

TRANSFER 2010

GUIDANCE TO PRIMARY SCHOOL PRINCIPALS, POST-PRIMARY SCHOOL BOARDS OF GOVERNORS AND PRINCIPALS, AND EDUCATION AND LIBRARY BOARDS/EDUCATION AND SKILLS AUTHORITY ON POST-PRIMARY SCHOOL ADMISSIONS FOR 2010/11 SCHOOL YEAR

Following consultation, significant changes to this Transfer 2010 Guidance can be found at:

- Paragraph 3 (an explanation of what “have regard” means);
- Paragraph 9 (Transfer for children in receipt of a statement of Special Educational Need);
- Paragraph 15 (Admissions under Exceptional Circumstances);
- Paragraph 20 (4th Bullet Point: Recommendation not to use Preference Criterion);
- Paragraph 31 (Special Circumstances Procedures);
- Paragraphs 36-37 (Transport)
- Annex 1 (Important issues relating to “Entrance Tests”), Annex 2 (detailed advice on the recommended criteria), Annex 3 (illustrative model of recommended criteria).

GUIDANCE TO PRIMARY SCHOOL PRINCIPALS, POST-PRIMARY SCHOOLS' BOARDS OF GOVERNORS AND PRINCIPALS, AND EDUCATION AND LIBRARY BOARDS/EDUCATION AND SKILLS AUTHORITY ON POST-PRIMARY SCHOOL ADMISSIONS FOR 2010/11 SCHOOL YEAR

SUMMARY

AIMS AND OBJECTIVES OF THE DEPARTMENT OF EDUCATION'S GUIDANCE

This Guidance sets out a framework for the procedure for the admission of children of compulsory school-age to post-primary schools into the 2010/11 school year. The aims and objectives of the arrangements for the admission of these pupils to post-primary schools, as set out in this guidance, will be:

- that admissions decisions are fair and give each child the opportunity to reach his/her full potential;
- that the overall arrangements for admissions, and within that the respective roles of the Department, the Education and Library Boards/Education and Skills Authority, primary schools' and post-primary schools' Boards of Governors are clear and understood; and
- that post-primary schools' Boards of Governors achieve robust and accurate admissions decisions.

ADMISSIONS CRITERIA

With regard to these three objectives, the guidance below

(Paragraphs 17-20) recommends a menu of admissions criteria from which post-primary schools' Boards of Governors should draw up their admissions criteria for admissions into the 2010/11 school year. The recommended menu of admissions criteria is as follows:

Recommended first criterion:

- Applicants who are entitled to Free School Meals (FSME): priority to be given so that the proportion of such children admitted is not less than the proportion of first preference FSME applications received within the total number of first preference applications received.

Other criteria:

- Applicants who have a sibling currently attending the school;
- Applicants who are the Eldest Child;
- Applicants from a Feeder/named primary school;
- Applicants residing in a named Parish (with nearest suitable school);
- Applicants residing in a named Catchment Area (with nearest suitable school);
- Applicants for whom the school is the Nearest Suitable School;
- Tie-breaker criteria.

CONTINUITY

Otherwise, all involved in the admissions process for 2010 should be assured that the actual process will remain largely unchanged, the major difference being the absence of a Department-provided Transfer Test.

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THE LEGAL STATUS OF THE DEPARTMENT OF EDUCATION'S

GUIDANCE ON ADMISSIONS

1. This guidance is issued by the Department of Education under Article 16B of the Education Order (NI), 1997 – as amended by Article 30 of the Education Order (NI), 2006 – which states:

(1) The Department may issue, and from time to time, revise such guidance as it thinks appropriate in respect of the arrangements for the admission of pupils to grant-aided schools and the discharge by:

- i. Boards;*
- ii. The Boards of Governors of grant-aided schools;*
- iii. Appeal tribunals constituted in accordance with regulations under Article 15(8); and*
- iv. The body established by regulations under Article 16A(6),*

of their respective functions under this part.

(2) The guidance may in particular set out aims, objectives and other matters in relation to the discharge of those functions.

(3) It shall be the duty of

- v. Each of the bodies mentioned in Paragraph (1);*
and
- vi. Any other person exercising any function for the purposes of the discharge by such a body of functions under this part,*

to have regard to any relevant guidance for the time being in force under this Article”.

2. Primary schools, the principals and Boards of Governors of post-primary schools and the Education and Library Boards (ELBs)/Education and Skills Authority (ESA) will, therefore, be required

to “have regard to” this guidance when issued. Excepted from this, of course, will be the parts of this guidance describing duties and responsibilities of post-primary school Boards of Governors and the ELBs/ESA that have a legislative basis in their own right.

3. **What does “have regard” mean?** Boards of Governors and others addressed by this Guidance should understand that the duty to “have regard” to this Guidance is a legal one. In practical terms this duty, for a post-primary school’s Boards of Governors, means that in drawing up admissions criteria for the 2010/11 school year they should give active and receptive consideration to the Guidance’s recommendations on admissions criteria and record this consideration.

CONTINUITY: TRANSFER 2010 AND HOW THE GUIDANCE WILL WORK

4. **The process generally:** the admissions process will run much as it has done in the past, but the Department will not be providing a test for the purpose of transfer to post-primary education, and recommends that schools do not attempt to use academic admissions criteria. Guidance on how admissions criteria are to be drawn up and applied in the absence of admissions criteria regulations is set out in Paragraphs 17 - 20. Otherwise, primary school principals, post-primary schools’ Boards of Governors and Principals, ELBs /ESA and ultimately parents and children should be assured that the admissions process to post-primary schools and their role within it will remain largely unchanged.
5. **The role of ELBs/ ESA:**
 - (a) The process of applying to the post-primary schools in order of an applicant’s preference will continue to be administered by the ELBs/ESA who will retain entirely their established duties in this respect as set out in Articles 9, 15 and 17 of the Education Order (NI), 1997.

- (b) ELB/ESA Transfer Booklets will continue to issue to parents in November/December of 2009/ January of 2010 and these will contain each post-primary school's admissions criteria for the admissions process in 2010 (necessarily finalised by that point).
- (c) The applications process will operate within the same timeframe as at present, with Transfer Forms completed (with the assistance of an applicant's primary school principal) in February 2010, and then submitted to the ELBs'/ ESA's Transfer Officers. Admissions decisions will issue to applicants towards the end of May 2010.
- (d) Following the issue of admissions decisions towards the end of May 2010, the ELBs/ESA will then continue to facilitate the operation of the Appeals Tribunals. These Tribunals will receive, consider and make decisions on appeals to the same timetable as before and within the same remit (as set out in Education Order (NI), 1997 – i.e. according only to whether a school's admission criteria were not applied or not correctly applied and according to whether or not, under the correct application of criteria, an appellant would or would not have been admitted).
- (e) The ELBs/ESA will not be involved in the administration of any post-primary school's "Entrance Test".

