

How intake and other external factors affect school performance

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Concerns shaping policy and research

Admission policies to schools over the past two decades have been designed to serve a variety of purposes and research into those policies has sought answers to a variety of questions.

Key points

- Admission policy serves a variety of purposes and therefore research has sought answers to various questions – about fairness, efficiency, policy aims and segregation.
- Strong regulation needs to continue.
- Parents do not choose on the basis of educational attainment alone – competition for parental custom on academic criteria does not act as an effective driver of system improvement.
- Evidence from different perspectives suggests that the aim of policy should be to achieve more balanced intakes to schools.

- There is increasing disruption at ground level of the regulatory regime due to the reduction in the role of LAs and an increase in the number of own admission authority schools.

- Policy makers and campaigners should resist simplistic conclusions that the unfairness of admissions is a market dysfunction that can be tweaked, or is the result of a lack of access to “good” schools, or middle class monopolisation of high performing institutions, and make policy in full acknowledgement of the complex dynamics of parental choice, social solidarity and schools’ responses to accountability; school segregation is a symptom of inequality rather than its cause.

- How children get allocated to schools is an aspect of the role that schooling plays in our society reflecting moral and political visions of how education contributes to achieving an ordered, prosperous and cohesive society.

There is an enduring concern about the fairness of admissions. It is the case that higher performing schools are attended more often by children from richer families while poorer children are more likely to attend a school that is performing less well. One interpretation of this is that the admission system is not ensuring that each parent has an equal opportunity to gain access to the best schools, which in turn leads to their lower attainment and restricted social mobility (see Forewords by Sir Peter Lampl in Cribb et al, 2013).

Policy, regulation and campaigning have therefore been aimed at helping poorer parents to gain better access. Research has sought to monitor how far the intakes of schools differ and whether some types of schools are more socially segregated than others, and to identify causes.

A concern for fairness overlaps with a concern to ensure the efficiency of procedures such that the admission system optimally matches parents’ preferences with places available and better ensures equality of opportunity for parents to gain their most preferred school. The greater diversity and opportunity to choose has made the process of admissions more complex for parents and administrators and in the early years of implementation there was considerable inefficiency (Audit Commission, 1996) with the process being complex and unpredictable for parents. Research has sought to

address the issue of design, monitor the proportion of parents gaining their preferred school and gauge the level of parental satisfaction.

Another concern has been with the effectiveness of the admissions system in facilitating policy aims. Successive governments have been committed to the introduction of market relations between schools and parents as a way of improving the education system. One purpose of the regulation and legislation on admissions has therefore been to establish and maintain effective market relations. It has, for example, reduced the power of local authorities (LAs) in relation to education in their local area, required schools to provide adequate information about their performance and admission arrangements, allowed different providers of schools, allowed popular schools to expand and threatened failing schools with closure. Research has attempted to find how far optimum market conditions exist, what criteria parents use and whether system performance has been affected. A critical strand of this research has looked at unintended effects.

Another focus of concern is the danger to the stability and cohesiveness of communities when children from different religious or cultural backgrounds are educated separately. Faith schools are a historical feature of the English system where the Roman Catholic Church and the Church of England have provided schools for members of their religious communities and there have been a very small number of Jewish schools (Allen and West, 2009). There have recently been added a small proportion of schools for other faiths. In addition, because immigrants from the same part of the world tend to cluster for a period in the same areas of cities, non-faith schools can have a large proportion of children from a particular religious community. The concern is that this exacerbates tensions between different social groups and fuels social unrest.

The regulation of admissions

In 1998, the new Labour government passed the School Standards and Framework Act, establishing a new legal framework for school admissions, which, amended and strengthened by subsequent acts, remains the foundation of current official practices.

The Secretary of State is required to issue codes of practice on admission arrangements, the latest of which came into force in December 2014. The evolving codes have been powerful instruments for governing admissions practices. Admission authorities (AAs) (including academy trusts) and LAs must comply with (not just have regard to) the codes. The Office of the Schools Adjudicator (OSA) makes binding adjudications on objections,

receives reports from LAs and occasionally conducts research on relevant topics.

