



The Government's Response to the
House of Commons Education and Skills
Committee Report:

The Schools White Paper:
Higher Standards, Better Schools for All



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*Presented to Parliament by the
Secretary of State for Education and Skills
By Command of Her Majesty
February 2006*

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Government's response to the Select Committee

1. We welcome the report of the Select Committee on the White Paper *Higher Standards, Better Schools for All*. We are particularly pleased that the Committee was able to publish its report before the introduction of the Education and Inspections Bill that will, subject to Parliament, give legislative effect to many of the proposals contained in the White Paper.
2. As well as the Committee's report, we have had representations from and discussions with a number of key stakeholders. We are clear that, almost without exception, there is agreement to the aims and objectives of the White Paper: namely, excellence and equity for all.
3. We believe that our radical programme of investment and reform has led to significant improvements over the last eight years. This year saw the highest standards we have ever achieved at every Key Stage. And, just as importantly, it is schools in the most deprived areas that have been improving the fastest. However, we are equally clear that it would be wrong to rest upon these achievements whilst, for example, more than seven out of every ten children in receipt of free school meals fail to achieve five or more good GCSEs.
4. We are pleased that the Select Committee accepted the key building blocks of the White Paper. In particular, the report welcomes reforms on personalisation, on discipline and behaviour and on improving the quality of teaching and leadership through better professional development and ongoing workforce reform. However, we would dispute the Committee's classification of "in-school" reforms and its implication that other reforms will not improve classroom practice. All of the reforms set out in the White Paper are designed to have a positive impact on classroom practice and on pupils' learning and attainment. It is widely accepted that the quality of the head teacher has a significant impact on standards – we believe that the quality of governance, the quality of local strategic leadership and, most importantly, the active involvement of parents can also play a central role in raising standards for all.
5. By creating the right classroom environment and equipping teachers with the right skills, these changes will help to deliver a more individually tailored education for every child. Teachers know that children in every class learn in different ways. In the best schools, they use assessment and their knowledge of their pupils to tailor the curriculum and their teaching approaches. We want every school to do this well - and the White Paper set out our plans to support them by providing resources and training to deliver the key ingredients of a tailored education.
6. In particular, it is important that all schools offer small group or individual tuition for pupils who need to catch up in English and Maths; exciting opportunities to stretch their brightest pupils; and targeted support for groups that may underachieve, such as children with SEN, those from some ethnic minorities or looked after children. We are providing £625m by 2007-08 to enable them to do this, together with extensive training, guidance and expert support through the National Strategies and other partners.

7. We strongly agree with the Committee that these proposals should directly and beneficially affect every child at school in England. Providing a tailored education is the key to enabling ever more children to fulfil their potential. It will ensure that the standards pupils achieve continue to rise whatever their background and whichever school they attend – and it will help to break the link between a child’s background and their chances of success at school.

8. By creating a new statutory right for school staff to discipline pupils, we will ensure that schools have the fundamental authority they need to maintain an orderly climate of learning. This will provide essential protection to school staff from the minority of pupils and parents who do not wish to accept the school’s authority. It will be underpinned by the other disciplinary measures we are taking on pupil exclusions and parental responsibility - in particular, the measures to ensure that excluded pupils are not wandering the streets and that they receive alternative educational provision much sooner. Schools will have greater powers to engage parents through the strengthened measures on parental contracts and orders and the new requirement for a reintegration interview at the end of a fixed-term exclusion. This reflects the advice in last October’s report from the Practitioners’ Group on School Behaviour and Discipline. We welcome the Committee’s support for the way we are taking this forward.

9. We welcome the Select Committee’s acknowledgement of the absolutely critical role of the school workforce, and of the need to ensure that teachers are appropriately trained, developed and rewarded. We now have both more teachers – 431,800 (FTE) in 2005 teachers compared to 399,180 (FTE) in 1997 – and dramatically more support staff in our schools – 148,500 (FTE) in 2005, compared to 61,260 (FTE) in 1997.

10. We are continuing to work with our social partners in the Workforce Agreement Monitoring Group (WAMG) to ensure the National Agreement on Raising Standards and Tackling Workload is fully implemented. And we are working with both the Training and Development Agency for Schools and the National College for School Leadership to ensure that everyone in the school team is able to play their full part in raising standards of teachers and learning.

11. Our commitment to making every school a good school is central to the White Paper, and to our vision of a school system that delivers both excellence and equity. The proposals we set out on raising the bar on school performance draw on existing best practice to enhance and simplify the powers and responsibilities of local authorities to address failure and underperformance among their schools.

12. As a result of these proposed changes, we believe that schools will receive earlier and better targeted support to ensure that underperformance does not become entrenched; that schools that go into Special Measures or receive a Notice to Improve make faster and more sustainable progress; and that, where such schools make inadequate progress, decisive action is taken to safeguard pupils’ education and life chances. In combination these measures have the potential to achieve a step-change in the performance of some of our lowest achieving schools and deliver real benefits for pupils.

13. We welcome, therefore, the Select Committee's endorsement for the value of diversity and for the development of Trusts within a framework that delivers fairness. The White Paper is built upon the principle of devolving as much day-to-day decision making to schools as we can, within a clearly established framework. We want schools to be empowered to link with external partners, other schools and educational bodies, and to have the flexibility to develop the most appropriate governance arrangements for that purpose.

14. That is the essence of the Trust school model: it brings together the freedoms of foundation schools, the governance of voluntary aided schools and the external partners that have brought new support to specialist schools and Academies, but extends those opportunities to **all** schools. Trust schools will, in law, be foundation schools with a foundation – and like all foundation schools, they will own their assets, employ their own staff and set their own admission arrangements within the strengthened statutory framework.

15. However, as the White Paper made clear, schools cannot exist in a vacuum. As well as devolving decisions to the most appropriate level, we must also give local authorities the right strategic powers to ensure that all parents and pupils in the community benefit. These are not mutually exclusive propositions, as some people fear. We are grateful to the Committee for their suggestions about the way we might clarify several issues to ensure that the balance is correctly struck.

16. The Committee's report states that they will judge the White Paper by the impact that it has on driving up standards for the most disadvantaged children. We share this key aim, as the Secretary of State made clear when she gave evidence to the Select Committee. We agree that we must do more to reduce inequalities within the education system. As stated above, personalisation and the support of good teachers and head teachers will be our main driver, but we are also committed to improving the current system of parental preference so that it offers fairer access for all. We welcome, therefore, the Select Committee's support for the proposals for choice advice and for an extended offer of free transport for the most disadvantaged pupils.

17. We will turn to the detailed recommendations shortly. However, the Committee, in the summary to their report, posited three key areas where their examination had focused. These were:

- Trust schools
- Local authorities
- Admissions

Trust Schools

18. The Select Committee's report endorsed the broad concept of Trust schools as set out in the White Paper. As we have seen in the increasing interest from head teachers and potential partners, the potential of Trusts is one that offers exciting new possibilities to schools.

19. Trust schools are, in law, foundation schools with a foundation. They are part of the local authority family of maintained schools and, as such, are subject to fair funding and to the full accountability regime. They will have the freedoms that foundation schools currently enjoy. In addition, a Trust will be able to apply to the Secretary of State for additional freedoms under the Power to Innovate that would then be available to all of the schools associated with it.

20. We want all schools to have the ability to acquire a Trust, but we are clear that this must be subject to local consultation. Where a local authority believes that the acquisition of a Trust may have a detrimental impact on standards or that proper consultation has not been held, it may refer the decision to the Schools Adjudicator.

21. We have noted the suggestions made by the Select Committee on how further to strengthen safeguards against inappropriate Trusts and we will develop mechanisms to ensure that the fullest possible information is available to schools interested in acquiring a Trust. The Schools Commissioner will be able to advise schools and local authorities on the track record of particular Trusts. This will help to avoid inappropriate Trusts seeking to work with schools. The Secretary of State will also have a reserve power to remove trustees.

22. Where the school agrees, a Trust will be able to appoint the majority of governors. Of course, there will be many cases where the Trust and the school will not want this to be the case. We believe that this is an issue best left to schools and parents to decide and not for Government to impose from the centre.

23. However, we recognise that there should be some safeguards to deal with changing circumstances. The White Paper set out how local authorities would be able to remove a Trust in circumstances of school failure. We will also develop mechanisms to allow a school, where there is real dissatisfaction at the performance of the Trust, to change Trust or become a self-governing foundation school.

24. The Select Committee is rightly concerned that publicly-funded assets will be protected. We share that concern and we know it is an issue of concern to many local authorities. We believe that the system we will put in place amounts, in effect, to a leasehold-type arrangement, but without the bureaucracy that would be required to reach thousands of individual leasehold agreements.

25. Where a school decides to acquire a Trust, most assets will automatically transfer to the Trust. However, there may be some local authority assets attached to a school that are not needed by the school or that are currently used by other organisations. Local authorities will be able to agree with schools whether any such assets should be held back from the transfer. Where there is disagreement, the Adjudicator will sort out any disputes.

26. We will also ensure that when a Trust school wishes to dispose of non playing-field land, it must inform the local authority, who will be able to object or to claim a share of the proceeds. Local authorities will also be able to make proposals to use any surplus land held by Trusts for other children's services. Where agreement cannot be reached, the Schools Adjudicator will play a similar mediation role. Any proceeds from disposals must be used for capital investment for the purpose of improving education at the school. The same rigorous restrictions on playing field disposal will apply to Trust schools as they do all other maintained schools, where the Secretary of State's permission is required.