6. The role of the Department:

- (a) As per normal, the Department will, in August 2009, issue an admissions circular offering greater detail on the process and exact dates for the forthcoming year.
- (b) The Department will continue to set the admissions and enrolment numbers for each school – in accordance with the Education Order (NI), 1997 (Articles 11 and 12). Schools will still have the same set of obligations to admit pupils up to their admission and enrolment numbers subject, if necessary, to the application of their admission criteria as set out in Article 13 of the Education Order (NI), 1997. Grammar schools should note, however, the power they previously had to refuse admission to applicants on academic grounds

(despite having places available) has been removed from the Education Order (NI), 1997 Order by the Education Order (NI), 2006 (see Paragraph 16).

7. The role of post-primary schools and their Boards of Governors:

post-primary schools' Boards of Governors will continue to be the statutory admissions authority for their post-primary school. Their duties and responsibilities in respect of admissions and transfer will continue to be defined by Articles 10, 13, 15 and 16 of the Education Order (NI), 1997 (and the only change in these duties and responsibilities will be for grammar schools' Boards of Governors by virtue of the repeal of Article 14 of the same Order and the absence of admissions criteria regulations).

- (a) Post-primary schools' Boards of Governors will continue to be required to draw up their school's admissions criteria. As ELBs/ESA will continue to be required to publish these criteria (and do so each year in November/December/January) this means that post-primary schools' Boards of Governors will be required to complete the drawing up of their schools' admissions criteria to the same ELB/ESA-determined timetable as before.
- (b) Having published their criteria, post-primary schools' Boards of Governors will only be able to change them with the approval of the Department.
- (c) Where schools are oversubscribed, post-primary schools' Boards of Governors must select children for admission by application of their published admissions criteria.
- (d) The criteria drawn up by the post-primary schools' Board of Governors must continue to be capable of enabling them to admit the number of applicants exactly equivalent to their admissions and enrolment numbers as set by the Department – i.e. the criteria must be capable of distinguishing between applicants right down to the last available place.

- (e) The criteria drawn up by the post-primary schools' Board of Governors must continue to give priority to applicants resident in the North before all applicants not so resident (subject to the Department's review of this item of legislation).
- (f) Post-primary schools' Boards of Governors will continue to have an obligation to admit an applicant if places are available within the admissions and enrolment numbers as set by the Department – in the case of the enrolment numbers this will be subject to the same "efficient use of resources exception".
- (g) Post-primary schools' Boards of Governors will continue to have an obligation to admit a child if so directed by an Appeals Tribunal; and
- (h) Post-primary schools will, no doubt, choose to run open nights (generally between December and February).

8. The role of primary schools:

- (a) Primary schools will continue to assist parents in advising on the best options for their children and in providing help for completion of the Transfer Form – generally in the form of an interview between the primary school principal and parent(s) in February 2010.
- (b) There will continue to be a single Transfer Form to be completed by parents. Parents will continue to be required to set out their preferred post-primary schools in rank order and continue to be required to include and attach all of the information necessary to their application (information relevant to a post-primary school's admissions criteria, verification documents, *etc.*). Transfer Forms will continue to be submitted to ELBs/ESA.

9. Children in receipt of a Statement of Special Educational Needs:

the procedures that operate outside of the Open Enrolment procedures for children in receipt of a Statement of Special Educational Needs will continue unchanged, in order to ensure that such children are provided with the most appropriate school placement and that their needs are

met. These procedures will, of course, now operate within the context of Transfer 2010.

CHANGES: WHAT ASPECTS OF TRANSFER 2010 WILL CHANGE

10. **“Entrance Tests” for academic-based Transfer:** There will be no Transfer Test provided by the Department for Transfer 2010 onwards. Some post-primary schools have stated that they will develop and operate their own “Entrance Test”. These independent “Entrance Tests” will operate without the approval of the Department (for further details see Paragraphs 21-35 and Annex 1).

11. **The regulation of admissions criteria:** prior to 2010, the admissions criteria that a post-primary school’s Board of Governors could consider using for their school were governed by Article 16 of the Education Order (NI), 1997 and admissions criteria regulations drawn up by the Department under the same Article; but due to the replacement of this Article, its supporting regulations will lapse for the admissions process from 2010 onwards. Specifically, this lapse will mean that there will no longer be:
 - (a) a prohibition on the use of academic admissions criteria by non-grammar schools;
 - (b) a prohibition on the use by any school of its own “Entrance Test” or examination in order to determine the application of academic admissions criteria;
 - (c) a prohibition on the use by schools of criteria giving priority according to the preference given to an application by an applicant;
 - (d) regulations stating the maximum numbers that can be admitted to a Boarding Department.

12. Within their continuing statutory duties and responsibilities (as summarised in Paragraph 7), it will be legal for a post-primary school’s Board of Governors to use any admissions criteria except for those prohibited more generally by equality legislation.

13. Notwithstanding this, this guidance makes recommendations to all post-primary schools' Boards of Governors on the admissions criteria they should and should not use (see Paragraphs 17-22). All schools will be obliged to have regard to these recommendations.
14. **A new Exceptional Circumstances Body:** under Article 29 of the Education Order (NI), 2006, the Department has an entirely new obligation to establish a body to which parents can apply for a direction that, on the grounds of "exceptional circumstances", their child is to be admitted to a specific, grant-aided post-primary school. Accompanying the duty to establish this body the Department has a duty to define, through regulations, what are to be considered "exceptional circumstances" in the course of such applications and directions. The legislation further provides that children that are admitted by virtue of a direction issued by this "exceptional circumstances" body shall not be considered within a school's admissions or enrolment numbers (i.e. shall be supernumerary for the year of admission in the same manner as children admitted as the result of the direction of an appeals tribunal).
15. A policy paper on the Exceptional Circumstances Process will issue in the near future. This will provide for a process that complements and does not duplicate the functions of the open enrolment post-primary admissions process and the post-primary admissions process for children in receipt of a statement of Special Educational Need. Cases that are intended to be covered by this provision may include: looked-after children, instances where social services make a strong case for a child to attend a particular school (e.g. where a child has been the subject of abuse), or where non-statemented medical circumstances may compel attendance at a particular school. Parents will be informed how to make claims of Exceptional Circumstances at an early point in the course of Transfer 2010. Exceptional Circumstances Panels will be established to consider claims for spring 2010.