England now has one of the most highly regulated admission systems (for comparison see the Matching in Practice in Europe website, www.matching-in-practice.eu/). In addition to improved efficiency and procedural fairness, there is evidence that the regulatory framework has marginally contributed to less segregated schooling (Allen et al, 2012). For an explanation of the current process of admissions see the 2014 Code (DfE, 2014).

The revisions to the codes in 2012 and 2014 have, in contrast to previous revisions, weakened rather than strengthened regulation with some previously outlawed oversubscription criteria rehabilitated, responsibility for in-year admissions removed from LAs and admission forums becoming discretionary.

There is little evidence as to how effective the admissions forums have been but Noden and West (2009), on the basis of five case studies in different LAs, found that the forums fulfilled one or more of five roles: a leadership role, a symbolic role, a scrutiny role, a perfunctory role and an expert role. They also noted the lack of formal powers. The forums have been retained by 65 LAs (43%) (OSA, 2014).

The weakening of regulation coincides with a policy to make schools independent of the LA and therefore an increasing proportion of schools being their own admissions authority.

A consistent theme of OSA Annual Reports and research (West and Hind, 2003; Coldron et al, 2008; Sutton Trust, 2013) is that schools that are their own AA are more likely to be non-compliant with the codes – a greater proportion of them do not publish their admission arrangements in time, have unnecessarily complex criteria and are reluctant to accept children who are difficult to place in line with their local Fair Access Protocol (FAP). In addition, because the LA no longer co-ordinates in-year admissions, these schools have more opportunities to reject in-year applications and delay alerting the LA. The number of in-year admissions is not small. During 2011–12, there was a total of 300,000 in-year admissions and for every 10 pupils who moved from primary to secondary school in September 2011, another six moved schools during that school year (Rodda et al, 2013).

It is too early to reach any conclusions about the effect on admissions of the academisation programme (but see Morris, 2014 and Noden et al, 2014). Meanwhile the evidence suggests increasing disruption at ground level of the regulatory regime due to the reduction in the role of LAs.

Parents' satisfaction with the process and outcome

Parents are able to express a preference for at least three state-funded schools in any area. The school's AA must rank applications in order against its published criteria and send the list of eligible applicants back to the LA, which then allocates each child to its highest preference school at which a place is available and for which the child is eligible. Parents receive that one offer from the LA on the same day as all other parents across the country. Parents have the right of appeal to an independent panel.

The great majority of parents get the school they want and say they are satisfied with the process and outcome of the admissions process (Coldron et al, 2008; Burgess et al, 2011). The percentage is significantly lower in more densely populated areas (only 72% of parents in London gained their first choice of secondary school).

Most parents have a real choice of between three and five schools and are satisfied with the choice of schools in their locality. Parents from all social backgrounds have a similar number of schools to choose from but the number varies with more schools available in urban and fewer in rural areas.

Significantly, no association is found between parents getting their first choice school and their socio-economic status, education level, or the level of deprivation of their neighbourhood.

Continuing concerns about segregation

These reasonably high levels of satisfaction coexist with evidence that social segregation persists and that richer children disproportionately attend higher performing schools. In 2013 the Sutton Trust found that the overall proportion of pupils eligible for free school meals at the 500 highest performing comprehensives was 7.6%, compared to the average of 16.5% for all other state schools.

Schools vary in the proportion of children they have on free school meals compared with the proportion in their neighbourhood. Community schools are least segregated on this measure whereas faith schools (Voluntary Aided) and converter academies tend to have more socially advantaged intakes (Pennell et al, 2007; Allen and West, 2011; Sutton Trust, 2013).

Converter academies have an average FSM proportion of 7.3% compared to an average of 16.5% across all schools. The 163 remaining grammar schools are also populated disproportionately by children from more affluent families (Atkinson and Gregg, 2004). Cribb et al (2013) report that although 18% of pupils in selective areas are eligible for free school meals

the grammar schools in those areas have only 3% and that poorer children with the same ability are less likely to attend a grammar school than their richer peers.

