

KENT COUNTY COUNCIL

KENT SCHOOLS ADMISSIONS FORUM

MINUTES of a meeting of the Kent Schools Admissions Forum held at Sessions House, County Hall on Tuesday, 2 May 2006.

PRESENT: Mr M Vye (Chairman), Mrs P Stockell (Vice-Chairman), Mr I Bauckham, Mr M Carroll, Mrs N Chapman (substitute for Mr B Titterington), Mrs S Dennis, Mrs P Gibson, Mr F Green, Mr J Gunnell, Mr S Parr, Mr L Ridings, Mr J Simmonds (substitute for Mr R Tolputt), Mrs L Smith, Reverend Canon J Smith, Mr A Stanton and Mr G Wetherell.

IN ATTENDANCE: Dr I Craig, Mrs J Young and Mr G Rudd, Clerk to the Forum

APOLOGIES: Mrs K Harris, Mr B Titterington, Mr R Tolputt

UNRESTRICTED ITEMS

4. Minutes

RESOLVED that the Minutes of the meetings held on 10 November 2005 and 3 February 2006 are correctly recorded and that they be signed by the Chairman.

5. Matters arising from the Minutes of 10 November 2005

Mrs Stockell referred to page 10, paragraph 2 and asked whether Mr Vye had received a response from the DfES. Mr Vye confirmed that the DfES had politely advised him that he had passed the date for making views known.

6. Matters arising from the Minutes of 3 February 2006

There were no matters arising from the Minutes of the meeting held on 3 February 2006.

7. Urgent Items

- (1) Mr Vye advised the Forum that he had received a request from Mr Parr for Mr Frey to speak to the Forum in connection with Item 6 on the agenda.
- (2) The Members of the Forum agreed to this request.

8. Membership of the Forum

(Item 4)

The Forum agreed that it did not have anything to discuss under this item.

9. Terms of Reference

(Item 5)

The Forum agreed that it did not have anything to discuss under this item.

2 May 2006

10. First Preference and Equal Preference Criteria

(Item 6)

(1) The Schools Adjudicator had asked for the Forum's view on the LEA's objection to the use of published admissions criteria that gives priority to applicants who place a school as first preference over those who place it second or third.

(2) Mr Vye invited Mrs Young to explain why the LEA objected to the First Preference First criteria.

(3) Mrs Young read from a prepared statement which set out the LEA's reasons for making its objections to the Schools Adjudicator. This is shown as Appendix 1 attached to the Minutes. In essence the LEA believed that the use of First Preference First unfairly and unreasonably limited the extent to which true parental preferences could be expressed. The LEA took the view that parents should be able to rank preferences in the order that they really wanted.

(4) The Members of the Forum did not have any questions for Mrs Young about her presentation and therefore Mr Vye invited Mr Parr to open the case for those in favour of First Preference First. Mr Parr called upon Mr Frey, Vice-Chair of the governing body at Homewood School, Tenterden, to address the Forum on the findings of a survey conducted on behalf of 17 schools who used the First Preference First criteria.

(5) (a) Mr Frey circulated a copy of the survey "Secondary School Admissions – What do Kent Parents want?". This is shown as Appendix 2 attached to the Minutes. He also circulated a sheet showing two Equal Preference case examples which claimed that each was offered the place the other wanted and might have got with First Preference First. This is shown as Appendix 3 attached to the Minutes.

(b) Mr Frey advised the Forum that in total over 11,000 received the survey. It was sent to current Year 7 pupils attending First Preference First schools and applicants to those schools from Year 6. The forms were colour coded to reflect Year 7s and first, second and third preference applicants. Mr Frey confirmed that just over 5000 valid replies had been received. There had also been just over 100 invalid responses which related to not using the tick box. Mr Frey believed that the use of a tick box produced a fair result and that fairness was the main issue.

(c) Mr Frey referred to the Calderdale adjudication decision and the importance that the Schools Adjudicator had placed on parents' views before deciding in favour of Equal Preference. For that reason the survey was commissioned by those schools who used the First Preference First Criteria.

(d) Mr Frey stated that he was aware of the view that it could be said that parents did not understand the survey and were not briefed, however the current Year 7 parents were asked because they knew as much about the secondary transfer process as any parent could be expected to know. They had already been thoroughly briefed by the LEA during the process and their comments on the form confirmed this. Mr Frey also expressed the view that just as tutoring was said to distort 11+ results, any further briefing of the parents could distort the results of the survey.

(e) Mr Frey said that although the responses were from parents with an interest in First Preference First Schools he believed they provided a good sample of parental opinion. The responses included those who wanted a grammar school but also

2 May 2006

wanted a First Preference First school as a safety net. Although Mr Frey felt that the survey would have been sent to parents that he thought likely to favour Equal Preference he reported that the result did not seem to indicate this. 80% were in favour of First Preference First and 20% Equal Preference. The second and third preference groups had come out in favour of Equal Preference.