16. Grammar Schools' new Admissions Obligations: Article 14 of the Education Order (NI), 1997 has been repealed by Article 27 of the Education Order (NI), 2006, with the effect that from the admissions process in 2010 onward, grammar schools' Boards of Governors will no longer have the ability to refuse admission (despite the availability of places):

“where [they are] of the opinion that admission of the child to the school would be detrimental to the educational interests of the child; and

where [they are] of the opinion that the academic ability of the child is not of a standard equivalent to that of the pupils with whom he would be taught at the school.”

or, in other words, where grammar schools are not oversubscribed, they will have the same obligations to admit applicants to all available places – in the established manner of all non-grammar schools (i.e. the only exception being where, for year-groups other than year 8, a post-primary school's Board of Governors can demonstrate “that the admission of the child to the school would prejudice the efficient use of resources” (Article 13, Education Order (NI), 1997).

RECOMMENDATIONS ON ADMISSIONS CRITERIA

17. The aims and objectives of the admissions process: as stated in the summary at the start of this guidance, and in accordance with its power in respect of this guidance (see Paragraph 1) the Department considers the aims and objectives of the arrangements for the admission of pupils to post-primary schools to be:

- that admissions decisions are fair and give each child the opportunity to reach his/her full potential;
- that the overall arrangements for transfer, and within that the respective roles of the Department, the ELBs/ESA, primary schools and post-primary schools' Boards of Governors are clear and understood;

- that post-primary schools' Boards of Governors achieve robust and accurate admissions decisions.

18. **The menu of recommended admissions criteria:** in respect of these objectives and for the admission of all children of compulsory school-age, the Department recommends that Boards of Governors of post-primary schools draw up their admissions criteria from the following menu of recommended criteria (all schools are obliged to have regard to these recommendations):

First Criterion for all Schools	Notes
Applicants who are entitled to Free School Meals (FSME): priority to be given so that the proportion of such children admitted is not less than the proportion of first preference FSME applications received within the total number of first preference applications received.	For example, if 20% of the total number of first preference applications is from FSME applicants, then at least 20% of the school's places should be allocated to FSME applicants. All schools and ELBs should be aware of the new eligibility criteria that establish entitlement – as communicated to them on June 25, 2009. For more detailed notes on this Criterion see Annexes 2 and 3.
Other Recommended Criteria (in no particular order)	Notes
Sibling	This criterion to be defined as “Children who, at the date of their application, have a child of the family currently enrolled at the school”. The phrase “child of the family” covers children fostered, adopted etc. and avoids having to define all the various permutations of sibling. See also Annex 2.

<p>Eldest Child</p>	<p>This criterion to be defined as “children who, at the date of their application, are the eldest child of the family to be eligible to apply for admission to the school.” This wording covers “only” children and is also intended to treat twins (or other multiples) as joint eldest. The term “eldest” can include eldest boy/girl in the case of single sex schools. See also Annex 2.</p>
<p>Feeder/named primary school</p>	<p>This criterion to be defined as “children who attend a named primary school to which a Board of Governors chooses to give priority”. Post-primary schools should not give a higher level of priority to one primary school than is given to a primary school of the same sector and that is geographically closer to the post-primary school. In general this criterion should be used to prioritise children attending a post-primary school’s local primary schools. The Department may intervene where it considers that this criterion may be used in a manner that disregards these specific points.</p>
<p>Parish (with nearest suitable school);</p>	<p>This criterion to be defined as “children who reside in a named parish”. For the purposes of this criterion, a Parish is a geographical area. Applicants will qualify for a Parish Criterion by residing within the geographical area of the Parish and regardless of whether they are of a particular religious background.</p>
<p>Catchment area (with nearest suitable school)</p>	<p>This criterion to be defined as “children who reside in the named catchment area of the school”. A catchment area can be defined as “a geographical area served by a school which is defined by the Board of Governors”.</p> <p>This guidance recommends that either of these two “geographical” admissions criteria (“Parish” and “Catchment Area”) should only be used if used in</p>

	<p>combination with the “Nearest Suitable School” criterion. So, for instance, the recommended use of the Parish Criterion by a maintained school would be “Children who reside in the Parish of [name] and children for whom [school name] is the nearest maintained post-primary school” (for the categories by which suitable school should be defined – please see the notes to the “Nearest Suitable School Criterion”). The purpose of this is to ensure that outlying and rural applicants are treated with equal priority within admissions as those whose address qualifies them for a school’s geographical criteria. If followed, this recommendation will mean that an applicant with an outlying address in terms of their nearest suitable school (e.g. a rural applicant) will not be disadvantaged by that address.</p> <p>Apart from the effect intended by combining these two geographical criteria with the nearest suitable school criterion, post-primary schools should not give a higher level of priority to those resident in one area or parish than is given to those resident in another area or parish that is geographically closer to the post-primary school. The proper use of these two criteria is to prioritise applicants in a post-primary school’s local areas or parishes. The Department may intervene where it is informed that these criteria are to be used in a manner that disregards these specific points.</p>
Nearest Suitable School;	<p>This criterion is defined as “children for whom the school is the nearest suitable school.” The relevant definition would be: “nearest to the child’s normal place of residence.” The decision for the post-primary school’s Board of Governors is whether or not there is another school in the same category as theirs which is nearer to</p>

	<p>the child's address. If not, the child meets the criterion. The categories of schools to be used for the purposes of these decisions should (irrespective of whether a school is attempting to practise academic admissions) continue to be "denominational grammar", "non-denominational grammar", "maintained secondary", "controlled secondary", "Irish-medium" and "Integrated".¹ See also Annex 2.</p>
<p>A tie-breaker.</p>	<p>Board of Governors must have admissions criteria that are capable of identifying for admission the exact number of children equivalent to their admissions number. This is a long-standing and continuing legal obligation as already explained in Paragraph 7 (d). A tie-breaker is an admissions criterion that will distinguish between individual children. For detailed guidance on which tie-breakers should be used and how – see Annex 2.</p>
<p><i>Note: Integrated schools will continue to prioritise applications on the basis of religious background in order to maintain the required religious balance of their intakes.</i></p>	

19. The accuracy of FSME as an identifier: Free School Meal

Entitlement (FSME) records those pupils who have claimed their entitlement by making an application to their ELB. It is used by the Department as an indicator of deprivation as it is:

¹ A grammar school is legally defined as a grammar school in a manner unconnected with the nature of its admissions process. The existing definition is contained in the interpretation section of the Education and Libraries Order (NI), 1986 and is as follows:
 "‘grammar school’ means a secondary school which—
 (a) immediately before the coming into operation of Article 128 of the 1989 Order was a school in which fees were charged or could have been charged in respect of pupils admitted to the school, or a school which replaces such a school or schools; or (b) is established after the coming into operation of that Article and is designated by the Department as a grammar school."

