

## Parliamentary Questions – ban on civil society organisations objecting to school admission arrangements

*This document will be updated as and when further questions are tabled or answered*

### Answered questions

**Q. Baroness Meacher (Crossbench):** To ask Her Majesty's Government how they define "vexatious" in relation to the objections submitted to the Office of the Schools Adjudicator by secularist campaigning groups over the last two years. (01/02/2016)

**A. Parliamentary Under Secretary of State for Schools Lord Nash (Conservative):** On 25 January 2016, the Secretary of State announced changes to the school admissions code, in order to give parents more of a say in the school admissions process so they can be confident the system works for them.

The Government proposes that only local parents and local authorities should be able to refer objections about a school's admissions arrangements to the Schools Adjudicator. The Government wants to ensure that the Adjudicator is able to focus on any concerns which parents may have about the fairness of the admission arrangements of their local school, and that adjudications are not held up by the need to consider large numbers of objections referred by interest groups from outside the area.

The Department will conduct a full public consultation in due course and will give careful consideration to all the views expressed in that consultation. (12/02/2016)

**Q. Baroness Meacher (Crossbench):** To ask Her Majesty's Government what assessment they have made of the impact that preventing groups and organisations from objecting to school admissions arrangements will have on overall levels of compliance with the School Admissions Code. (01/02/2016)

**A. Lord Nash:** The Government's proposed changes are intended to ensure that the Adjudicator is able to focus on any concerns which parents may have about the fairness of the admission arrangements of their local school, and that adjudications are not delayed by the need to consider large numbers of objections referred by interest groups from outside the area.

The Department does not believe that preventing other organisations from submitting objections will have a detrimental impact. The Government will be conducting a full public consultation in due course and will give careful consideration to all the views expressed in that consultation. (12/02/2016)

**Q. Baroness Meacher (Crossbench):** To ask Her Majesty's Government what assessment they have made of how many breaches of the School Admissions Code there have been as a consequence of groups and organisations being able to object to schools' admission arrangements. (01/02/2016)

**A. Lord Nash:** The Schools Adjudicator reports annually to the Secretary of State on fair access, and this report includes information on the objections referred to the Schools Adjudicator and the outcomes of those objections. The Department is carefully considering the findings contained in the report and will take these into account, along with other relevant information, as part of the current review of the School Admissions Code. (12/02/2016)

**Q. Lord Warner (Non-affiliated):** To ask Her Majesty's Government what assessment they have made of the findings of the report by the Fair Admissions Campaign and British Humanist Association, *An Unholy Mess*, and in particular that report's recommendations that guidance be produced for schools to help them to ensure that they comply fully with the School Admissions Code. (01/02/2016)

**A. Lord Nash:** Admission authorities for all state-funded schools, including schools with a religious designation, are required to comply with the mandatory provisions of the School Admissions Code and other admissions law.

Where an objection is made to the Schools Adjudicator, if the arrangements are found to be unfair or fail to comply with the Code, the admission authority must make changes to ensure their arrangements are compliant without undue delay. Where an admission authority fails to implement decisions of the adjudicator, the Secretary of State may direct the admission authority to do so.

We continue to keep the Code under review, and, where we consider any changes are necessary to make the admissions system work more effectively for parents, these will be subject to a full public consultation. (15/02/2016)

**Q. Lord Warner (Non-affiliated):** To ask Her Majesty's Government whether they support objections to a school's admissions arrangements if those objections have been upheld. (01/02/2016)

**A. Lord Nash:** The School Admissions Code exists to ensure that places in all state funded schools are allocated in a fair and transparent manner. It is particularly important that parents feel confident that their concerns are listened to and acted upon.

The Government has recently announced its intention to change its policy, to ensure that the adjudication process is focused on dealing with the concerns of those who have a direct interest in the fairness of the admission arrangements of their local school. The adjudication process should not be delayed by the need to also consider large numbers of objections referred by interest groups from outside the area.