27. Finally, assets will revert back to the governing body in the case of a trust being removed; or the local authority in the case of school closure (except where Trust originally provided the land).

28. Schools acquiring Trusts will also inherit the contractual benefits and liabilities of their predecessor schools, including PFI contracts and individual agreements with local authorities to contribute to the unitary charge. This will include contracts that the school has entered into with the local authority or with another body for the provision of any facilities management (FM) services such as cleaning, catering or security, or where there is access to facilities such as a leisure centre.

29. The Committee also expressed some concerns about the role of the Schools Commissioner in relation to Trusts. The Commissioner will help to facilitate links between schools and potential Trusts, as a broker, focusing his or her efforts on disadvantaged communities to ensure that they can benefit from Trusts. The Schools Commissioner will not decide any school organisation matters – that will be for local authorities (with, in some cases, appeals to the Schools Adjudicator). Decisions about the acquisition of Trusts will be taken by schools themselves.

30. As we set out in the White Paper, the Schools Commissioner will support and encourage local authorities in carrying out their new duties with regard to choice, diversity, fair access and responsiveness to parents. The Schools Commissioner will also be responsible for two-yearly reviews of how well the admissions system is working and serving all children. This will cover levels of segregation and whether pupils from disadvantaged backgrounds are able to secure places at their preferred schools.

Local Authorities

31. The White Paper sees a strengthened strategic role for local authorities within an environment where schools have more autonomy and freedom on day-to-day issues. Local authorities will act as commissioners of school provision and as the champions of parents and pupils in their area, responding appropriately to their needs. This is an extension of the role set out for local authorities in *Every Child Matters*, and the forthcoming Bill places a new duty on the governing body of maintained schools to have regard to the views of parents and to the relevant Children and Young People's Plan in their conduct of the school.

32. This applies for instance to school expansion – an issue the Select Committee touched upon. The current position is that the Department’s guidance to decision makers includes a presumption in favour of school expansion – because we believe good schools should be able to offer places to more pupils should they wish to do so. We recognise that many schools do not wish to expand – that is why we also want to encourage good schools to extend their influence through forming federations and shared Trusts, working with groups of schools. The change in the White Paper in relation to expansion is that the local authority will take responsibility for school organisation decisions, rather than the School Organisation Committee - with the Schools Adjudicator continuing to settle any disputes. Of course, in reaching any decision the local authority (and the Adjudicator) will continue to take into account the impact on overall standards in an area, which may include effects on neighbouring schools and value for money.

33. Local authorities are also able to set out their strategic plans for numbers of schools and school places as part of their Children and Young People’s Plan. We would expect the Schools Adjudicator to take account of this material in looking at any contested issues around school organisation, including any proposals for school expansion referred to him.

34. A key feature of the White Paper is that the local authority increasingly acts as a commissioner, rather than a provider, of schools. The local authority will have a very powerful role in being able to set out, when commissioning a new school, the community that the school should serve and clear expectations in terms of matters such as the provision of extended services.

35. The White Paper made clear that local authorities could propose a new foundation school, including in situations where no other suitable promoter could be found. We have also stated that local authorities should be able to act as a minority partner in a school Trust. However, in these circumstances, it would clearly be wrong for the local authority to be both promoter and decision-maker in a school competition: the competition would, therefore, fall to be decided by the Adjudicator.

36. We have carefully considered the Select Committee’s view that there may be occasions where a community school might be the best option to meet local needs. In some places, there may be a strong case for this based on parental views, track record and other relevant practical issues. It is important that local authorities seriously consider all alternatives to secure the best education for their community, however, and not just promote local authority community schools as the default option.

37. Therefore, if a local authority wishes to enter a community school in a competition, they should seek the consent of the Secretary of State, who will want to ensure that the competition is genuinely open. In these circumstances, the competition would be judged by the Schools Adjudicator, rather than the local authority. In doing so, the Adjudicator would take into account the track record of the local authority in terms of educational performance, the degree of diversity in the local school system and parental preference.

38. The reason the Secretary of State is involved is because the Adjudicator cannot both rule on whether a community school proposal should be allowed and be the decider of the competition. Where a local authority with a good track record in education proposes a community school that will command the support of parents, the Secretary of State will not normally intervene.

Admissions

39. We agree with the Committee's view that it is essential that we have a system of fair admissions that delivers for all pupils. Indeed the White Paper referred to the importance of fair admissions and the Admissions Code on more than 20 separate occasions.

40. We will ensure that this is translated into law so that it is absolutely clear that no Trust school or any other maintained school can introduce any new selection by academic ability.

41. The Committee suggested that there should be a Code on admissions that can be enforced. We agree - it has always been our intention that the Code should have real force. The Select Committee shares our view that it would be impractical simply to "translate" the Code into legislation. But we are concerned that recent legal judgements may have weakened the perceived force of the Code, so we will strengthen the law so that admission authorities must "act in accordance" with it, rather than having to have "regard" to it. This change will enable us to set out, in a revised Code, practices that may not form part of schools' admission arrangements, as well as those that are acceptable.

42. It is already clear in the Code that interviewing, as a covert means of selection by background, is bad practice. The Churches accept this too – and they supported the decision to say that there should be no interviewing in the 2003 Code. To make this absolutely clear, we will legislate for a ban on interviewing, as the Select Committee report suggests. It will continue to be permissible for maintained boarding schools to interview to assess suitability for boarding only.

43. The Committee also suggested that we should strengthen the role of local partners in monitoring admissions and in making objections to the Schools Adjudicator. This would help to make a reality of fair access and to ensure that local admission arrangements serve the interests of all children.

44. We believe that the best way to move forward on fair access is through the existing Admission Forums. The Admission Forum brings together the local authority, representatives of all categories of school (including foundation schools and Academies) and the churches to discuss local admissions policies. We propose to increase their powers, widen their membership and strengthen their organisational arrangements, including the way that they reach decisions.

45. In future, all schools in an area will be entitled to be members of the Admission Forum. They will discuss their proposed admission arrangements each year. The Admission Forum, as now, will monitor whether the admissions arrangements of the local authority and schools in its area are consistent with the Admissions Code. Where it considers a school is not following the Code, we will give the Forum a new power to refer that school's arrangements to the Adjudicator, if a simple majority of the Forum wishes to do so. At present, that power is only available to the local authority and schools.

46. All admission authorities must already take into account advice provided by the Admission Forum – for example, in cases where a group of children appear to be getting a raw deal as a result of the interaction of the admissions policies of several local schools. The Adjudicator will take this advice into account and the extent to which a school had responded to it when considering an objection to that school's admission arrangements.

47. We will also give Admission Forums the power to produce an annual report setting out the detail of local admission arrangements, how they impact on fair access and how particular groups are faring. It would be wrong for the Forum to seek to set quotas for different types of children in each school, but this report may include details of FSM and other characteristics of intake in each school, such as ethnic composition. The Schools Commissioner would draw upon those reports as well as national data already collected in drawing up his or her two-yearly national review of fair access.

48. As we set out in the White Paper, we will make it easier for schools to adopt banding to ensure that the pupils admitted are representative of all levels of ability. This can help children obtain entry to schools for which they might not otherwise have had an opportunity had distance been the main criterion. Banding can reduce inequalities by giving disadvantaged parents easier access to a wider choice of good schools.

Response to individual recommendations

Recommendation 5: The DfES needs to provide more detail on its plans for funding personalised learning, and in particular how it will ensure that funding is used for its intended purpose. The department also needs to give much more careful consideration to the changes in Initial Teacher Training and the amount of in-service training which will be required to make personalised learning a reality.

Local authorities have received guidance on the funding earmarked for personalisation in Dedicated Schools Grant and the Standards Fund, in 2006-07 and 2007-08. This funding will be allocated according to prior attainment, as well as deprivation and total pupil numbers. Delivering personalised learning requires, by definition, different approaches in each school, so we are not compelling schools to use the funding for specific purposes. Local authorities, the National Strategies and the new School Improvement Partners will provide extensive advice and support to schools to help them identify which of their pupils are underperforming and plan tailored learning to meet their needs. These proposals also build on the vision set out in the 14 – 19 White Paper of a phase in which young people can choose from a range of options suited to their needs and delivered through collaboration and local partnership.

The National Strategies are refreshing their existing support materials and developing a range of tools to help school leaders, teachers and teaching assistants to tailor learning effectively. This will include training teachers to be expert in intervention in English and maths for children who have fallen behind age-expectations, and teachers to be expert in teaching gifted and talented children. One teacher will be trained in each of these areas in every secondary school, and every primary school will have access to such a teacher through a local network. Details of the National Strategies' plans for support and in-service training in 2006-07 are currently under consideration, and will be publicised to local authorities and schools in the Spring.

We are already looking at any wider changes that could be required to Initial Teacher Training and in-service training to enable schools to make personalised learning a reality. We are looking not just at the contribution of teachers but of the whole school team. The White Paper positions the Training and Development Agency for Schools (TDA) as the Department's modernisation agency and in respect of personalised learning the TDA is already:

- Updating the professional standards for teachers, which will in turn inform the provision of new, or modification of existing, training. The revised standards will ensure that the need to offer personalised learning for pupils is reflected on entry to the profession, through securing Qualified Teacher Status (QTS) and on through Excellent Teacher and Advanced Skills Teacher roles;

- Exploring the further contribution that support staff, including Higher Level Teaching Assistants (HLTAs), could make to supporting personalised learning for the full range of pupils who would benefit from it.