- highly correlated with a number of deprivation measures including the Multiple Deprivation Measure (MDM);
- Pupil specific – and therefore more robust than a spatial measure which assumes everyone in an area is alike;
- Current, as it is updated annually as part of the school Census return.
- an indication of the relative concentration of potentially 'disadvantaged' pupils in a given school in a way that no other indicator currently is. This is important in circumstances where schools – especially at post-primary level – draw their intakes from widely dispersed areas (for this reason, FSME is also widely used in England, Scotland and Wales as an indicator of social deprivation).

20. Criteria that are not recommended (aside from academic criteria):

the menu above means that the criteria not recommended include the following, (and for the following reasons):

- Familial criteria beyond current sibling: the reason why only current sibling and not other family connections are recommended is because of the need to serve the interests of parents, children and families without disadvantaging other applicants. It is clearly, in transport terms alone, convenient and supportive for a child to gain admission to the same school as that currently attended by their sibling.
- Distance tie-breakers: distance tie-breakers are not recommended because they will disadvantage rural/ outlying applicants and will undermine those aspects of the recommended menu of criteria designed to ensure that these applicants are treated fairly.

- Children of employees/governors or a school: notwithstanding the ability of this criterion to provide convenience for a small number of families, it makes admissions priority a benefit of service or employment. Employment or service either have their own benefit or are disinterested in one. Furthermore, employment or service can only be accessed by specific groups from, and a very small number of, the potential community to be served by a school.
- Preference Criteria: DE strongly recommends to all Boards of Governors that, whilst, preference criteria (i.e. the prioritising of applicants according to the level of preference of their application – 1st, 2nd, 3rd etc) may no longer be explicitly prohibited, they should not in the interests of open enrolment policy be used by any school at any stage. The principle of open enrolment and of parental choice is that parents should be able to express their preferences of school for their child in an unfettered manner. The use of preference criteria will mean that the manner in which parents and children express these preferences will affect their prospects of admission. This will inevitably compel parents and children to express their preferences tactically. It will restrict parental choice. DE requests any school planning to use preference criteria to inform the Department of this formally by writing to Open Enrolment and Transfer Procedure Branch. DE requests this because it may intervene but also so that it can assess whether any response is required in terms of transport policy (see Paragraph 37). DE also asks the ELBs to alert them to any draft admissions criteria for 2010/11 that include preference criteria.

ACADEMIC ADMISSIONS CRITERIA

21. The legal position and the Department's recommendations: for any school to use academic admissions criteria will not be explicitly prohibited. However, it is the Department's policy not to include

academic admissions criteria in the menu of admissions criteria recommended for the admission of all children of compulsory school-age. This is because the Department does not consider academic selection to be consistent with the objective of treating children fairly and of giving each child the opportunity to reach his/her full potential. The Department has withdrawn the Transfer Test and has not replaced it because it believes that such ability-based admissions maintain and support inequality. For example, under the previous operation of academic selection, 1 in 17 children in academically-selective schools were FSME whilst 1 in 4 children in other schools were FSME. Further, the Department believes that taking such an important decision at the age of 10/11 is no longer tenable and that informed election at the age of 14 enables young people to choose appropriate educational pathways.

22. The Department's recommendation on academic admissions criteria, that they should not be used, is consistent with the views of the Human Rights Commission which has "welcomed the abolition of the 11+ test which it regarded as a stigmatising and humiliating test". The Department's recommendation on academic admissions criteria particularly accords with the Commission's view that the test "impacted negatively ... on the right of all children to an effective education". It is in line also with the assessment of the selective system's compliance with the UN Convention of the Rights of the Child - conducted by the 2008 United Nations Committee on the Rights of the Child. This assessment recommended the continuation and strengthening of "efforts to reduce the effects of the social background of children on their achievement in school [and] put an end to the two-tier culture in Northern Ireland by abolishing the 11+ Transfer Test and ensure that all children are included in admission arrangements in post-primary schools".

23. **"Entrance Tests": a robust assessment mechanism:** the Department considered the previous Transfer Test (provided in Irish

and English) to be capable of making “ability-based” admissions decisions in an administratively robust manner because of the way it was developed and operated (i.e. by a dedicated, resourced and expert body – the CCEA). Therefore, the Department strongly recommends that any post-primary school Board of Governors that is considering using academic admissions criteria and, therefore, an independent assessment mechanism or “Entrance Test”, as a basis for admissions in 2010, should be very mindful of the need for a robust assessment mechanism capable of providing for sound ability-based admissions decisions. Specific advice on this and other issues presented by “Entrance Tests” (i.e. plans to charge parents, security) is attached at Annex 1.

24. The Department also advises any post-primary school Boards of Governors that is considering using an “Entrance Test” of its obligation to provide an Irish-language equivalent to that test. The Department attaches specific advice on this at Annex 1.

25. **Consideration of FSME applicants:** schools attempting to use academic admissions criteria should also be mindful of the degree to which such criteria, based on an assessment mechanism, tend to lead to considerable under-representation of those entitled to Free School Meals; and are, therefore, particularly urged to use the recommended FSME criterion (for FSME applicants) from the menu of recommended criteria at Paragraph 18.

26. **Communication of independent assessment arrangements or “Entrance Tests”:** it should be noted by all involved in admissions and post-primary school transfer that post-primary schools attempting to operate independent “Entrance Tests” for the purposes of applying academic admissions criteria are likely to run such tests in the autumn term of 2009. Previously there had been a process in place whereby it was the responsibility of all primary schools to ensure that those who

wanted to sit the transfer test were entered for the test. This procedure will not be in place in future.

27. Any school attempting to use academic criteria will need to ensure that all parents have access to information about their “Entrance Test”. The Department attaches specific advice on this on at Annex 1.

28. **Primary schools and “Entrance Tests”**: primary schools should understand that they play a distinct and crucial role in the educational development of all children. This role is to ensure that the primary stage of every child’s educational development (fundamental to all subsequent stages of educational development) is completed. This important role cannot and should not be reduced and distorted into a role where primary schools see themselves as serving the academic admissions processes of post-primary schools. All primary schools are covered by statutory obligations to deliver the primary curriculum as defined in Articles 4-9 of the Education Order 2006 – and must not depart from these obligations. The Department strongly recommends that primary schools do not prepare their children for the “Entrance Tests” of post-primary schools. The Education and Training Inspectorate will continue to monitor the quality of teaching and learning, in the context of, the revised curriculum in primary schools. The ELBs/ESA will also continue to make arrangements that enable parents to bring complaints about delivery of the curriculum to Curriculum Complaints Tribunals (primary schools should also see the guidance about their role in relation to Special Circumstances Procedures – at Paragraph 31). Primary schools should also be aware that they cannot be required directly to provide information on any of their pupils’ academic achievements, other skills and abilities and academic progress to any post-primary school for the purposes of academic admissions decisions.