These changes will be subject to a full public consultation and parliamentary approval. (15/02/2016)

**Q. Lord Warner (Non-affiliated):** To ask Her Majesty's Government what consideration they have given to comments by Professor Ted Cattle of the iCoCo Foundation regarding their proposals to prevent organisations from objecting to the admissions arrangements of schools. (01/02/2016)

**A. Lord Nash:** The Department's proposed changes are designed to make sure that the Schools Adjudicator can concentrate on parental complaints. The Department wants to ensure that the Adjudicator is able to prioritise the concerns parents may have about the fairness of the admission arrangements of their local school.

The changes are still subject to a full public consultation and the Department will give careful consideration to all the views expressed in that consultation. (15/02/2016)

**Q. Lord Warner (Non-affiliated):** To ask Her Majesty's Government, in the light of their recent proposal to prevent groups and organisations from objecting to the admissions arrangements of schools, what assessment they have made of whether the average parent has the expertise to identify and object to breaches of the School Admissions Code. (01/02/2016)

**A. Lord Nash:** Parents do not need a detailed knowledge of the School Admissions Code to be able to refer objections to the Schools Adjudicator. Many parents refer objections to the Schools Adjudicator.

The Department's proposed changes are intended to ensure that the Adjudicator is able to focus on the concerns parents may have about the fairness of the admission arrangements of their local school.

The Department will be conducting a full public consultation in due course and will give careful consideration to all the views expressed in that consultation. (15/02/16)

**Questions grouped for answer (Lord Warner)**

**Q. Lord Warner (Non-affiliated):** To ask Her Majesty's Government what steps they have taken better to enforce compliance with the Schools Admissions Code among religiously selective schools, in the light of the findings of the report by the Fair Admissions Campaign and British Humanist Association, *An Unholy Mess*. (02/02/2016)

**Q. Lord Warner (Non-affiliated):** To ask Her Majesty's Government what consideration they have given to the finding of the report *An Unholy Mess*, published by the Fair Admissions Campaign last year, that a significant number of religiously selective schools are employing religious selection criteria that was not permitted by their relevant religious authority, contrary to the School Admissions Code. (02/02/2016)

**Q. Lord Warner (Non-affiliated):** To ask Her Majesty's Government what assessment they have made of the objection submitted to the Office of the Schools Adjudicator that a state-funded school sought to prioritise the admission of children on the basis of whether or not their parents have sex during the period of a mother's menstruation. (02/02/2016)

**Q. Lord Warner (Non-affiliated):** To ask Her Majesty's Government what consideration they have given to the finding of the report by the Fair Admissions Campaign and the British Humanist Association last year *An Unholy Mess* that a number of religiously selective schools have been breaking the Equality Act 2010 by directly discriminating on the basis of race or gender. (02/02/2016)

**Q. Lord Warner (Non-affiliated):** To ask Her Majesty's Government what consideration they have given to the finding of the report by the Fair Admissions Campaign and the British Humanist Association last year *An Unholy Mess* that a significant number of religiously selective schools are asking parents for information they do not need, and are not allowed to ask for, such as whether they are UK nationals or speak English as an additional language. (02/02/2016)

**Q. Lord Warner (Non-affiliated):** To ask Her Majesty's Government what consideration they have given to the finding of the report by the Fair Admissions Campaign and the British Humanist Association last year *An Unholy Mess* that a significant number of religiously selective schools are not allowing all applicants to be admitted, even when a school is undersubscribed, and what steps they are taking to ensure that all schools comply with the School Admissions Code in this regard. (02/02/2016)

**Q. Lord Warner (Non-affiliated):** To ask Her Majesty's Government what consideration they have given to the finding of the report by the Fair Admissions Campaign and the British Humanist Association last year *An Unholy Mess* that a significant number of religiously selective schools are not making clear in their admission arrangements the process by which children with statements of special educational needs are admitted; and what steps they are taking to ensure that all schools have clear guidance regarding that. (02/02/2016)

**A. Lord Nash:** Admission authorities for all state-funded schools, including schools with a religious designation, are required to comply with the mandatory provisions of the School Admissions Code and other admissions law.