Recommendation 7: If the Government wishes to address educational disadvantage, it needs to take seriously the problem of the under-representation of minority ethnic groups in the gifted and talented programme to ensure that implementation of its policy does guard against stereotypes and unintended consequences.

Recommendation 8: Their needs also have to be specifically addressed in personalised learning.

Government policy on gifted and talented education starts from the principle that ability is evenly distributed within the population. It follows that the proportion of gifted and talented pupils from minority ethnic backgrounds should be the same as the proportion of gifted and talented learners amongst white pupils. DfES guidance is that, when identifying their gifted and talented populations, schools should ensure that they are broadly representative of the whole school population by gender, ethnic and socio-economic background.

Figures provided to the Select Committee by Professor Gilborn were drawn from the evaluation *'Minority Ethnic Pupils and Excellence in Cities: Final Report'* by Kendall, Rutt and Schagen, 2005, and related to 2002.

Involvement of ethnic minority pupils in 2003, reported in the same evaluation, was much more positive. In that year, the report states:

“there were relatively small differences between ethnic groups in the proportion of pupils being identified as gifted and talented and indeed for this cohort the highest proportion of gifted and talented pupils was for those from Black African backgrounds. While some of this may represent short-term variation between cohorts, it also suggests that schools may have been increasing their repertoire of strategies used to identify gifted and talented pupils.”

We recognise that the identification of underachieving gifted and talented learners, who may be more likely to come from disadvantaged or minority ethnic backgrounds, is not straightforward for schools. We are tackling this directly through the commitment in the White Paper to set up a National Register of gifted and talented learners. The Register will provide a rich mix of data to schools to help them identify their gifted and talented pupils. There will be updated guidance to schools on identification of gifted and talented learners. We are also developing direct support for disadvantaged gifted and talented populations, through NAGTY's 'Goal' sponsorship fund and through projects for Black and Minority Ethnic learners and looked after children.

The White Paper recognises that the particular needs of gifted and talented children with special educational needs should be addressed within the Government's personalised education strategy. This will be achieved in part by ensuring that the improvements to gifted and talented education set out in

the White Paper are fully inclusive, and that the action programme to support SEN also takes full account of the needs of the most able. Building on the recently published NAGTY Paper on '*Children with Multiple Exceptionalities*', we will explore what further action is necessary to help educators and schools deal with particularly complex cases.

Recommendation 10: We recommend that detailed consideration be given to training teachers for the most challenging schools and to ways of supporting them in their teaching career.

The Government agrees that there are particular issues that teachers in challenging schools face and has already recognised the need to train teachers appropriately. There are already many initiatives in initial teacher training (ITT), continuing professional development (CPD) and in training the whole school team that relate directly to meeting the needs of pupils in challenging schools – including supporting training in diversity, English as an Additional Language, behaviour and citizenship.

As part of its work to revise and update the professional standards for teachers, the Training and Development Agency (TDA) is exploring both international evidence and existing best practice to see whether or not there should be specific standards relating to practice in schools facing challenging circumstances. The revised standards are being fully consulted upon. The standards will drive a thorough review of the training that is offered both in Initial Teacher Training and as part of continuing professional development.

We are also ensuring that teachers working in challenging circumstances and making an important contribution towards pupil achievement are suitably rewarded. More effective performance management should ensure that the greatest rewards go to those teachers contributing most, with robust and intelligent arrangements providing the evidence to assess the contributions individuals have made and to take into account the context in which those contributions were made.

Whilst the overall vacancy rate for head-teachers is low – currently 0.8% – we agree the importance of having good succession planning in schools and of ensuring appropriate training is available for head teachers of challenging schools. The National College for School Leadership (NCSL) is developing the National Leaders of Education scheme to develop the skills of our best school leaders so that their experience and knowledge can raise standards across the wider school system, including in our most complex schools. This complements work being done by the NCSL to develop a model of school leadership in challenging urban environments.

In addition, the Secretary of State has welcomed the STRB's recommendation for an independent study into school leadership, which will provide a sound evidence base for future policy development, such as around leading challenging schools and succession planning. We have also asked the NCSL for early advice on how succession planning could be improved and to work with governor associations and other key partners, including local authorities, to develop advice to chairs of governors on recruitment, selection and succession planning.

Recommendation 11: We recommend that the Government looks urgently at setting a minimum entitlement in teachers' timetables, particularly in primary schools, for continuing personal development and such training.

The Government recognises the need for continuing professional development (CPD) to be a feature of – and entitlement for – everyone in the school team: head teachers, teachers and support staff. However, we do not support the idea of timetabling a minimum amount of CPD.

In practical terms, it would be:

- bureaucratic – requiring potentially substantial disruption to teaching and learning;
- expensive – requiring more cover arrangements to be put in place, placing additional demands on resources, teachers and support staff;
- inefficient – it fails to recognise the need for staff to access training as part of on-going performance development, it doesn't link the allocated time to either the availability of required training or to the quality of training, and it fails to recognise how problematic it would be to identify what the timetabled amount would need to be given the wide variation of needs that exist.

We also consider that the idea of timetabling CPD directly contradicts the approach that we have developed with our partners – improved performance management, with improved opportunities for progression, based on demonstrating relevant professional standards. Building the capacity of schools to improve both the performance and development of teachers – and enabling teachers to recognise their needs and access high quality, relevant CPD – is the approach that we think will best link the needs of teachers to the context of their school and the needs of pupils.

Recommendation 14: We recommend that the Government should publish a list of bodies it considers appropriate to act as Trust sponsors. It should also publish details of those organisations which have been approved by the DfES.

We will develop mechanisms to ensure that the fullest possible information is available to schools interested in acquiring a Trust. The Schools Commissioner will be able to advise schools and local authorities on the track record of particular Trusts. In doing so, he or she will maintain a list of Trust partners, although this would not be exhaustive. We believe that this will help to avoid inappropriate Trusts seeking to work with schools. We will also disqualify certain categories of people from becoming involved in school Trusts and give the Secretary of State a reserve power to remove trustees.

It will be for schools to decide which external partners might best support outcomes for their schools. It is crucial that schools have all the information they need to make these decisions, but we must avoid bureaucracy that would make life harder for local community-based Trusts. Where there remain serious concerns about the acquisition of a particular Trust, the governing body's decision may be referred to the Schools Adjudicator by the local authority. While we hope that involvement of a Trust will be long-term and sustainable, it will be possible for the local authority to remove a Trust in circumstances of school failure.

Recommendation 15: We believe it is essential that Trusts do operate in a collaborative fashion and that Government embeds in any legislation requirements for this to be monitored at local and national level.

Recommendation 31: We recommend that Trust schools should be given the duty to spread good practice and demonstrate collaboration across the local authority area, and that their performance in this regard should be monitored by local authorities, who would report to the Schools Commissioner to produce an annual report to Parliament and to DfES.

It will be important that Trusts collaborate and work with other schools locally, and we believe that Trust status will make this easier, but we do not believe that legislation to enforce this is necessary. All schools are already subject to clear expectations with regard to collaboration. Indeed, the forthcoming Bill will allow maintained schools to collaborate formally with Further Education colleges, as they can already do with other maintained schools. Many already play an active role in spreading good practice. Requiring schools and local authorities to report to the Schools Commissioner on their progress in establishing collaboration would represent an additional burden that could distract from the business of establishing effective local working arrangements.

Recommendation 16: If Trusts are formed, it should be a requirement that all parent governors on a Trust school governing body should be elected by parents of children at the school.

We will continue to require that at least one third of all governing bodies, including Trust and VA schools, should be made up of parents of pupils at the school, at least one of whom must be elected. It is up to governing bodies to decide their precise composition, in line with the relevant regulations. Where a Trust appoints a majority of governors, there will be scope for them to have more than one elected parent, should they so wish.

Recommendation 17: We recommend, therefore, the model of a federation of two or more schools as the preferred option for the development of the Trust school concept.

We would expect federation to be a central part of the way Trusts would work. However, there is no single blueprint for a Trust. Possible models could involve an individual school working with a single Trust, a group of local schools working with a Trust, or a group of schools spread throughout the country working with a Trust. We want to encourage collaboration between schools and partners in a manner that is most suited to their individual needs.

Recommendation 18: Given the Secretary of State’s statement that schools will not be bribed or coerced into becoming Trust schools, and given the lack of enthusiasm we have found in the course of the inquiry for schools to become Trusts, we believe that the Schools Commissioner should perform a much less executive role in relation to the promotion and establishment of Trust schools than suggested in the White Paper.

Recommendation 20: Becoming a Trust school may be attractive to some schools, and the DfES should advise and assist those who wish to do so, but it should be one option in a pluralist schools system. The promotion of Trust schools should not be an overriding policy objective.

We note that the minority report of some Select Committee members suggested that schools should be required to become Trust Schools. That is not our proposal. It will not be compulsory for schools to acquire Trusts - decisions about the acquisition of Trusts will be taken by schools themselves.

The role of the Schools Commissioner will be to champion the development of Trust schools and offer advice to those that request it. He or she will help to facilitate links between schools and potential external partners, as a broker, focusing his or her efforts on disadvantaged communities to ensure that they can benefit from Trusts. The Schools Commissioner will have no role in decision-making about any school organisation matters – that will be for schools and local authorities (with, in some cases, appeals to the Schools Adjudicator).

