which would need to be resolved before catchment areas could be technically delineated. Table 4 of Appendix 3 provided figures for the distance travelled by pupils to post-primary schools (2002/03) and it is clear that significant numbers of pupils travel between 10 and 20 kilometres, both in the grammar and secondary schools sectors (13,491 or 22% and 10,531 or 12% respectively). These figures illustrate just how difficult it will be to draw up geographical catchment areas.
- 16.4. In response to question 6, paragraph 5.13, it would be very difficult to set a percentage limit for places allocated by geographical criteria unless some average historical figure could be set for each school, but this would be an unsatisfactory additional complexity, again open to dispute and contested definition.

## 17.0 Tiebreakers

- 17.1. It is the Council's view that random selection would be the most appropriate method for resolving tiebreakers. The use of “proximity from home to school” as a method for resolving tie break situations could have unintended consequences which would impact on local communities.

## 18.0 Format of Menu

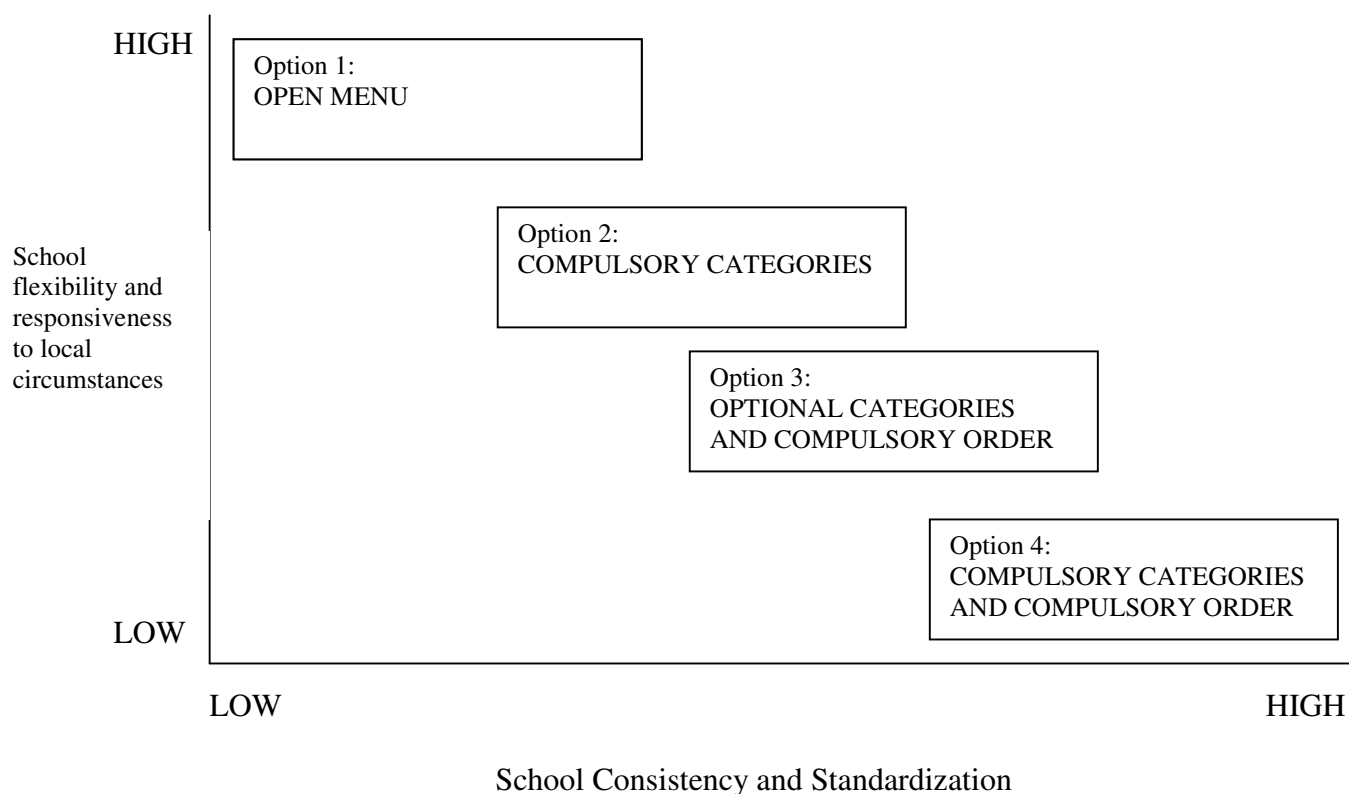
- 18.1. It is difficult to predict what the outworkings of each of the options provided in paragraph 5.17 (Open Menu, Compulsory Categories, Optional Categories and Compulsory Order, and Compulsory Categories and Compulsory Order). Without knowledge of past enrolment patterns either at regional and school level it is impossible to come to a definitive decision. The key question with regard to each option is to decide which one can be best reconciled

with the continuation of open enrolment and the principles outlined in Chapter 2, paragraphs 2.2 and 2.3.

- 18.2. Council considered each of the menu options in turn and would have found it useful if the Consultation document had provided some models as to how each menu might operate at a regional and sub-regional level. Council itself modelled the menu formats against the criteria outlined in the consultation (paragraphs 5.3 and 5.15), namely school flexibility and responsiveness to local circumstances, and school consistency and standardisation. The model produced, figure 1, suggests a relationship between the menu formats and the criteria, school flexibility/responsiveness and school consistency/standardization.
- 18.3. The continuum illustrated points to variable relationship between the conditions outlined in the Consultation (school flexibility and school standardisation) and the Council therefore takes the view that the Department of Education needs to provide some additional exploratory modelling analysis which would then enable it to come to an evidentially based decision about the most appropriate menu format.

THE NEW POST-PRIMARY ADMISSIONS ARRANGEMENT

Modelling the Menu Formats. Figure 1.



#### 18.4. Appeals procedures

The Admissions Appeals process outlined in paragraphs 6.1 to 6.8 is fit-for-purpose with the proviso that paragraph 6.5 is amended to include a reference to teachers with any professional or personal interest in the child and its parents.

#### 19.0 Conclusion

The Council has responded to this consultation with some misgivings. The issues are complex and there is an inadequate evidence base on which to make decisions. DE must ensure that the necessary further work and follow-up consultations take place when the other relevant policy proposals are clear or in place.