Where an objection is made to the Schools Adjudicator, if the arrangements are found to be unfair or fail to comply with the Code, the admission authority must make changes to ensure their arrangements are compliant without undue delay. Where an admission authority fails to implement decisions of the adjudicator, the Secretary of State may direct the admission authority to do so.

We continue to keep the Code under review, and, where we consider any changes are necessary to make the admissions system work more effectively for parents, these will be subject to a full public consultation. (15/02/16)

**Questions grouped for answer (Lord Harrison)**

**Q. Lord Harrison (Labour):** To ask Her Majesty's Government what consideration they have given to the finding of the report by the Fair **Admissions** Campaign and the British Humanist Association last year *An Unholy Mess* that a majority of religiously selective schools may not be properly prioritising looked-after, and previously looked-after, children in their **admission** arrangements, and what steps they are taking to address this. (02/02/2016)

**Q. Lord Harrison (Labour):** To ask Her Majesty's Government what consideration they have given to the finding of the report by the Fair **Admissions** Campaign and the British Humanist Association last year *An Unholy Mess* that a significant number of religiously selective schools are still interviewing prospective pupils, despite this being banned in 2006. (02/02/2016)

**Q. Lord Harrison (Labour):** To ask Her Majesty's Government what consideration they have given to the finding of the report by the Fair **Admissions** Campaign and the British Humanist Association last year *An Unholy Mess* that a significant number of religiously selective schools are requiring practical or financial support for associated organisations such as churches and synagogues from parents, and what steps they are taking to address this. (02/02/2016)

**Q. Lord Harrison (Labour):** To ask Her Majesty's Government what consideration they have given to the finding of the report by the Fair Admissions Campaign and the British Humanist Association last year *An Unholy Mess* that a significant number of religiously selective schools are asking parents for information they do not need, and are not allowed to ask for, such as the predicted grades of their children, and how this could be prevented in future. (02/02/2016)

**Q. Lord Harrison (Labour):** To ask Her Majesty's Government what consideration they have given to the finding of the report by the Fair Admissions Campaign and the British Humanist Association last year *An Unholy Mess* that a significant number of religiously selective schools are breaking the School **Admissions** Code by taking into account the past behaviour, attendance, attitude, or achievement, of children. (02/02/2016)

**A. Lord Nash:** Admission authorities for all state-funded schools, including schools with a religious designation, are required to comply with the mandatory provisions of the School Admissions Code and other admissions law.

Where an objection is made to the Schools Adjudicator, if the arrangements are found to be unfair or fail to comply with the Code, the admission authority must make changes to ensure their arrangements are compliant without undue delay. Where an admission authority fails to implement decisions of the adjudicator, the Secretary of State may direct the admission authority to do so.

We continue to keep the Code under review, and, where we consider any changes are necessary to make the admissions system work more effectively for parents, these will be subject to a full public consultation. (15/02/2016)

## Questions awaiting answer

**Q. Baroness Meacher(Crossbench):** To ask Her Majesty's Government what assessment they have made of comments by the Chief Executive of Mumsnet stating that the Department for Education's proposal to prevent organisations from objecting to the admission arrangements of schools will "add to parental dissatisfaction". (01/02/2016)

**Q. Baroness Meacher (Crossbench):** To ask Her Majesty's Government what assessment they have made of the level of compliance with the School Admissions Code across all schools, especially in the light of the report by the Fair Admissions Campaign and the British Humanist Association, *An Unholy Mess*, that claimed a widespread failure to comply among religiously selective schools in England. (01/02/2016)

**Q. Baroness Meacher (Crossbench):** To ask Her Majesty's Government what percentage of objections submitted to the Office of the Schools Adjudicator by secularist campaign groups were upheld in the period from 2012 to 2015. (01/02/2016)