Recommendation 19: We therefore recommend that the Schools Commissioner should not be or remain a serving DfES civil servant after appointment and indeed that it might be useful for Government to seek an appointee from outside DfES. The Commissioner should be established at arm’s length from the Department reporting to Parliament through the Select Committee as well as to ministers in DfES. This will be essential to enable her or him to operate in a more independent manner and enjoy the confidence of all parties concerned.

Like the Select Committee, we do not want the Schools Commissioner to be a large, bureaucratic body. Establishing an Office and distinct powers for the Schools Commissioner would require legislation, would be a lengthy and costly procedure and would add to the number of non-departmental bodies. It would also be unusual to create a statutory office holder purely to offer advice to schools. By locating the Schools Commissioner within the DfES, he or she will also be able to co-ordinate functions already carried out within the Department.

Recommendation 22: There is no reason why a local authority should not put forward a proposal for a new community school when a competition for a new school is to be held.

We accept the Select Committee's view that there may, in some circumstances, be a case for a new community school based on parental views, track record and other relevant practical issues. It is important that local authorities seriously consider all alternatives to secure the best education for their community, however, and not just promote local authority community schools as the default option.

Therefore, if a local authority wishes to enter a community school in a competition, they should seek the consent of the Secretary of State, who will want to ensure that the competition is genuinely open. In these circumstances, the competition would be judged by the Schools Adjudicator, rather than the local authority. In doing so, the Adjudicator would take into account the track record of the local authority in terms of educational performance, the degree of diversity in the local school system and parental preference.

The reason the Secretary of State is involved is because the Adjudicator cannot both rule on whether a community school proposal should be allowed and be the decider of the competition. Where a local authority with a good track record in education proposes a community school that will command the support of parents, the Secretary of State will not normally intervene.

Recommendation 24: We recommend, therefore, that all publicly funded schools should be given the same legal responsibilities in this respect.

Trust Schools are foundation schools in law and so are already covered by existing legislation in the same way as any other maintained school.

Academies are bound, by the terms of their funding agreement (approved by the Secretary of State), to act in accordance with admissions legislation. This already obliges them to admit children who are named on a SEN statement, and to have regard to the advice of their local Admission Forum – this also brings them into locally agreed protocols on placement of hard to place pupils.

Recommendation 25: We welcome the fact that Ofsted, under its new inspection regime, is assessing schools against the five Every Child Matters outcomes, but that still does not ensure that schools will cooperate with other agencies. A formal duty for schools to cooperate would put the matter beyond doubt and we recommend that the Government should legislate for that duty in the forthcoming Bill.

The idea of a duty to cooperate has been debated externally before and rejected on the basis that it adds little and may, in fact, make relationships more difficult.

Although some stakeholders in the children's services field have previously called for a duty on schools to co-operate, many have recently moved away from this position. They have welcomed the White Paper's proposal that schools should be put under a duty to have regard to the Children and Young People's Plan covering their local authority area. We will legislate for this in the forthcoming Bill.

In addition to the new inspection arrangements, the framework for schools' own self-evaluation fully reflects *Every Child Matters*. School Improvement Partners will support and challenge schools on their contribution to the five outcomes and to *Every Child Matters* more generally, including the provision of extended services. School Profiles will give parents information about the support schools provide for pupils' well being and any extended services the school offers.

Successful delivery of *Every Child Matters* demands co-operation at all levels and between all service sectors. We do not see schools as a particular problem in this regard: indeed, we are very encouraged by the warm welcome that many schools have given *Every Child Matters*.

We believe that the best way to ensure that schools work effectively with other agencies is by providing support, challenge and resources. We believe that the incentives and levers that we have put in place, along with the proposed new duty to have regard to the local Children and Young People's Plan, will be sufficient in helping schools to take ownership of *Every Child Matters* in a way that respects both the local area's and the school's priorities. The proposals in the Schools White Paper also build on the vision in the 14 – 19 White Paper of a phase in which young people can choose from a range of options suited to their needs and delivered through local partnership.

Finally, as commissioners of new schools, local authorities will be able to set out, as part of a school competition, their expectations as to the sorts of extended services that the new school will deliver. In judging the competition, they will be able to assess proposals against this specification.

Recommendation 27: The Bill needs to be drafted to ensure that where there continues to be provision of education through community schools, local authorities are able to provide support as now. This also fits with our earlier recommendation that local authorities should be able to propose the establishment of a new community school in a competition for a new school.

The White Paper proposed no reduction in local authorities' powers in relation to community schools and in their ability to provide support. There is no intention of legislating to change their role in this regard

Recommendation 30: We are firmly of the opinion that fair access should take top priority, followed by choice and diversity respectively. There is growing concern and a body of evidence about the relationship between school admissions and levels of social segregation and schools need to show that they are aware of their responsibilities to their communities in general as well as to the children whom they admit. We propose that a new duty be placed on all schools to promote social inclusion and community cohesion through all of their institutional policies and procedures, including their admissions policies.

We are committed to reducing inequalities and ensuring that every child is able to fulfil their potential. The forthcoming Bill will place a duty on local authorities to exercise all of their functions with a view to ensuring this. Trusts will also be under a duty to promote community cohesion and good race relations.

We agree that it is important that any negative impact a school's admissions policy may have on levels of social segregation should be identified so that appropriate action can be taken. However, we think that local authorities and Admission Forums are best placed to consider this, taking account of the overall effect of admission arrangements of all the schools in their area.

Recommendation 32: We recommend therefore that Trust schools and others be given the duty to operate equitable admission policies for children with special educational needs across the local authority area, and that the performance of schools in this regard should be monitored by local authorities, who would report to the Schools Commissioner to produce an annual report to Parliament and to DfES.

Legislation already protects the right of children with statements of Special Educational Needs to be admitted to a named school. Admission Forums also have a statutory role to "promote the arrangements for children with special educational needs".

Local authorities will be able to report to Admission Forums on how well admission arrangements of all local schools serve children with special educational needs. Admission Forums will be able to produce an annual report on the impact of admissions policies in their area – this will feed into the Schools Commissioner's two-yearly report on fair access (see recommendation 51 / 55). In addition, the Bill will allow for local authorities to propose that a SEN unit be established in any type of school, to ensure that there is appropriate provision in the local area.

Recommendation 34: We ask the Government to examine the case for index-linking this funding to inflation and to ensure that its effectiveness - and the possible need substantially to increase it - is monitored by an external body.

We are already committed to linking choice advice funding for local authorities to deprivation factors. To index link it to inflation would pre-empt the forthcoming Comprehensive Spending Review. We will, however, commission an external evaluation to report on the development of choice advice, its effectiveness and implications for future policy in this area.

Recommendation 35: Until such time as the distribution of able and well motivated pupils between schools is better balanced, and the vast majority of schools are considered by parents to be of acceptable quality, there are likely to be schools that are regularly oversubscribed. The aim must be to ensure that the admissions process is as fair and transparent as possible. We therefore recommend that the Government looks at the possibility of introducing anonymised admissions.

We absolutely agree that the admissions process must be fair and transparent. We believe that the system we are proposing will make this even clearer.

We will give further consideration to the Select Committee's recommendation. However, we are concerned that taking the step of anonymising application forms could incur substantial costs in adapting local authority and school IT systems. Removing names alone would not be sufficient to anonymise an applicant: some could be identified by their address – something that many schools would require in order to assess applications against admission criteria. It could also cause problems for those schools using sibling criteria if applications were anonymised.

If a parent believed that an admission authority had departed from its published admission arrangements when deciding who should be offered a place, it would be open to them to complain to the Secretary of State that the school or local authority concerned was acting unreasonably. The Local Government Ombudsman also has powers to investigate complaints from parents where they feel that their applications have not been properly considered against published admission arrangements. Admission appeal panels must also consider whether parents refused a place at a preferred school have lost out on a place they should have been offered because of an error or maladministration, and should uphold appeals where this is the case.

Recommendation 37: We recommend that the Government should develop with local authorities a system to direct additional funding at individual pupils from disadvantaged backgrounds wherever they live, possibly using local funding formulae.

Our proposals for personalised learning include specifically earmarking within the Dedicated Schools Grant (DSG), by 2007-08, £335 million to provide resources to secondary schools to deliver personalised learning for 11-14 year olds. This funding will be allocated according to prior attainment, as well as deprivation and total pupil numbers. The Schools Funding announcement on 7 December 2005 earmarked a further £230 million, by 2007-08, within the DSG, to support personalisation in primary schools.

For those schools with the highest number of children who have fallen behind in English and Maths, we will provide a further targeted £60 million in each of 2006-07 and 2007-08, shared equally across the primary and secondary sectors, to provide more effective one-to-one and small group tuition.

The £60 million has been allocated to local authorities through the Standards Fund based on the numbers of schools which have the highest number of such pupils. Local authorities have been asked to target the money to the schools that will face the greatest challenges in intervening to improve progress for children who have fallen behind in English and maths.

The system of distributing funds for schools from central government to local authorities already takes account of the needs of disadvantaged pupils, wherever they live. Funding is based in part on indicators of deprivation, reflecting poverty and the particular needs of black and ethnic minority groups. Just over 10% of the Dedicated Schools Grant is distributed in response to deprivation – equivalent to £2.8bn in 2006-07 - with a range from around 5% to 22% for individual local authorities. It is then for local authorities to decide how to distribute funding to their schools.