In selective LAs, 66% of children who achieve level 5 in both English and Maths at Key Stage 2 who are not eligible for free school meals go to a grammar school compared with 40% of similarly high achieving children who are eligible for free school meals.

Social segregation is greatest where there is structural and religious diversity between schools, where there are more schools that are their own admissions authority and where the area is wholly selective (Burgess et al, 2014 and 2011). There is no strong correlation between marketisation and the national level of social segregation (Gorard et al, 2013) but the determinants of the kind of segregation and polarisation between schools in an area are to be found in the local context (Allen and Vignoles, 2007; Harris, R. and Johnston, R., 2008). Different kinds of segregation – ethnic, religious, English as a second language (ESL), Special Educational Needs (SEN) – have different patterns and their determinants are likely to vary (Gorard et al, 2013).

Why do richer parents appear to gain privileged access to high performing schools? One explanation is residential segregation. Poorer parents cannot afford to move into affluent neighbourhoods, which tend also to have higher performing schools. Most schools use proximity as a criterion of admission (Noden et al, 2014), which means richer parents have higher performing schools as realistic choices while poorer parents have poorer performing schools (Burgess et al, 2011; Allen, Burgess and Key, 2010).

To mitigate this “selection by mortgage” the Education and Inspections Act 2006 extended rights to free home-to-school transport for children from low income families. To my knowledge there has been no research into the independent effectiveness of this initiative.

Independent of residential factors, richer parents can better afford to pay for private tuition that enhances their children’s chances of performing well in selective examinations (Ireson, 2004) and extra transport costs to higher performing but more distant schools are less likely to constrain their range of choice.

A second explanation is that poorer and richer parents have different educational preferences and are actively choosing different schools. When parents are asked to rank their criteria of choice, invariably they cite multiple criteria. But when asked to name the most important they most often cite proximity, their child’s preference, the academic performance of the school or an older sibling attending (Flatley et al, 2001).

Each single criterion is most often cited by a minority and never by more than a small majority. But more affluent and more educated parents tend to cite academic criteria more often than poorer parents (Leroux, G., 2015) and this is borne out by studies of actual choices (Burgess et al, 2014). Burgess et al (2009, 2011 and 2014) have tried to disentangle how far different socio-economic groups of parents prioritise different criteria and how far they are responding realistically to their chances of gaining entry to certain schools.

They found that both play a role. Parents in the lowest socio-economic status (SES) quintile have fewer high performing primary schools realistically available to them, but also, when both groups of parents share the same set of feasible schools, richer parents tend to choose higher performing schools while a proportion of poorer parents choose lower performing schools.

Another explanation is that poorer parents engage less successfully with the admissions system because they do not, or are less able to, access sufficient information and lack competence at managing the complex criteria and process. The Education and Skills Select Committee (2004) takes this line and it was the rationale for the Choice Advice initiative (which had little effect on segregation (Stiell et al, 2008; Exley, 2013)) and for more recent recommendations to enhance information (Leroux, 2015). The assumption of such a deficit is not well supported by the evidence (Coldron et al, 2010).

In addition there is the possibility of covert social selection by schools. English schools are largely, and still fairly crudely, held accountable by government and government agencies for the performance of their pupils in public examinations.

Schools are also well aware of how parents perceive the other children who would be their child's peers and the residential areas from which they come. It is therefore in the school's interests to attract children with high prior attainment and from more affluent families. But direct evidence of the scale of covert selection is difficult to come by.

Prior to the introduction of the 2003 codes many nominally comprehensive schools, and particularly those that were also faith schools and their own AA, had arrangements that enabled them to select on social or educational grounds (Flatley et al, 2001; West and Hind, 2003) but we do not know what proportion of them did so. Enforced compliance with the codes since 2006 has meant that schools have had very little room (legally) to manoeuvre. But objections on these grounds make up a significant part of the workload of the OSA each year. The OSA has also expressed concern (echoing that of LAs) that the appeals process of schools that are their own

admissions authority is difficult to monitor.