29. **Special Circumstances Procedure for the application of academic criteria**: any schools that decide to include as part of their admissions

criteria an academic criterion requiring an “Entrance Test”, should understand the critical importance of such a process being supported by a **special circumstances procedure**. It is likely that the courts would consider it unreasonable for a school not to be able to factor into a test-based admissions decision, circumstances beyond the control of the candidate (e.g. bereavement, accident or illness) that on the day of the “Entrance Test” may have led to that candidate’s performance being adversely affected. Schools that decide to use “Entrance Tests” should understand therefore that it is their responsibility to provide a special circumstances procedure.

30. In this regard, schools attempting to use independent assessment procedures or “Entrance Tests” within their admissions should be mindful of disability discrimination – as it is defined under the Disability Discrimination Act, 1995. If a pupil seeking admission to a school is defined as disabled under the terms of this Act, then the school will have a duty to make “reasonable adjustments” in relation to the arrangements it makes for determining admission. This is likely to be an issue given the fact that some forms of disability, as defined by the Act, will not mean that the applicant is in receipt of a Statement of Special Educational Needs – and will, therefore, mean that their admission is to be determined fairly within the standard admissions procedures. For advice on this, schools should refer to the Equality Commission Code of Practice, *Disability Discrimination – Code of Practice for Schools*, and in particular Part 6 of that Code.

31. What is apparent is that significant numbers of primary schools have made public their intention not to participate in post-primary schools’ plans to operate “Entrance Tests”. The Department, therefore, considers that post-primary schools planning to use “Entrance Tests” should understand that this may mean that they cannot operate a Special Circumstances Procedure that relies on primary school provision of information about an applicant (e.g. alternative educational evidence to an “Entrance Test” result). There is no legal obligation that

can require a primary school to provide information on any of their P7 pupils' academic achievements, other skills and abilities and academic progress directly to a post-primary school for the purposes of academic admissions decisions and many primary schools have made clear that they will not be providing such information. This may oblige post-primary schools to operate a special circumstances procedure that, in the interests of consistency, ascribes no role to a primary school. The Department further advises such post-primary schools to operate a common special circumstances procedure in the interests of providing clear and comprehensible communications to parents and in the interests of reaching consistent decisions. The Department also advises such post-primary schools that, for the purposes of any future consideration of cases by Appeals Tribunals, they must be able to present a clear audit trail in respect of all decisions on special circumstances, as with all other admissions decisions.

32. Post-primary schools that are planning to use "Entrance Tests" should also understand that the Department, when it provided the Transfer Test, sanctioned CCEA to provide the test paper in a variety of formats designed for the needs of non-statemented children with dyslexia dyspraxia.

33. **Special Provision and supernumerary admissions:** any post-primary schools that decide to include as part of their admissions criteria an academic criterion requiring an "Entrance Test" should also understand the supporting role that, in relation to the Transfer Test, was performed by the **Special Provisions Procedure**. This supporting role was provided for children who entered late into the primary curriculum (i.e. because they have moved here from another country) and who, therefore, were less prepared for a Transfer Test aligned with that curriculum. It was also provided for children who made a "mid-year" application to a grammar school. According to their specific circumstances, many such children qualified for the **Special Provision** of being assessed for the purposes of grammar school admissions, not

through the Transfer Test, but through the psychological assessment of an ELB Educational Psychologist.

34. Schools contemplating using “Entrance Tests” should understand that they will need to make fair and robust admissions decisions on applicants who have not been able to sit an “Entrance Test” or who cannot be assessed fairly by such a test.

35. For the purpose of clarity, all involved in Transfer 2010 should understand that admissions determined by procedures in support of “Entrance Tests” (Special Circumstances Procedures, Special Provisions procedure), or by the application of any admissions criteria are never supernumerary: they always count towards a school’s admissions and enrolment number.

TRANSPORT

36. The policy according to which children will qualify for transport assistance remains the same: children will be eligible for transport assistance for any school outside of reasonable travelling distance (3 miles) of their residence if they have unsuccessfully applied to all suitable alternatives (e.g. schools of the same category (from the 6 established categories)) that are within 3 miles of their residence. For the purposes of establishing this eligibility, the ELBs/ ESA will consider an unsuccessful application to an “Entrance Test” school to be sufficient when the applicant did not take the particular “Entrance Test”.

37. If there is a question of transport policy needing to respond to exceptional circumstances procedures and/or the potential use by schools of preference criteria then this will be established for (and clarified in) the issue of the 2010/11 Transfer Booklets.. To repeat, preference criteria are not recommended (see Paragraph 20, 4th Bullet Point).

LOOKING FORWARD

38. In the interests of a functional and fair process for Transfer 2010, the Department will, beyond the publication of this Guidance, ensure that that the overall arrangements for transfer, and within that the respective roles of the Department, the ELBs/ESA, primary schools and post-primary schools' Boards of Governors are clear and understood; and that post-primary schools' Boards of Governors achieve robust and accurate admissions decisions. In particular DE will:

- issue a 2009 Admissions Circular, with process timetable and full details on the operation of the FSME Criterion;
- circulate information relating to Transfer 2010 for P7 parents, in the autumn of 2009, including information on the operation of the FSME Criterion;
- ensure the timely production of the 2010/11 Transfer Booklets and a new Transfer Form (adapted for the changed context of Transfer 2010);
- ensure the seamless handover of the ELBs' Transfer 2010 role to the ESA;
- complete the Exceptional Circumstances Regulations and establish the Exceptional Circumstances Body and its panels for Spring 2010;
- make and publish any necessary changes to Transport policy;
- have in place contingency planning for any pressures on the "clearing house" function of the ESA, performed between March and May 2010
- have in place contingency planning for any pressures on any aspect of the role that will be played by Appeals Tribunals between May and September 2010.

CONCLUSION

39. The Department considers that, in possession of this guidance, a post-primary school has the information it needs in order to help it determine its admissions criteria for admission into the 2010/11 school year. This should enable it to give certainty and clarity to all future applicants. Primary school Principals and staff should also be clear on the nature of the process.

DEPARTMENT OF EDUCATION

Transfer 2010 Guidance: Annex 1: Advice on various issues related to “Entrance Tests”

The Guidance above recommends that post-primary schools do not use academic admissions criteria in Transfer 2010. The Guidance recommends this because the Department does not consider academic selection to be consistent with the objective of treating children fairly and giving each child the opportunity to reach his/her full potential.

The Guidance also features the Department’s concerns about schools continuing to use academic admissions criteria through independent “Entrance Tests” in the absence of the Department-provided Transfer Test. In particular, the Guidance strongly recommends *“that any post-primary school Board of Governors that is considering using academic admissions criteria and, therefore, an independent assessment mechanism or “Entrance Test”, as a basis for admissions in 2010, should be very mindful of the need for a robust assessment mechanism capable of providing for sound ability-based admissions decisions.”*

The Department is increasingly aware of the plans of some grammar schools to operate independent “Entrance Tests”. Due to its concerns about such plans and in the interests of children and schools, the Department considers that it would be helpful to bring some issues to the attention of all members of Boards of Governors of grammar schools. This series of issues should not be considered to be exhaustive. It will be for any grammar schools concerned to ensure that their plans for “Entrance Tests” are comprehensive.