In December 2005 the Government published a joint DfES/HM Treasury report on the ways in which local authorities fund schools to meet the extra burdens imposed by social deprivation amongst their pupils. Entitled *Child Poverty: Fair Funding for schools*, the review: sets out the social class attainment gap amongst school pupils; illustrates evidence on the ways in which additional funding can be used to address this issue; and surveys current practice amongst a sample of authorities.

In parallel, Ministers have asked each local authority to review, in conjunction with its Schools Forum, the effectiveness of its funding formula in tackling deprivation. The Department wrote to every local authority in December 2005 asking it to supply, by May 2006, a statement setting out how its funding formula funds schools for deprivation, and the rationale for its approach. These statements (which will also seek information about the use of personalisation funding included in the DSG from April 2006) will be collated and published by the DfES alongside authority-by-authority attainment data. We will then monitor local progress on the local reviews. This will give a more detailed picture of the pattern of funding for deprivation and a basis on which to consider whether changes to achieve closer targeting are necessary.

Recommendation 39: We recommend that the Government publishes a costing of the surplus places that may arise because of this demographic change.

Future plans for education spending always take account of the impact of demography on the pupil population. It will be one of the elements for consideration in the forthcoming Comprehensive Spending Review.

Recommendation 44: It is unhelpful for the Secretary of State to cite evidence from an unfinished research project in support of one of the Government's proposals without being prepared to make the detail of that evidence available to us.

The Department undertakes a range of analysis as part of policy development, particularly in high priority areas such as raising standards in areas of deprivation. An example of this is the analysis of GCSE performance in different types of school in disadvantaged areas, attached at Annex A.

The emerging findings referred to by the Secretary of State in evidence to the Select Committee are attached at Annex B. We have commissioned further work on social segregation in schools from the Centre for the Economics of Education, but it is not yet ready for publication. As soon as the work is complete, it will be made available.

Recommendation 46: We recommend that the Government should bring forward regulations to prohibit interviewing or other proxies for academic selection as a part of the general schools admissions process as soon as possible.

The Education and Inspections Bill will include a provision which will make it unlawful for schools to conduct interviews with children or parents as part of the process to determine whether they should be admitted. We shall continue to permit boarding schools to interview to assess a child's suitability as a boarder.

Recommendation 47: The situation concerning partial selection has been contentious for some time and we believe that the legislation should be amended to clarify what is and is not allowed.

The legislation relating to partial selection is clear in that it states that admission authorities for schools may not introduce any new selection by ability. It is also clear that schools which, before 1998, selected part of their intake on a different basis from what it would now be permissible to introduce can continue to do so as long as they do not increase the proportion of children selected or change the basis for selection.

Recommendation 48: We referred earlier to the recommendations of our previous reports on selection by aptitude. The Government no longer collects data on the extent of such selection and justifies it largely on the grounds that few schools use it. We have not yet been presented with a credible explanation of the distinction between aptitude and ability. This is most unsatisfactory and we believe aptitude selection should now be prohibited in regulations. We also recommend that the DfES re-examines the current Code of Practice to identify what other practices should be more closely regulated, prohibited or, conversely, encouraged.

The Government believes that schools with a relevant specialism should be allowed to select up to 10% of their intake in the designated subjects.

We shall examine the existing Admissions Code and consider whether there are any practices we should encourage or discourage. We intend to strengthen the law so that admission authorities must “act in accordance” with the Code, rather than having to have “regard” to it. This change will enable us to set out, in a revised Code, practices that should or should not form part of schools’ admission arrangements.

Recommendation 49: There remains the question of those schools which are specifically permitted by the 1998 Act to select wholly by academic ability. Our previous report dealt with this issue in some detail and we wish to reiterate our recommendations. We welcome the fact that that there is now all party agreement that there should be no new selection by general academic ability.

We remain of the view that, while we have no intention of allowing the introduction of any new selection by ability, it should be for parents to determine (via the Grammar School Ballots system) whether their local grammar schools should retain selective admission arrangements.

Recommendation 50: The Government has consulted on a new Code of Practice, but has put it on hold while it considers the responses. We believe that, in the light of our recommendations, the Government should reconsider what the Code should contain and its fitness for purpose, and consult again before implementation.

We accept this recommendation and have decided to reconsider the content of the Code and consult again after the passage of the Education and Inspections Bill.

Recommendation 51: Local authorities and admissions forums would be required to monitor closely local admissions arrangements for compliance with the Code of Practice, to make an objection to the adjudicator about any which did not comply and to make an annual report on behalf of the admission forum to the Schools Commissioner.

Recommendation 55. One way to address the low representation of children from deprived backgrounds in some schools would be for local authorities to set benchmarks for the secondary schools in their areas for the numbers of children on free school meals or whose families are in receipt of Working Families Tax Credit admitted to Year 7 each year. Each local authority would also be required to make a report annually to the Schools Commissioner on the social composition of secondary schools. In turn the Schools Commissioner would report annually on the position across the country, but should also have sanctions where it appears that schools or authorities are not addressing these issues of inequality.

We agree that local authorities have a responsibility to act as a champion of parents, and they have powers to object to the School Adjudicator where they find unfair admission arrangements.

Admission Forums already have a remit to consider how well admission arrangements serve their area's children, and provisions in the Bill will give them a new power to object to the Adjudicator. We will also give Admission Forums the power to produce an annual report setting out the detail of local admission arrangements, how they impact on fair access and how particular groups are faring. It would be wrong for the Forum to seek to set quotas for different types of children in each school, but this report may include details of FSM and other characteristics of intake in each school. The Schools Commissioner would draw upon those reports as well as national data already collected in drawing up his or her two-yearly national review of fair access (as set out in Chapter 3 of the White Paper).

Our view is that the Adjudicator is the appropriate person to consider objections that admission arrangements are not in line with the Code, and he has a good track record in enforcing it.

Recommendation 52: If, within six weeks of being informed of the conclusions of the admissions forum, the school or schools in question did not amend their proposed admission arrangements accordingly, the local authority would be required to make an objection to the schools adjudicator (at present, the admissions forum cannot itself object to the adjudicator).

While we do not think that we should place local authorities under a duty to object in prescribed circumstances, we will be giving Admission Forums the right to object. This will allow them to take action where their advice has been disregarded.

Recommendation 56: We recommend that the DfES works with other government Departments and those outside Government to construct more sophisticated measures of deprivation and disadvantage.

This recommendation is in line with current developments in the Department to examine ways of supplementing the information about pupils' eligibility for free school meals (FSM), including the following:

- We have piloted an area-based measure, developed from IDACI (Income Deprivation Affecting Children Index), for the value-added part of the School and College Achievement and Attainment Tables.
- The Centre for the Economics of Education, which the Department funds, is investigating alternative measures to FSM.

- We are working with ODPM to develop a local index of child well-being.
- We are investigating ways of collecting social class data about pupils' parents as part of PLASC, but are conscious of the additional burden this would impose on schools.
- We will be looking over the next couple of months, as follow up work to the DfES/HMT review of Deprivation Funding, at what deprivation factors would be most suitable for school funding more generally, with a view to producing some guidance for local authorities.

Recommendation 58: We recommend that the Government looks at this issue again with a view to establishing much greater safeguards on the transfer of assets to Trusts through detailed restrictions on disposal of assets and other issues or by a leasehold-style arrangement.

Direct ownership of its land is an important lever in establishing school ethos as it empowers the school to accept responsibility for its assets and to plan strategically to maximise their use. Local authorities currently do not own the freeholds of a third of all maintained schools - many already work in successful partnership with a large proportion or even majority of their schools which are not local authority owned. We believe that the system that we will put in place amounts, in effect, to a leasehold-type arrangement, but without the bureaucracy that would be required to reach thousands of individual leasehold agreements.

Our proposals build on existing safeguards for publicly funded land and buildings and give authorities flexibility to propose strategic use of surplus foundation or Trust school land, with decision making locally. Authorities must be informed of all proposed disposals, and where there is not local agreement, will be able to refer the matter to the Schools Adjudicator for determination. We do not propose any change to the stringent disposal procedures for playing field land by any category of school, where the express permission of the Secretary of State will continue to be required.

When a school decides to acquire a Trust, most assets will automatically transfer to the Trust. However, there may be some local authority assets attached to a school that are not needed by the school or that are currently used by other organisations. Local authorities will be able to agree with schools whether any such assets should be held back from the transfer. Where there is disagreement, the Adjudicator will sort out any disputes.

Finally, the assets will revert back to the governing body in the case of a Trust being removed; or the local authority in the case of school closure (except where Trust originally provided the land).