However, a robust and well conducted review of schools in all 150 LAs in 2006 by the OSA found that breaches of the admissions code, although widespread, tended to be of a minor technical kind and were easily amended (OSA 2008). A high degree of compliance continues to date (Noden et al, 2014). However, some schools do not co-operate fully with FAPs and resist the in-year admission of vulnerable children (OSA 2014). The evidence suggests that, although active covert selection makes an unknown contribution to the overall sorting of pupils and that schools' ability to manipulate their intakes through illegal admission arrangements is limited, continued strong regulation is necessary.

There is little academic research into how many parents are fraudulently claiming to live near to their preferred oversubscribed school. The OSA was asked in 2009 to investigate the scale of the problem, how it might affect the fairness of admissions and whether the current sanctions were sufficient to deter. It concluded that, although 46.3% of the 123 LAs that responded to the OSA survey reported that fraudulent applications were a problem in their area, the vast majority of parents "play by the rules".

However, most of the LA respondents thought that more was going on than came to their notice (OSA 2008-09 Annual Report). The current Chief Adjudicator asked all LAs to report on fraudulent applications in 2013-14. They reported a similar small incidence of known cases.

One lesson we may draw from this evidence is that, although middle class parents tend to engage more anxiously and energetically with the process of choosing (beginning the process sooner and accessing more information), the idea that schools and most middle class parents are fiddling the system in illegitimate ways is probably overblown and diverts attention from the more significant fact that, for the majority of parents with multiple advantages (social, financial, educational, residential) and schools that have affluent catchment areas or select by attainment, the task of advantageous selection is already achieved legitimately.

A body of work (Lareau, 2011; Reay, 2007; Crozier et al, 2008) suggests that middle class parents act in a variety of ways to ensure that their children are well educated, which means with children like themselves (Ball, 2003). Middle class solidarity, together with the difference in financial resources, operates powerfully to maintain educational and residential separation. However, a focus on middle class strategic behaviour minimises the fact that acting in response to the need to be with people like oneself is shared by parents from all strata of society and, as already noted, a proportion of poorer parents also seek separation.

Evaluations of policy initiatives

One of the most significant policy initiatives has been the regulation of admissions through the codes. In addition to improved efficiency and procedural fairness there is evidence that the regulatory framework has marginally contributed to less segregated schooling (Allen et al, 2012).

In 2006-7 LAs were required to focus as much on fairness of outcomes as on fair procedures. They should actively promote equity rather than simply ensuring that unfair practices and criteria are excluded (Para 1.67, 2007 Code).

To monitor the effect of this potentially revolutionary initiative LAs were required to report annually to the OSA on the fairness and legality of the admission arrangements for all schools in their area (Para 1.8, 2007 Code). In the event the change had almost no effect. The potentially significant concern for outcomes is now reduced to the mandatory minimum of reporting on how admissions work for looked after children and those with SEN, the proportion of parents making appeals and the effectiveness of the FAPs (Para 3.23, 2014 Code).

Pupil premium

The pupil premium was introduced in 2010 whereby a school receives more money for each child registered for free school meals. While funding formulae already provided extra resources for children on free school meals the pupil premium increased these and was highly publicised.

This has three potential effects relevant to admissions. The extra resources provided to schools in more challenging circumstances might enhance their exam performance and thereby reduce the performance difference due to more and less advantaged intakes. It might reduce the motivation for schools to select out poorer children. And, if schools became less socially segregated and more similar in academic performance, there might be less motivation on the part of middle class parents to segregate. It is too early to tell what effects the initiative will have.

Fair banding

Fair banding eliminates differences of ability/attainment between the intakes of schools in the banding arrangement and, because ability/attainment is significantly correlated with socio-economic groupings, significantly reduces social segregation (Coldron et al, 2008).

It is likely to improve educational results overall and significantly reduce performance differences between schools. In so doing it potentially mitigates the local hierarchy of schools, making local schools more acceptable to parents.