A Robust Test: the CCEA test was one where, for each question, facility values and discrimination values were calculated. This enabled CCEA to know the difficulty and reliability of the questions and so order them appropriately in the Transfer Tests. Using the facility values, the mean was set for each subject in each paper as in previous years to ensure comparability of standards year-on-year and across tests in any one year.

In the development stages, the trialling of the test items established their effectiveness, and similarly appropriate measures were taken to ensure the effectiveness of the structure of the test, the layout, style and printing of the Test and appropriate security arrangements for the test material.

A reliability coefficient was also used as an effective measure of the internal consistency of the items in the test

The Department also advises all Boards of Governors that they are the statutory admissions authority for their school. In particular, the Department advises Boards of Governors of their particular obligation under the 1997 Education Order (Article 16, 5). This provides that the criteria drawn up by the post-primary schools’ Board of Governors must be capable of enabling them to admit the number of applicants exactly equivalent to their admissions and enrolment numbers as set by the Department – i.e. the criteria must be capable of distinguishing between applicants right down to the last available

place. It follows, therefore, that if one of the criteria drawn up by a Board of Governors will distinguish between applicants according to their performance in a named “Entrance Test”, that “Entrance Test” must be robustly capable of providing, or contributing to, the basis for such distinctions.

If Boards of Governors are planning to use “Entrance Tests” in order to support academic admissions criteria, then they have a legal responsibility to use an “Entrance Test” that enables them to discharge their obligation under Article 16 (5) of the Education Order 1997. In the light of this, the Department advises any Board of Governors planning to use an “Entrance Test” of its responsibility to assure itself that, in the terms set out in this annex, its planned “Entrance Test” will be a robust assessment mechanism capable of providing for sound ability-based decisions.

An Irish “Entrance Test”: the Department always considered it important and necessary to provide an Irish equivalent to the Transfer Test. The Department had a range of reasons for this, not least of which was the recognition of the Irish-medium primary sector and its place within the overall school system. Indeed, the Department never considered the provision of an Irish version of the Transfer Test to be optional.

The Department has considered this question in legal terms and in relation to the prospect of independent “Entrance Tests”. As a result of this the Department would strongly advise any school planning to use an “Entrance Test” to make provision within their plans for the availability of an Irish equivalent to their English “Entrance Test”. The risk to schools that do not provide this equivalent and to the adequate standard is the threat of legal challenge to their admissions process on the grounds of indirect discrimination. Key to such a challenge would be any educational evidence that showed that children taught in Irish-medium primary schools were disadvantaged when competing with contemporaries taught in English-medium primary schools.

On Irish equivalents of English “Entrance Tests”, CCEA has advised that its Irish-medium Transfer Tests used the same Mathematics and Science items developed for the English-medium tests (translated into Irish). However, Irish Language items (to replace the items written to test English) were developed and pre-tested separately within an equally rigorous quality assurance process as that for English-medium.

Appropriate Security measures – Reserve Test Arrangements:

Appropriate security arrangements for test materials are obviously vital but schools should understand that these security arrangements should not just consist of ensuring that all reasonable efforts are made to avoid a breach in test security. Indeed, experience has shown that accompanying such reasonable efforts, it is very necessary for there to be in place contingency arrangements for the occurrence of such a breach. The only appropriate contingency arrangement for a test that has been invalidated due to a security breach is a reserve arrangement that, just as much as the original test, will be

a robust assessment mechanism capable of providing for sound ability-based decisions.

In summary, if Boards of Governors are going to use “Entrance Tests” in order to support academic admissions criteria then they should understand that they have an obligation to have an equivalent to this “Entrance Test” in reserve in case of a security breach. This obligation would be established by the liability of a Board of Governors for the breakdown in their admissions process that would inevitably occur if their planned “Entrance Test” was compromised and invalidated, and there was nothing equivalent to take its place.

Pre-test Communications: when it provided the Transfer Test – to be applied for by parents/pupils in the September of each year (then sat in the following November/ December of each year) – the Department communicated in August all of the information relating to the Transfer Test to all P7 parents. The Department did this through a booklet that it issued and which was distributed to all parents through their primary schools. The booklet explained what the Transfer Test was, what it would test, when and where it would be sat, how and when parents/children should apply for the test, when results would issue and in what form, and, amongst other things, how it was supported by a Special Circumstances Procedure. Importantly, this booklet was translated into Irish, Polish, Chinese, Portuguese and Lithuanian.

If they are not to be vulnerable to a challenge of indirect discrimination, a school planning to use an “Entrance Test” must make all reasonable and comparable efforts to ensure that all parents/children who may wish to can receive and understand all of the necessary information related to a school’s “Entrance Test”. They need to be alert to the need to communicate the availability of the test to parents in minority groups such as Travellers, and to those parents who do not have English as their first language.

“Entrance Test” Charges: the Department understands that some schools are planning to use a test delivered by a body that will charge parents for their child’s sitting of the test. Even whilst these plans may feature an attempt at means-testing, the Department would advise any such schools to consider whether parents should have to pay in order to apply meaningfully for a state school?

The Department also has some concerns about the potential for such plans to be vulnerable to a legal challenge according to the way in which Article 128 (1) may be interpreted in relation to test-charges. This Article states: “no charge shall be made in respect of admission to any grant-aided school”.

A school’s decision to use an “Entrance Test” within Transfer 2010 is taken against the recommendation of the Department and in full knowledge that this incurs for itself complete responsibility for all aspects of that “Entrance Test’s” operation. Some aspects of this responsibility are so important that the Department, in the interests of children and schools, has considered it helpful, in this annex, for it to

highlight these to schools. This series of issues should not be considered to be exhaustive.