Annex A

Comparisons between Voluntary Aided, Foundation, Community and Specialist schools in disadvantaged areas

The table below looks at the GCSE performance in 2005 of pupils in different types of school where more than 21% of the pupils were eligible for free school meals.

| | Voluntary Aided | Foundation | Community | All maintained mainstream schools |
|-----------------|-----------------|------------|-----------|-----------------------------------|
| No of schools | 121 | 59 | 638 | 843 |
| Average FSM | 33% | 29% | 34% | 34% |
| %5+ A*-C | 48% | 47% | 40% | 42% |
| %5+ A*-C inc EM | 32% | 32% | 25% | 27% |
| Value Added | 975.4 | 984.5 | 969.8 | 971.6 |

This table looks at the GCSE performance in 2005 of pupils in specialist and non-specialist schools where more than 21% of the pupils were eligible for free school meals.

| | Specialist schools | Non-specialist schools | All maintained mainstream schools |
|---------------------|--------------------|------------------------|-----------------------------------|
| No of schools | 371 | 472 | 843 |
| Average FSM | 33% | 35% | 34% |
| %5+ A*-C | 46% | 38% | 42% |
| %5+ A*-C inc EM | 30% | 23% | 27% |
| Average Value Added | 979.5 | 964.2 | 971.6 |

Annex B

School Segregation and Admissions Policy: Background statistics

Summary

Levels of segregation vary from area to area and the reasons for this will involve a range of school and local factors, including residential patterns. There are some local authorities with relatively high proportions of pupils in own admission authority schools that have low levels of segregation, and vice versa. Overall there is a low correlation between segregation and the percentage of pupils in an authority attending schools which control their own admissions.

1. Background

1.1 School segregation

There are different ways of measuring school segregation. This paper focuses on segregation in levels of deprivation, proxied by information collected in the Pupil Level Annual Schools Census on receipt of Free School Meals (FSM). The area over which segregation between schools is measured could vary from England as a whole to much smaller local areas; the simplest approach is to consider the local authority (LA), although this area may not necessarily correspond to a local 'education market'. Finally, different statistics on segregation are available and there is an on-going academic debate about the most appropriate indicator. The measure of segregation used here is the Dissimilarity Index.

$$D = 0.5 * \sum_i | f_i / F - n_i / N |$$

where

f_i is the number of FSM pupils in the i th school

F is the total number of FSM pupils in the LA

n_i is the number of non-FSM pupils in the i th school

N is the total number of non-FSM pupils in the LA

The dissimilarity index can be interpreted as the fraction of pupils in the aggregate area (e.g. the local authority) that would need not to be there for an *even* distribution of groups across schools in the area. The index can lie between 0 and 1 where 0 is a completely even distribution and 1 is total segregation. Note however that the value of D under a *random allocation* of pupils to schools will be significantly greater than zero, because a random allocation will not necessarily be even, which means that technically it is easier for some authorities than others to have a low level of segregation, depending on the relative size of their schools.

1.2 Admissions policies

Schools and admissions

There are the following categories of maintained schools:

- **Community schools** (In January 2005 there were 2001 of these, of which 41 were grammar schools)
- **Voluntary controlled (VC) schools** (93 secondary schools of which 13 were grammar schools and 38 of which were faith schools – a school may be both a faith and a grammar school)
- **Voluntary aided (VA) schools** (530 secondary schools of which 33 were grammar schools and 489 faith schools - a school may be both a faith and a grammar school).
- **Foundation schools** (507 secondary schools of which 77 were grammar schools and 9 faith schools - a school may be both a faith and a grammar school).

VA and foundation schools are responsible for determining their own admission arrangements within the requirements of the law (which, for example, prevents the establishment of new grammar schools) and in the light of the statutory Code of Practice on admissions; admission arrangements for VC and community schools are set by the LA which maintains the school.

There are two categories of state funded independent schools:

City Technology Colleges (of which there were 14 in January 2005) and **Academies**¹ (of which there were 15). These are all mixed ability schools.

Table 1.1

Number of pupils in secondary schools by admission policy (in January 2005)

| Ability selection | Schools controlling their admissions | | | | Schools where LA runs admissions | |
|-------------------|--------------------------------------|------------|--------------------------|-----------|----------------------------------|-----------|
| | Voluntary Aided | Foundation | City Technology Colleges | Academies | Voluntary Controlled | Community |
| Fully selective | 19,582 | 52,386 | - | - | 10,228 | 29,587 |
| Non-selective | 402,821 | 435,238 | 12,402 | 11,374 | 78,596 | 1,834,475 |

¹ Since January 2005, there have been a further 12 Academies opened.

Table 1.2

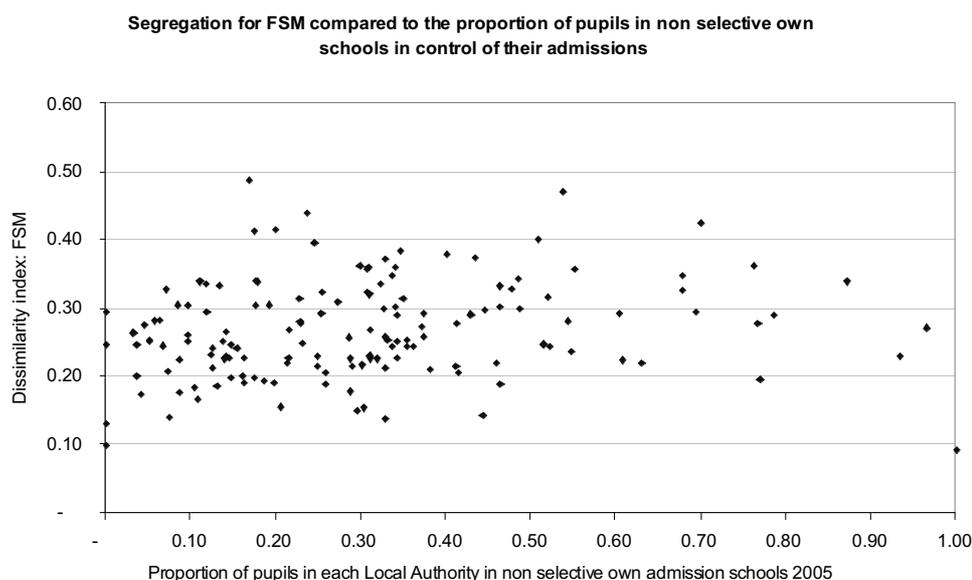
Number of secondary schools by admission policy (January 2005)

| Ability selection | Schools controlling their admissions | | | | Schools where LA runs admissions | |
|-------------------|--------------------------------------|------------|--------------------------|-----------|----------------------------------|-----------|
| | Voluntary Aided | Foundation | City Technology Colleges | Academies | Voluntary Controlled | Community |
| Fully selective | 33 | 77 | - | - | 13 | 41 |
| Non-selective | 497 | 430 | 14 | 15 | 80 | 1,960 |

2. The association between segregation and school admissions

Chart 2.1 shows the proportion of pupils in each local authority attending non-selective schools which are their own admission authority. As can be seen, there is no clear link. The correlation is 0.17, which implies that only 3% of the variation in D is associated with variation in the percentage of non-selective own admission schools.

Chart 2.1



Charts 2.2 and 2.3 show the association between D and the proportion of schools in two subsets of the 'own admissions' group. Again, there is considerable variation and low correlation. These simple statistics do not show there is no link between admissions and segregation but they indicate that any effects are likely to be small. A fuller investigation of the relationship would require more in depth modelling and a comparison with residential patterns of segregation.

Chart 2.2

Segregation for FSM compared to the proportion of pupils in non-selective VA schools

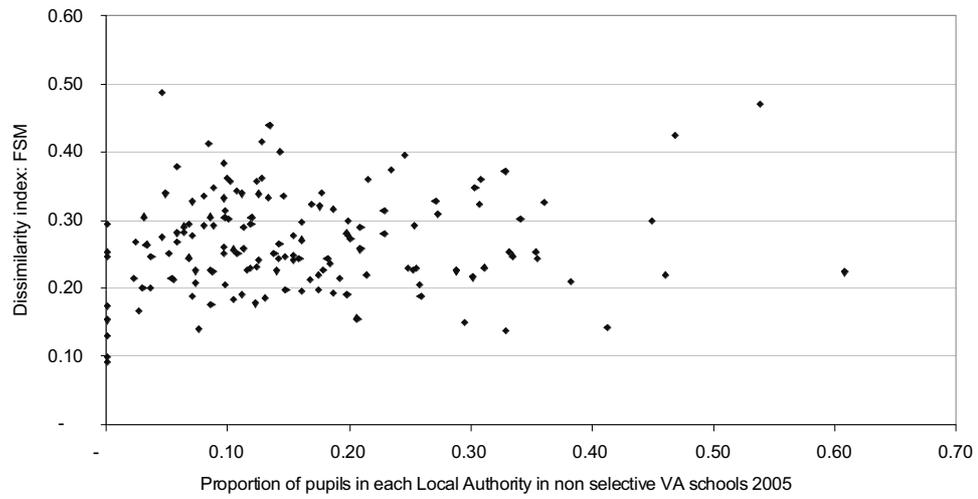
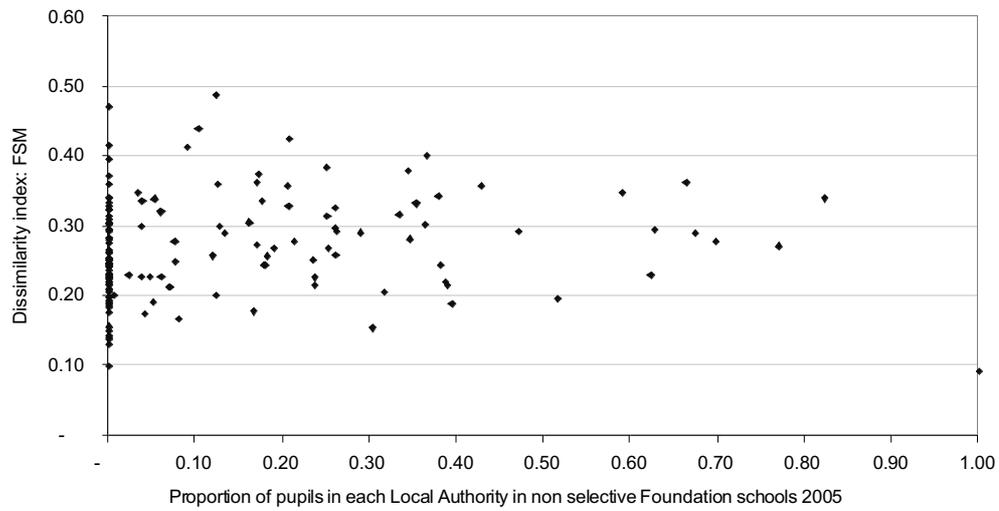


Chart 2.3

Segregation for FSM compared to the proportion of pupils in non-selective Foundation schools



The table below provides the data for each authority underlying these charts: their D indices for FSM and the proportion of their pupils in the different types of schools.