(f) Mr Frey reported that of the replies received 1475 had made comments. 229 of these wanted special treatment for those taking the 11+ but of these 143 had wanted it against a background of First Preference First. 220 did not want special treatment for those taking the 11+. 412 had commented that First Preference First was the only basis for parental choice and that their first preference was the only one that mattered to them. Mr Frey also reported that the view seemed to be that it was not fair that a first preference application could be refused a place in favour of a second preference application.

(g) Mr Frey advised the Forum that the comments received showed that those parents had not been confused by the First Preference First principle.

(h) Mr Frey also felt that First Preference First helped those parents in rural areas who might not otherwise get their preferred school on distance criteria.

(6) Mr Vye invited the members of the Forum to question Mr Frey about his statement. This opportunity was taken by several members and is recorded in item (7).

(7) (a) Mr Stanton sought clarification as to what proportion of the replies came from Year 7 and Year 6 applicants respectively. Mr Frey replied that there were approximately 1500 Year 7, 1900 Year 6 first preferences, 800 second preferences and 750 third preferences.

(b) Mrs Stockell felt that as the schools canvassed were all First Preference First Schools the 11,000 was not a true representation of Kent parents. Mr Frey's response was that in the Calderdale survey 72% of the respondents were in favour of Equal Preference but that this was from a 21% return. In the survey under discussion the trend had been reversed and from a higher return of 47%. Mrs Stockell also asked if there were only the two questions on the form as it seemed confusing. Mr Frey did not believe the respondents had found the questions confusing.

(c) Dr Craig queried the purpose of the single sheet (Appendix 3). Mr Frey confirmed that it was to indicate that under Equal Preference neither applicant had got their first choice. Dr Craig's view was that this was misleading as both schools would have to be vastly oversubscribed for this situation to occur and that this could have still been the outcome if the schools operated the First Preference First criteria. Mr Frey commented that where catchment areas overlapped there may be a grey area as to where the parent wanted to go which could be affected if the school ranked by distance only. Dr Craig replied that the LEA would apply the parents' first preference from the form. Mrs Young referred to the co-ordinated scheme. She explained that the LEA had to meet the highest preference possible on the CAF form. This was how Equal Preference worked.

(d) Mrs Dennis shared Dr Craig's view that the sheet was misleading and felt that if the Members of the Forum found the situation confusing than it was likely that many parents had not really understood what was being asked in the survey.

(e) Canon Smith did not like the speculation about tactical choice. His view was that whilst we don't know parents emotions we do know what their preference is. It was an

2 May 2006

objective decision made at the time. Even with Equal Preference and no selection he felt that parents still got confused and referred to the situation at Bromley. He believed that a large number of parents only put down one preference because it was the only school they wanted. He understood the survey perfectly; it was a comprehensive question and reinforced his belief that First Preference First criteria was the fairest.

(f) Mr Stanton had a difficulty with the survey and felt that it portrayed life in a simple world with distance the only criterion that parents needed to consider. However, Mr Stanton held the view that it was not that simple as more than half the parents in Kent wanted a grammar school. The survey ignored this. Even if the parents didn't want a grammar school, the schools listed in the survey operated other criteria; e.g: denominational. Mrs Young confirmed this point.

(g) Mrs Young advised the Forum that the LEA had received calls from parents of Year 6 pupils who had not understood the significance of the form or its colour coding and wondered whether it would affect their application for a secondary school place. Mr Frey was sorry to hear that some parents had been upset by the form. There had been a large number of comments from parents who had welcomed the survey. There had been no indication that they had not understood about other criteria.

(h) Mr Bauckham was of the view that it was easy to pick holes in the statistics but he felt that the parents wanted a fair, transparent system and that this was First Preference First. He did not think that Equal Preference was transparent and was not sure that parents understood it. Perhaps in Kent's complex system there was room for both First Preference First and Equal Preference.

(i) Mr Parr said that the FPF criterion was an important one for those in the Catholic community as it gave them the opportunity to express a clear wish for a Catholic school education over those that did not show the same commitment. The Catholic Church provided schools primarily to support Catholic parents in the education of their children in their own faith. As a result Catholic parents should have the right to declare their express wish for a Catholic education and not be potentially displaced by someone else. He referred to paragraph 7.3 of the Admissions Code of Practice and the School Adjudicator's view that preferences should be expressed before testing. If First Preference First criteria were removed, it in effect gave an applicant who took the test two choices. In this particular local circumstance and with oversubscription, the best way to achieve the situation where Catholics could make an express wish for Catholic education was through First Preference First. Mr Parr agreed with the comments made by the Adjudicator in the Lewisham judgement in December 2004 when he said that neither FPF nor Equal Preference was perfect. What worked well in one area might work less well in another. In terms of evidence only 38 applicants to the Catholic schools had changed their minds after being allocated their higher preference. This and the survey indicated that FPF neither limited the expression of parental preferences nor were confusing for parents. First Preference First arrangements not only worked well in the case of Kent but were particularly necessary with the level of selection and the mix of schools.