Transfer 2010 Guidance: Annex 2: Admissions Criteria – Explanatory Notes

1. **The FSME Criterion:** consultation showed that many respondents wanted to know exactly how the operation of the FSME Criterion would work. To provide some of this explanation, an illustrative example of an admissions process based on this and other aspects of the recommended menu is attached at Annex 3. Annex 3 shows how a Board of Governors should apply this and other criteria once it has received applications within which FSME applicants have been securely identified.
2. Together with the ELBs, the Department is still developing the mechanism by which the application process will securely and efficiently identify FSME applicants. Alongside this, the Department is working to establish, in the interests of children, the latest point in the applications process at which FSME status can be established and qualify an applicant for the FSME Criterion. Post-primary schools should be assured that both of these important aspects of operation will be clarified and communicated in the August 2009 Admissions circular and will also be communicated to parents in the September 2009 issue of the Transfer 2010 Leaflet and the 2010/11 Transfer Booklets. These outstanding issues provide no obstacle to a post-primary school following the recommendation to use this Criterion
3. **Sibling and Eldest Child:** applicants should qualify for the Sibling Criterion according to whether or not they have another “child of the family” already attending the school in question. Applicants should qualify for the Eldest Child Criterion according to whether or not, at the date of their application, they are the eldest child of the family to be eligible to apply for admission to the school.
4. The phrase “child of the family” is a well established concept of family law. To provide a definition from Article 2(2) of the Domestic Proceedings (NI) Order 1980: "child of the family" in relation to the parties to a marriage or parties living together in the same household means:
 - a child of both of them; and
 - any other child who has been treated by both of those parties as a “child of their family”.
5. DE has been advised that this definition of “child of the family” covers:
 - a child born to a married couple;
 - a child born to a co-habiting couple;
 - a child of either of those people by a previous marriage or relationship;
 - a child living with same sex partners whether there is a civil partnership under the Civil Partnership Act 2004 or not;

- an adopted or fostered child;
- a situation where for example an orphaned cousin is being brought up with a family.

The child should be a child of the family as at the date of application since these complex living arrangements may change rapidly.

6. **The Nearest Suitable School Criterion:** the important point that must be clear in relation to this recommended criterion is that it is the Boards of Governors of a post-primary school who determine whether or not their school, in respect of an applicant's residence, is the nearest school of its type to the applicant. For the purposes of this Criterion, and in line with transport eligibility policy, the Guidance recognises 6 types of school, irrespective of a school's decision on whether or not to continue using academic admissions criteria: "denominational grammar", "non-denominational grammar", "maintained secondary", "controlled secondary", "Irish-medium" and "Integrated".²
7. So, if the Board of Governors of a denominational grammar school uses the "Nearest Suitable School Criterion", the actual wording of the criterion may read: "Applicants for whom [school name] is the nearest denominational grammar school". An applicant will then qualify for this criterion as a matter of geographical fact.
8. **Tie-breakers:** a very important point made in consultation was that the method of tie-breaker recommended in the Guidance that was issued for consultation on 2 February 2009 – random selection – presented operational difficulties once failed applications to one preference were moved on to subsequent preferences.
9. For this reason, the Department's recommendation on tie-breakers is now focussed on the following methods of tie-breaker:
 - **Method A - Age:** A criterion that prioritises applicants by age (eldest or youngest) established by date-of-birth as entered on a Birth Certificate;
 - **Method B - Alphabet :** A criterion that prioritises applicants by where the letters of their name (as entered on a Birth Certificate) places them on a rank established by any order of all of the letters

² A grammar school is legally defined as a grammar school in a manner unconnected with the nature of its admissions process. The existing definition is contained in the interpretation section of the Education and Libraries Order (NI), 1986 and is as follows:
 "grammar school' means a secondary school which—
 (a)immediately before the coming into operation of Article 128 of the 1989 Order was a school in which fees were charged or could have been charged in respect of pupils admitted to the school, or a school which replaces such a school or schools; or (b)is established after the coming into operation of that Article and is designated by the Department as a grammar school."

within the alphabet. A typical description of this well established tie-breaker by a school (within a published Transfer Booklet) is:

- “Children will be selected for admission on the basis of initial letter of surname (as entered on Birth Certificate) in the order set out below:

E M Y K T S L Mac Z Q O G N A Mc I H F V P R W D B C U
J X

- This order was determined by a randomised selection of the letters of the alphabet.
- In the event of surnames beginning with the same initial letter the subsequent letters of the surname will be used in alphabetical order. In the event of two identical surnames the alphabetical order of the initials of the forenames will be used.”

- **Method C - random selection:** capable of leaving a clear audit trail (e.g. computerised random selection).

10. Methods A and B do not present the operational difficulties for the processing of preferences that are presented by Method C. The only weaknesses with Methods A and B is that Method C will not distinguish between children with the same date of Birth and Method B will not distinguish between children with exactly the same full name. However, if a school’s admission criteria permit the school to apply the “Age tie-breaker” in the event of a tie within the “alphabet tie-breaker”, or *vice versa* then this will nearly always be effective. In any very unlikely case where this combination is not effective, if a school’s admissions criteria then permit it to apply a method of random selection, even pupils with exactly the same date-of-birth and full name can then be distinguished.

11. The optimal entry for a tie-breaker criteria for a Board of Governors to consider is, therefore, either of:

- Method A, then Method B, then Method C
- Method B, then Method A, then Method C

Transfer 2010 Guidance: Annex 3: Admissions Criteria Illustration

- *In the autumn of 2009, School A, a controlled secondary school, draws up its admissions criteria for entry into the 2010/11 school year as follows:*

School A's Admissions Criteria

1. Applicants who are entitled to Free School Meals (FSME): priority to be given so that the proportion of such children admitted is not less than the proportion of first preference FSME applications received within the total number of first preference applications received.
2. Applicants with a sibling currently attending the school.
3. Applicants attending primary schools 1, 2, 3 and 4.
4. Applicants residing in catchment areas 1, 2, 3 and 4 and applicants for whom the school is the nearest controlled secondary school.

If, after applying Criteria 4 the school needs to apply further criteria in order to identify which applicants are to be admitted, then the following criteria will be applied:

5. Older Applicants – established by Date of Birth as entered on a Birth Certificate.

If applicants are still tied at Criteria 5, then priority shall be determined amongst these tied applicants according to the placement of their surname in a rank-order determined according to a randomly developed order of all of the letters of the alphabet (if applicants have the same surname then first forename shall then be used).

If applicants are still tied after this, then priority will be determined amongst them by a method of random selection.