Segregation and Admissions Policies in Local Authorities 2005

Table 1

DISSIMILARITY INDEX¹ FOR PUPILS² ELIGIBLE FOR FREE SCHOOL MEALS (FSM):

MAINTAINED MAINSTREAM SECONDARY SCHOOLS INCLUDING CTC AND ACADEMIES³

January 2005

By Local Authority Area

| LA number | LA name | Dissimilarity index | Percentage of pupils in selective schools (%) | Percentage of pupils in non selective Academy, CTC, Foundation or Voluntary Aided schools (%) | | | Percentage of pupils in selective Voluntary Aided schools (%) | Percentage of pupils in non selective Foundation schools (%) | Percentage of pupils in Academies & CTCs (%) |
|-------------------|----------------------|---------------------|---|---|---|---|---|--|--|
| | | | | Percentage of pupils in selective schools (%) | Percentage of pupils in non selective Academy, CTC, Foundation or Voluntary Aided schools (%) | Percentage of pupils in selective Voluntary Aided schools (%) | | | |
| NORTH EAST | | | | | | | | | |
| 390 | Gateshead | 0.32 | - | 26 | 17 | - | 9 | | |
| 391 | Newcastle upon Tyne | 0.31 | - | 23 | 23 | - | - | | |
| 392 | North Tyneside | 0.23 | - | 12 | 12 | - | - | | |
| 393 | South Tyneside | 0.22 | - | 30 | 30 | - | - | | |
| 394 | Sunderland | 0.19 | - | 20 | 20 | - | - | | |
| 805 | Hartlepool | 0.26 | - | 33 | 33 | - | - | | |
| 806 | Middlesborough | 0.24 | - | 55 | 18 | - | 36 | | |
| 807 | Redcar and Cleveland | 0.30 | - | 12 | 12 | - | - | | |
| 808 | Stockton-on-Tees | 0.36 | - | 31 | 31 | - | - | | |
| 840 | Durham | 0.27 | - | 14 | 14 | - | - | | |
| 841 | Darlington | 0.25 | - | 15 | 15 | - | - | | |
| 929 | Northumberland | 0.28 | - | 6 | 6 | - | - | | |
| NORTH WEST | | | | | | | | | |
| 340 | Knowsley | 0.14 | - | 33 | 33 | - | - | | |

| LA number | LA name | Dissimilarity index | Percentage of pupils | | | | |
|-----------------------------------|-----------------------|---------------------|---|---|---|--|---|
| | | | Percentage of pupils in selective schools (%) | Percentage of pupils in non selective Academy, CTC, Foundation or Voluntary Aided schools (%) | Percentage of pupils in selective Voluntary Aided schools (%) | Percentage of pupils in non selective Foundation schools (%) | |
| 341 | Liverpool | 0.30 | 2 | 49 | 45 | 4 | - |
| 342 | St Helens | 0.30 | - | 34 | 34 | - | - |
| 343 | Sefton | 0.37 | - | 33 | 33 | - | - |
| 344 | Wirral | 0.34 | 23 | 11 | 11 | - | - |
| 350 | Bolton | 0.35 | - | 34 | 30 | 3 | - |
| 351 | Bury | 0.29 | - | 25 | 25 | - | - |
| 352 | Manchester | 0.23 | - | 32 | 29 | - | 3 |
| 353 | Oldham | 0.40 | - | 25 | 25 | - | - |
| 354 | Rochdale | 0.27 | - | 37 | 20 | 17 | - |
| 355 | Salford | 0.31 | - | 27 | 27 | - | - |
| 356 | Stockport | 0.25 | - | 14 | 14 | - | - |
| 357 | Tameside | 0.24 | - | 34 | 16 | 18 | - |
| 358 | Trafford | 0.39 | 36 | 35 | 10 | 25 | - |
| 359 | Wigan | 0.25 | - | 35 | 35 | - | - |
| 875 | Cheshire | 0.34 | - | 18 | 13 | 5 | - |
| 876 | Halton | 0.23 | - | 29 | 29 | - | - |
| 877 | Warrington | 0.34 | - | 18 | 18 | - | - |
| 888 | Lancashire | 0.32 | 4 | 31 | 31 | - | - |
| 889 | Blackburn with Darwen | 0.25 | - | 35 | 35 | - | - |
| 890 | Blackpool | 0.22 | - | 21 | 21 | - | - |
| 909 | Cumbria | 0.32 | 2 | 52 | 19 | 33 | - |
| YORKSHIRE & THE HUMBER | | | | | | | |
| 370 | Barnsley | 0.25 | - | 5 | 5 | - | - |
| 371 | Doncaster | 0.23 | - | 16 | 12 | 5 | - |
| 372 | Rotherham | 0.21 | - | 7 | 7 | - | - |

| LA number | LA name | Dissimilarity index | Percentage of pupils | | | | | | |
|----------------------|-----------------------------|---------------------|---|---|---|--|--|---|--|
| | | | Percentage of pupils in selective schools (%) | Percentage of pupils in non selective Academy, CTC, Foundation or Voluntary Aided schools (%) | Percentage of pupils in selective Voluntary Aided schools (%) | Percentage of pupils in non selective Foundation schools (%) | Percentage of pupils in Academies & CTCs (%) | | |
| 373 | Sheffield | 0.33 | - | 7 | 7 | - | - | - | |
| 380 | Bradford | 0.38 | - | 43 | 23 | 17 | 3 | 3 | |
| 381 | Calderdale | 0.36 | 12 | 55 | 12 | 43 | - | - | |
| 382 | Kirklees | 0.34 | 3 | 12 | 8 | 4 | - | - | |
| 383 | Leeds | 0.33 | - | 13 | 13 | - | - | - | |
| 384 | Wakefield | 0.26 | - | 10 | 10 | - | - | - | |
| 810 | Kingston Upon Hull, City of | 0.25 | - | 10 | 10 | - | - | - | |
| 811 | East Riding of Yorkshire | 0.27 | - | 3 | 3 | - | - | - | |
| 812 | North East Lincolnshire | 0.31 | - | 19 | 3 | 16 | - | - | |
| 813 | North Lincolnshire | 0.28 | - | 6 | 6 | - | - | - | |
| 815 | North Yorkshire | 0.30 | 4 | 10 | 10 | - | - | - | |
| 816 | York | 0.23 | - | 25 | 25 | - | - | - | |
| EAST MIDLANDS | | | | | | | | | |
| 830 | Derbyshire | 0.22 | - | 29 | 5 | 24 | - | - | |
| 831 | Derby | 0.29 | - | 60 | 8 | 47 | 5 | 5 | |
| 855 | Leicestershire | 0.21 | - | 13 | 6 | 7 | - | - | |
| 856 | Leicester | 0.18 | - | 10 | 10 | - | - | - | |
| 857 | Rutland | 0.09 | - | 100 | - | 100 | - | - | |
| 891 | Nottinghamshire | 0.23 | - | 14 | 12 | 2 | - | - | |
| 892 | Nottingham | 0.21 | - | 33 | 17 | 7 | 9 | 9 | |
| 925 | Lincolnshire | 0.38 | 22 | 40 | 6 | 34 | - | - | |
| 928 | Northamptonshire | 0.29 | - | 37 | 9 | 26 | 2 | 2 | |
| WEST MIDLANDS | | | | | | | | | |
| 330 | Birmingham | 0.36 | 8 | 30 | 13 | 17 | - | - | |
| 331 | Coventry | 0.28 | - | 23 | 23 | - | - | - | |