(j) Mr Carroll referred to the situation as a scrap between the LEA and the First Preference First schools. He was concerned for those forgotten schools who were neither selective nor Foundation/Aided. There was a large group of schools in this category and they were being overlooked. As long as there was a mix of schools in Kent Equal preference was the best system to serve most parents.

2 May 2006

(k) Mrs Stockell said the conflict was confusing for parents and unfair on those schools referred to by Mr Carroll, who used Equal Preference. First Preference First led to tactical expression of preferences as 300 parents had not taken up their FPF place after having gained a place at a grammar school (their real first preference). If all schools operated Equal Preference this would not be necessary.

(m) Canon Smith reiterated his view that it was speculative to speak of parents using tactics. He quoted the example of Bennett Memorial Diocesan School where last year out of 240 first preferences only 3 withdrew to go to another school.

(n) Mr Stanton referred to the fact that 52% of pupils entered the Kent Test ie., more than 8000. Of these, only half would get a grammar school. This meant that at least 4000 parents were having a real difficulty knowing what the right school was for their child. It was hard to know what their real preference was. They had not been able to make an effective decision. With First Preference First if the parent put a grammar school as first preference, they ran the risk of not getting it and in effect invalidated their preferences.

(m) Mr Ridings advised the Forum that a number of cases had been considered by the Schools Adjudicator and that he had declared Equal Preference should be used in each case. He had concerns about the survey. It involved parents of pupils already at First Preference First schools and therefore it was to be expected that they would think this was best for them. However, some of the parents surveyed hadn't thought so. Any school could include a criterion about faith commitment without needing First Preference First to achieve this. Mr Ridings stated that he was always hearing from parents concerned with the First Preference First criteria operated by some schools.

(n) Dr Craig reminded the Forum that Equal Preference did not mean that parents' first preference was not taken into account, whenever possible it would be met.

(o) Mr Green was interested to know about the Calderdale survey. Were the questions in Mr Frey's survey the same? Mrs Young agreed to provide a copy for Mr Rudd to circulate to the Members of the Forum. Mr Green also wanted to know how oversubscribed the First Preference First schools were. Was their argument a valid one? Mrs Young advised the Forum that a number of the schools were undersubscribed and would not benefit from the use of First Preference First criteria. There was also an issue of falling rolls. She was able to confirm that of the schools involved in the survey the large majority were oversubscribed on first preferences but by the end of the process may no longer be so. Only two of them were not oversubscribed on first preferences.

(p) Mrs Dennis felt that Equal Preferences would make the system simpler. Similarly, Mr Ridings could not see the need for a First Preference First criterion in this situation.

(8) (a) Mrs Stockell proposed that the Members of the Forum vote on whether they supported the LEA's objection to the use of published criteria that gave priority to applicants who placed a school as first preference over those who placed it second or third.

(b) This was seconded by Mr Simmonds.

(c) Mr Parr questioned whether a vote was appropriate. Mr Vye felt that it was but confirmed that the diverse views of the Members would be reflected in the Minutes sent to the Schools Adjudicator. Mr Parr asked that these be made available to the Members of the

2 May 2006

Forum for comments before being sent to the Schools Adjudicator. This was agreed by Mr Vye.

(d) Mrs Young confirmed that the Schools Adjudicator was meeting in early June and therefore the Minutes would need to be sent to the Members of the Forum as soon as possible.

(e) As Chairman of the Forum, Mr Vye preferred not to use his vote.

(f) The Members of the Forum voted as follows:-

For the LEA objection	11
Against the LEA objection	4
Abstention	1

(g) There was a clear majority of the Forum Members who supported the LEA's objection to the Schools Adjudicator.

11. Children Out of School Devolution of Funding and Resources

(Item 7 – written report by Mr Rose, Head of Attendance and Behaviour Service)

The Forum noted the contents of Mr Rose's report.

12. Date of next meeting

(1) It was suggested by Mrs Young that the Forum might want to look at the protocols on children out of school at their next meeting.

(2) Mr Ridings referred to the Education Act becoming a Bill in July this year and that this would be an important issue.

(3) It was agreed that it was important that the Forum met in September 2006 and that Mr Rudd would arrange a date and advise the Members of the Forum accordingly.

13. Mrs Young and Mr Hardwick

(1) Dr Craig advised the Forum that both Mrs Young and Mr Hardwick would be retiring this summer and that this was Mrs Young's last meeting.

(2) Members of the Forum were unanimous in their gratitude to Mrs Young and Mr Hardwick for their valuable contributions to the work of the Forum.