Some secondary schools use fair banding but it is currently only a small minority. A recent report by the Sutton Trust (Noden et al, 2014) found that 121 out of more than 3,000 secondary schools in 2012-13 were using banding, an increase from 98 in 2008. They are more often found in London and academies and free schools are more likely to use banding. Banding is easier to apply in densely populated urban areas and more difficult across a large area with geographically dispersed schools without increasing travel costs for parents and LAs. Also, some applicants may be forced away from their preferred school if the band they are eligible for is full. Fair banding is necessarily incompatible with an area-wide selective system and even the existence of some selective schools in an area would reduce the desegregating effect. While banding is not a panacea (Noden et al, 2014) it can contribute significantly to creating more balanced intakes.

Ballots

Random allocation can now be used as an over-subscription criterion. It guards against covert discrimination and can mitigate selection by mortgage. Only a minority of AAs use it, most often as a tie breaker. It was used as a main ranking criterion by only 42 schools in 2012 (Noden et al, 2014).

The early evidence from an application in England is equivocal as to its effects on social and ability segregation because ballots were used in complex interplay with catchments (Allen et al, 2010).

Conclusion

This review has dealt only with admissions up to the age of 16, although there is growing concern about admissions beyond that phase. Strong regulation has worked in the past to provide an efficient and procedurally fair process of allocation that restricts the room for schools and their AAs to manipulate their intakes. The continuing strong incentives for schools to admit children of higher prior attainment and from more affluent families means there is a continuing need for strong regulation.

The policy of freeing schools from LA control has been given impetus through the academisation programme since 2010. This means that more schools are becoming their own admissions authority enabling them to alter

catchment areas and (for secondary schools) to prioritise applications from certain primary schools. Further, removing the duty for LAs to co-ordinate in-year admissions has made it more difficult to place these (usually more vulnerable) children as efficiently and quickly as they used to be. Close monitoring of how admissions are working across a local area will be needed.

Strong regulation and fair procedures do not ensure that poorer children are more likely to attend higher performing schools. The continued social segregation of schooling is a result of the fact that the schools available to poorer parents tend to perform less well but also that they are more likely actively to choose these schools and more affluent parents to choose others.

Segregated schooling has deep roots in English history, social structures, cultures and behaviour (Simon, 1999). It is not a simple matter of poorer children being denied access to good schools. It is also about solidarity of social groups to which one belongs or aspires (Coldron et al, 2010). The religious and cultural segregation that is also a concern may largely be explained by the same need for solidarity. These facts are also likely to continue to confound the attempt to improve the system through greater competition.

Policy makers and campaigners should resist simplistic conclusions that the unfairness of admissions is a market dysfunction that can be tweaked, or is the result of a lack of access to “good” schools, or middle class monopolisation of high performing institutions and make policy in full acknowledgement of the complex dynamics of parental choice, social solidarity and schools’ responses to accountability; school segregation is a symptom of inequality rather than its cause. While it is important to draw attention to the stark facts of separation, to seek mitigation through changes to admission policy is unlikely to have any significant effect without addressing wider social inequalities.

Admissions is not just a technical matter. The way in which children get allocated to schools is a key aspect of the role that schooling plays in our society. Debates about admission policies, while appearing to be about arcane technicalities, reflect rival moral and political visions of how the education system contributes to achieving an ordered, prosperous and cohesive society.

The evidence can be interpreted from radically different perspectives and lead to such different policy conclusions as, on the one hand, that we need to make the education market work more effectively by educating poorer parents to be more discriminating consumers and eradicating restrictive

practices and, on the other, that we need to balance all intakes so as to reduce the non-educational differences between schools and foster inclusive school communities for reasons other than a discredited and narrow notion of attainment.

Attendance to the evidence is unlikely to be the determining factor in policy making given these differences of social vision. It is of considerable interest then that, for different reasons, there is a convergence of informed opinion that the aim of policy should be to achieve much more balanced intakes.

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