| LA number | LA name | Dissimilarity index | Percentage of pupils | | | | |
|------------------------|------------------|---------------------|---|---|---|--|--|
| | | | Percentage of pupils in selective schools (%) | Percentage of pupils in non selective Academy, CTC, Foundation or Voluntary Aided schools (%) | Percentage of pupils in non selective Voluntary Aided schools (%) | Percentage of pupils in non selective Foundation schools (%) | Percentage of pupils in Academies & CTCs (%) |
| 332 | Dudley | 0.32 | - | 35 | 10 | 25 | - |
| 333 | Sandwell | 0.20 | - | 16 | 4 | 12 | - |
| 334 | Solihull | 0.42 | - | 20 | 13 | - | 7 |
| 335 | Walsall | 0.30 | 5 | 45 | 16 | 26 | 2 |
| 336 | Wolverhampton | 0.30 | 4 | 33 | 20 | 13 | - |
| 860 | Staffordshire | 0.23 | - | 15 | 8 | 6 | - |
| 861 | Stoke-on-Trent | 0.20 | 4 | 17 | 17 | - | - |
| 884 | Herefordshire | 0.19 | - | 19 | 19 | - | - |
| 885 | Worcestershire | 0.23 | - | 21 | 18 | 4 | - |
| 893 | Shropshire | 0.18 | - | 4 | - | 4 | - |
| 894 | Telford & Wrekin | 0.29 | 7 | 43 | 6 | 29 | 8 |
| 937 | Warwickshire | 0.26 | 7 | 29 | 10 | 18 | - |
| EAST OF ENGLAND | | | | | | | |
| 820 | Bedfordshire | 0.36 | - | 31 | 10 | 21 | - |
| 821 | Luton | 0.30 | - | 46 | 10 | 36 | - |
| 873 | Cambridgeshire | 0.22 | - | 41 | 2 | 39 | - |
| 874 | Peterborough | 0.29 | - | 79 | 11 | 67 | - |
| 881 | Essex | 0.30 | 3 | 69 | 7 | 63 | - |
| 882 | Southend-on-Sea | 0.40 | 28 | 51 | 14 | 37 | - |
| 883 | Thurrock | 0.28 | - | 77 | 7 | 70 | - |
| 919 | Hertfordshire | 0.28 | - | 41 | 20 | 21 | - |
| 926 | Norfolk | 0.23 | - | 31 | 7 | 24 | - |
| 935 | Suffolk | 0.25 | - | 4 | 4 | - | - |
| INNER LONDON | | | | | | | |
| 202 | Camden | 0.21 | - | 38 | 38 | - | - |

| LA number | LA name | Dissimilarity index | Percentage of pupils | | | | |
|---------------------|------------------------|---------------------|---|---|---|--|--|
| | | | Percentage of pupils in selective schools (%) | Percentage of pupils in non selective Academy, CTC, Foundation or Voluntary Aided schools (%) | Percentage of pupils in selective Voluntary Aided schools (%) | Percentage of pupils in non selective Foundation schools (%) | Percentage of pupils in Academies & CTCs (%) |
| 204 | Hackney | 0.14 | - | 44 | 41 | - | 3 |
| 205 | Hammersmith and Fulham | 0.47 | - | 54 | 54 | - | - |
| 206 | Islington | 0.15 | - | 29 | 29 | - | - |
| 207 | Kensington and Chelsea | 0.22 | - | 61 | 61 | - | - |
| 208 | Lambeth | 0.43 | - | 70 | 47 | 21 | 2 |
| 209 | Lewisham | 0.23 | - | 34 | 25 | - | 9 |
| 210 | Southwark | 0.25 | - | 51 | 33 | - | 18 |
| 211 | Tower Hamlets | 0.23 | - | 31 | 31 | - | - |
| 212 | Wandsworth | 0.20 | - | 77 | 16 | 52 | 9 |
| 213 | Westminster | 0.22 | - | 46 | 46 | - | - |
| 309 | Haringey | 0.30 | - | 18 | 12 | - | 6 |
| 316 | Newham | 0.19 | - | 16 | 11 | 5 | - |
| OUTER LONDON | | | | | | | |
| 203 | Greenwich | 0.16 | - | 21 | 21 | - | - |
| 301 | Barking and Dagenham | 0.23 | - | 9 | 9 | - | - |
| 302 | Barnet | 0.33 | 12 | 48 | 27 | 21 | - |
| 303 | Bexley | 0.32 | 23 | 31 | 18 | 6 | 7 |
| 304 | Brent | 0.23 | - | 93 | 26 | 62 | 6 |
| 305 | Bromley | 0.34 | 7 | 87 | 5 | 82 | - |
| 306 | Croydon | 0.33 | - | 68 | 36 | 26 | 6 |
| 307 | Ealing | 0.22 | - | 63 | 17 | 39 | 7 |
| 308 | Enfield | 0.34 | 5 | 32 | 15 | 18 | - |
| 310 | Harrow | 0.24 | - | 15 | 15 | - | - |
| 311 | Havering | 0.36 | - | 34 | 21 | 13 | - |
| 312 | Hillingdon | 0.27 | - | 97 | 16 | 77 | 3 |
| 313 | Hounslow | 0.19 | - | 26 | 26 | - | - |

| LA number | LA name | Dissimilarity index | Percentage of pupils | | | | |
|-------------------|------------------------|---------------------|---|---|---|--|--|
| | | | Percentage of pupils in selective schools (%) | Percentage of pupils in non selective Academy, CTC, Foundation or Voluntary Aided schools (%) | Percentage of pupils in selective Voluntary Aided schools (%) | Percentage of pupils in non selective Foundation schools (%) | Percentage of pupils in Academies & CTCs (%) |
| 314 | Kingston upon Thames | 0.24 | 18 | 36 | 18 | 18 | - |
| 315 | Merton | 0.21 | - | 26 | 26 | - | - |
| 317 | Redbridge | 0.29 | 8 | 34 | 21 | 13 | - |
| 318 | Richmond upon Thames | 0.14 | - | 8 | 8 | - | - |
| 319 | Sutton | 0.44 | 29 | 24 | 13 | 10 | - |
| 320 | Waltham Forest | 0.25 | - | 23 | 15 | 8 | - |
| SOUTH EAST | | | | | | | |
| 825 | Buckinghamshire | 0.49 | 38 | 17 | 5 | 12 | - |
| 826 | Milton Keynes | 0.36 | - | 76 | 10 | 66 | - |
| 845 | East Sussex | 0.25 | - | 7 | 7 | - | - |
| 846 | Brighton and Hove | 0.20 | - | 15 | 15 | - | - |
| 850 | Hampshire | 0.27 | - | 21 | 2 | 19 | - |
| 851 | Portsmouth | 0.28 | - | 23 | 15 | 8 | - |
| 852 | Southampton | 0.19 | - | 13 | 13 | - | - |
| 867 | Bracknell Forest | 0.24 | - | 13 | 13 | - | - |
| 868 | Windsor and Maidenhead | 0.18 | - | 9 | 9 | - | - |
| 869 | West Berkshire | 0.15 | - | 30 | - | 30 | - |
| 870 | Reading | 0.25 | 22 | 52 | 14 | 38 | - |
| 871 | Slough | 0.41 | 37 | 17 | 8 | 9 | - |
| 872 | Wokingham | 0.29 | - | - | - | - | - |
| 886 | Kent | 0.33 | 28 | 46 | 10 | 35 | 1 |
| 887 | Medway | 0.27 | 27 | 31 | 6 | 25 | - |
| 921 | Isle of Wight | 0.10 | - | - | - | - | - |
| 931 | Oxfordshire | 0.28 | - | 5 | 5 | - | - |
| 936 | Surrey | 0.28 | - | 54 | 20 | 35 | - |
| 938 | West Sussex | 0.23 | - | 14 | 14 | - | - |

| LA number | LA name | Dissimilarity index | Percentage of pupils | | | | |
|-------------------|-----------------------|---------------------|---|---|---|--|---|
| | | | Percentage of pupils in non selective Academy, CTC, Foundation or Voluntary Aided schools (%) | Percentage of pupils in selective schools (%) | Percentage of pupils in non selective Voluntary Aided schools (%) | Percentage of pupils in non selective Foundation schools (%) | |
| | | | | | | Percentage of pupils in Academies & CTCs (%) | |
| SOUTH WEST | | | | | | | |
| | Bath and North East | | | | | | |
| 800 | Somerset | 0.25 | - | - | 11 | 24 | - |
| 801 | Bristol, City of | 0.22 | - | - | 19 | - | 6 |
| 802 | North Somerset | 0.25 | - | - | - | - | - |
| 803 | South Gloucestershire | 0.25 | - | - | - | - | 5 |
| 835 | Dorset | 0.18 | - | - | 12 | 17 | - |
| 836 | Poole | 0.34 | 22 | 49 | 11 | 38 | - |
| 837 | Bournemouth | 0.26 | 18 | 33 | 21 | 12 | - |
| 865 | Wiltshire | 0.19 | 5 | 46 | 7 | 39 | - |
| 866 | Swindon | 0.21 | - | 41 | 10 | 32 | - |
| 878 | Devon | 0.17 | 2 | 11 | 3 | 8 | - |
| 879 | Plymouth | 0.31 | 13 | 8 | 8 | - | - |
| 880 | Torbay | 0.26 | 26 | 37 | 11 | 26 | - |
| 908 | Cornwall | 0.13 | - | - | - | - | - |
| 916 | Gloucestershire | 0.35 | 12 | 68 | 9 | 59 | - |
| 933 | Somerset | 0.20 | - | 4 | 3 | 1 | - |

Source: PLASC 2005

(1) Dissimilarity Index = $0.5 * (\text{Sum}|\text{F}-\text{NF}|)$ where F is the school's share of pupils eligible for free school meals in the LA, and NF is the school's share of pupils not eligible for free school meals in the LA.

(2) pupils of compulsory school age (Year 7-11)

(3) excludes middle deemed secondary schools



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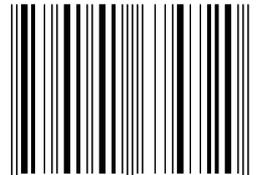
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