



Department
for Education

Removal of selection at wholly selective academies: Area Ballot

June 2015

[9] [11]¹ Removal of selection at wholly selective Academies.

1. This annex applies to any Academy which was designated as a grammar school under the Education (Grammar School Designation) Order 1998 – or subsequent designation orders made under section 104 of the School Standards and Framework Act 1998- prior to their entering into Academy arrangements with the Secretary of State under section 1 of the Academies Act 2010.

Proposals by the Academy Trust to remove selection

2. Where an Academy Trust for a wholly selective Academy wishes to remove the Academy's selective admission arrangements they will follow the process set out below.

3. The Academy Trust will ballot all parents of registered pupils at the school on the question 'are you in favour of the Academy removing selection by ability and introducing admission arrangements which admit children of all abilities?'

4. If a simple majority of parents vote to remove selection, the Academy will determine admission arrangements that do not provide for selection by ability.

5. The ballot must allow parents a minimum of five weeks within which to vote. The ballot must be initiated prior to 25 January and the ballot result must be declared by 1 March in the determination year².

6. If a ballot is in favour of the removal of selection, non selective admission arrangements must be determined by 15 April in the determination year.

7. If a ballot does not vote in favour of the removal of selection the Academy Trust must retain the Academy's selective admission arrangements.

Parental Ballots to remove selection.

8. There are three ways of removing selection at wholly selective Academies via a parental ballot.

9. The arrangements are changed as result of a **whole area ballot**³, ("area ballot"), the Academy in question is subject to a **stand alone ballot**⁴ or where the school is subject to a **group ballot**⁵.

10. The **moratorium period** set out in regulation 16 of the Ballots Regulations will apply. That is, where the result of a ballot is that the grammar schools in a selective area, or the Academy in a stand-alone ballot to which the ballot relates should retain selective admission arrangements, no further ballot shall be held or petition raised within the

¹ For single academy trusts, number this document '11' and insert it at the end of the funding agreement. For multi academy trusts, number it '9' and insert it at the end of the SFA.

² A 'determination year' is the Academy Financial Year beginning two years before the Academy Financial Year which the admissions arrangements will be for e.g. consultation to end in March 2011 and determination to be in April 2011 for admissions in September 2012

³ A "whole area ballot" has the same meaning as an "area ballot" (as defined by regulation 11(2) of the Ballot Regulations: a ballot which relates to all grammar schools within a relevant area.)

⁴ A "stand alone ballot" is a ballot which relates to a stand alone grammar school as defined in regulation 11(1)(c) of the Ballots Regulations.

⁵ A 'group ballot' is a ballot which relates to a prescribed group of schools as set out in Schedule 2 to the Education (Grammar School Ballots) Regulations 1998

period of 5 years from the ballot result date. This moratorium does not apply to the procedures in paragraphs 2-7 of this annex.

11. [Name] Academy is subject to [the result of a whole-area/] ballot [concerning the grammar schools in **Bexley/Buckinghamshire/Kent/Lincolnshire/Medway/Slough/Southend/Torbay/Trafford/Sutton and Nonsuch Ward**][*delete as appropriate for whole area ballots*].

Academies subject to the result of whole area ballots.

12. Where the Academy is located within the local authority areas set out under regulation 2(1) and schedule 1 to the Ballots Regulations (**Bexley, Buckinghamshire, Kent, Lincolnshire, Medway, Slough, Southend, Torbay, Trafford or Sutton and Nonsuch Ward**) and would thus, prior to becoming an Academy, have been subject to any ballot on selective admission arrangements in that area, if there is a ballot of parents, under the provisions of the Ballot Regulations, within those areas, the Academy must abide by the result of the ballot .

13. Where the result of the whole area ballot is to remove selection, the Academy will determine non-selective admission arrangements by the date set out in paragraph 14 of this Annex. If the ballot does not vote in favour of removal of selection the Academy Trust must retain the Academy's selective admission arrangements.

Implementation of decision that an Academy should cease to have selective admission arrangements

14. In the case of a successful ballot, the Academy Trust will secure that their admission arrangements are revised so that the Academy no longer has selective admission arrangements.

- a. where the ballot result date is on or before 31st December in any school year – or where the Secretary of State has chosen not to declare a ballot void -, it will determine non selective admission arrangements by the date in paragraph 6 of this annex; and
- b. where the ballot result date is after 31st December in any school year, it will determine non selective admission arrangements in the following determination year, by the 15 April



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