- *These criteria are published within the 2010/11 Transfer Booklet in December 2009/ January 2010.*
- *School A has 100 places available for admission into Year 8 for the 2010/11 school year.*
- *In March 2010, School A receives 150 first preference applications for its 100 Year 8 places. Of these 150 first preference applications, the application forms of 30 (20%) show that they are FSME.*

- **First Preference Stage: Step 1:** School A applies its published admissions criteria to its 150 first preference applications and determines that:
 - **(a)** 25 first preference applicants have a sibling already attending School A. These 25 qualify first under Criteria 2. They are ranked as places 1-25 in the school's rank-order. Their individual placement within ranks 1-25 is determined by whether they also qualify for lower Criteria – applied in the order set down.
 - **(b)** 50 first preference applicants do not have a sibling currently attending and attend one of primary schools 1, 2, 3 and 4. These qualify under Criteria 3. They are ranked as places 26-75. Their individual placement within ranks 26-75 is determined by whether they also qualify for lower Criteria – applied in the order set down.
 - **(c)** 50 first preference applicants do not have a sibling currently attending and also do not attend one of primary schools 1, 2, 3 and 4 but do reside in catchment areas 1, 2, 3 and 4 or are applicants for whom the school is the nearest controlled secondary school - and qualify for Criteria 4. These qualify for Criteria 4. They are ranked as places 76-125. Their individual placement within ranks 76-125 is determined by whether they also qualify for lower Criteria – applied in the order set down.
 - **(i)** Of course, the first of the lower Criteria at this point is Criteria 5: “Older Applicants – established by Date of Birth as entered on a Birth Certificate. Therefore, the 50 applicants who equally qualify for Criteria 4 (i.e. who are tied) have their individual placement within ranks 76-125 determined by their date of birth – with the eldest ranked highest.
 - **(d)** The remaining 25 first preference applicants do not have a sibling currently attending, do not attend one of primary schools 1, 2, 3 and 4 and also do not either reside in catchment areas 1, 2, 3 and 4 or are applicants for whom School A is the nearest controlled secondary school. These applicants do not qualify for Criteria 2, 3 and 4. They are ranked as places 126-150. Their individual placement within ranks 126-150 is determined by whether they qualify for lower Criteria – applied in the order set down.
 - **(i)** Once again, the first of the lower Criteria at this point is Criterion 5: “Older Applicants – established by Date of Birth as entered on a Birth Certificate. Therefore, the 25 applicants who equally did not qualify for Criteria 2, 3, or 4 (i.e. who are tied) have their individual placement within ranks 126-150 determined by their date of birth – with the eldest ranked highest.

- **First Preference Stage: Step 2:** At this point, when it has determined a rank order for all applicants, School A considers its first Criterion: “Applicants who are entitled to Free School Meals (FSME): priority to be given so that the proportion of such children admitted is not less than the proportion of first preference FSME applications received within the total number of first preference applications received”. Given that 30 of the 150 first preference applications received by School A were from FSME applicants (i.e 20% of first preference applicants were FSME applicants) School A’s first criteria requires it to ensure that 20 of its 100 Year 8 places (i.e. 20%) are awarded to FSME applicants.
 - o So, School A now observes that, of those applicants currently placed in ranks 1-100, 15 are FSME. The 15 other FSME applicants are placed amongst those currently placed from ranks 101-150. In order to meet its First Criterion, School A installs into ranks 96-100, in their existing order, those 5 highest ranking FSME applicants who were amongst ranks 101-150. It moves, in their existing order, those applicants who had been in ranks 96-100 to ranks 101-105, pushing down those who had been in ranks 101-105 and below in the order in which they remain (see diagram below):

**Rank Order of Places 91-150 before adjustment for FSME Criterion
(asterisked applicants are FSME applicants)**

<i>Rank</i>	<i>Applicant</i>	<i>Rank</i>	<i>Applicant</i>	<i>Rank</i>	<i>Applicant</i>	<i>Rank</i>	<i>Applicant</i>	<i>Rank</i>	<i>Applicant</i>
91	Name 91	103	Name 103	115	Name 115	127	Name 127	139	Name 139
92	Name 92	104	Name 104	116	Name 116	128	Name 128*	140	Name 140
93	Name 93	105	Name 105	117	Name 117	129	Name 129	141	Name 141
94	Name 94	106	Name 106	118	Name 118	130	Name 130*	142	Name 142
95	Name 95	107	Name 107*	119	Name 119*	131	Name 131	143	Name 143
96	Name 96	108	Name 108	120	Name 120	132	Name 132*	144	Name 144*
97	Name 97	109	Name 109*	121	Name 121*	133	Name 133	145	Name 145*
98	Name 98	110	Name 110	122	Name 122	134	Name 134	146	Name 146
99	Name 99	111	Name 111	123	Name 123*	135	Name 135*	147	Name 147
100	Name 100	112	Name 112*	124	Name 124*	136	Name 136*	148	Name 148
101	Name 101	113	Name 113	125	Name 125	137	Name 137	149	Name 149
102	Name 102*	114	Name 114	126	Name 126	138	Name 138	150	Name 150

**Rank Order of Places 91-150 after adjustment for FSME Criterion
(asterisked applicants are FSME applicants)**

Rank	Applicant	Rank	Applicant	Rank	Applicant	Rank	Applicant	Rank	Applicant
91	Name 91	103	Name 98	115	Name 114	127	Name 127	139	Name 139
92	Name 92	104	Name 99	116	Name 115	128	Name 128*	140	Name 140
93	Name 93	105	Name 100	117	Name 116	129	Name 129	141	Name 141
94	Name 94	106	Name 101	118	Name 117	130	Name 130*	142	Name 142
95	Name 95	107	Name 103	119	Name 118	131	Name 131	143	Name 143
96	Name 102*	108	Name 104	120	Name 120	132	Name 132*	144	Name 144*
97	Name 107*	109	Name 105	121	Name 121*	133	Name 133	145	Name 145*
98	Name 109*	110	Name 106	122	Name 122	134	Name 134	146	Name 146
99	Name 112*	111	Name 108	123	Name 123*	135	Name 135*	147	Name 147
100	Name 119*	112	Name 110	124	Name 124*	136	Name 136*	148	Name 148
101	Name 96	113	Name 111	125	Name 125	137	Name 137	149	Name 149
102	Name 97	114	Name 113	126	Name 126	138	Name 138	150	Name 150

- At this point, School A has determined those 50 of its first preference applicants who by virtue of being ranked from 101-150 after application of all criteria will not gain admission to School A. School A returns to ESA the application forms of these 50 applicants and keeps the other 100 application forms. ESA process applications returned after the First Preference stage by sending returned applications to the school submitted on the application as second preference.

- This means that School A receives its second preference applications. It receives 75 of them. It applies all of the above steps to all of the 175 applications it now holds (those 100 first preference applications it did not return and those 75 second preference applications now received) so that it generates an entirely new rank order of its 175 first and second preference applications applicants.

- School A thus identifies those 75 of its 175 first and second preference applications that, by virtue of being placed at ranks 101-175, will not gain admission to the school. School A returns to ESA the application forms of these 75 applicants and keeps the other 100 application forms.

- ESA process applications returned after the Second Preference stage by sending returned applications to the school submitted on the application as third preference. Accordingly, School A receives its third, fourth and lower preference applications and rank-orders and processes them onward until the deadline of the whole admissions process.

- At this point the top 100 established by School A is final and the top 100 are offered places at the school. School A uses the final rank order as a reserve list to establish who is next in line should a place become available (any such places are offered with regard to FSME obligations up until the start of the new school year and the physical enrolment of pupils).

- Audit trails of the entire process are kept for the purpose of Appeals Tribunals.