**Q. Lord Warner (Non-affiliated):** To ask Her Majesty's Government why they have changed their policy regarding allowing anyone or any organisation to object to a school's admissions arrangements. (01/02/2016)

**Q. Baroness Massey of Darwen (Labour):** To ask Her Majesty's Government what additional steps, if any, they will take to monitor and enforce compliance with the School Admissions Code in the light of their decision to limit those who can formally object to school admission arrangements; and what estimate they have made of what percentage of the objections submitted to the Office of the Schools Adjudicator by (1) parents, and (2) groups or organisations, were successful between 2012 and 2015 inclusive. (03/02/2016)

**Q. Baroness Massey (Labour):** To ask Her Majesty's Government whether it is their policy that all schools should follow the School Admissions Code, and if so, why objections to the Office of the Schools Adjudicator that have been upheld have been described by the Secretary of State for Education as "vexatious". (03/02/2016)

**Q. Baroness Massey (Labour):** To ask Her Majesty's Government what consideration they have given to comments made by Rabbi Dr Jonathan Romain, Chair of the Accord coalition, opposing proposals to prevent organisations from objecting to the admission arrangements of schools. (03/02/2016)

**Q. Baroness Massey (Labour):** To ask Her Majesty's Government what assessment they have made of the findings of the report by the Fair Admissions Campaign in 2015, and in particular its recommendations that an independent body be established actively to monitor and enforce schools' admissions arrangements. (03/02/2016)

**Q. Baroness Massey (Labour):** To ask Her Majesty's Government what assessment they have made of whether proposed changes to who can object to school admissions arrangements will have a disproportionate impact on parents from low income backgrounds. (03/02/2016)

**Q. Viscount Ridley (Conservative):** To ask Her Majesty's Government what consideration they have given to the finding of the report *An Unholy Mess*, published by the Fair Admissions Campaign and the British Humanist Association last year, that a number of religiously selective schools have sought to require all parents to commit to supporting the particular religious ethos of the school as part of the admission process; and what assessment they have made of the impact of any such practice on the encouragement of applications from a diverse range of religious and non-religious backgrounds. (08/02/2016)

**Q. Viscount Ridley (Conservative):** To ask Her Majesty's Government what consideration they have given to the finding of the report *An Unholy Mess*, published by the Fair Admissions Campaign and the British Humanist Association last year, that a number of religiously selective schools have asked parents for information about their occupational, marital, and financial status as part of the admissions process, and whether they consider this to be acceptable. (08/02/2016)

**Q. Viscount Ridley (Conservative):** To ask Her Majesty's Government what consideration they have given to the finding of the report *An Unholy Mess*, published by the Fair Admissions Campaign and the British Humanist Association last year, that a significant number of religiously selective schools have not conducted proper consultations on their admission arrangements, and in many cases have not published any information about their arrangements. (08/02/2016)

**Q. Baroness Lister of Burtersett (Labour):** To ask Her Majesty's Government, in the light of the report by the Fair Admissions Campaign and British Humanist Association last year claiming widespread breaches of the School Admissions Code among religiously selective schools, what assessment they have made of the impact on the number of breaches of the School Admissions Code of preventing groups and organisations from submitting objections to school admission arrangements. (09/02/2016)

**Q. Baroness Lister (Labour):** To ask Her Majesty's Government what steps the Department for Education has taken to ensure that schools whose admission arrangements were objected to by the Fair Admissions

Campaign in 2014 and 2015 have changed their arrangements in line with any determinations of the Office of the Schools Adjudicator. (09/02/2016)

**Q. Baroness Lister (Labour):** To ask Her Majesty's Government what assessment they have made of the degree to which religious selection in schools leads to intakes that are socio-economically unrepresentative of their local area, and of the effect of the complexity of admission arrangements employed by religiously selective schools on the representativeness of such intakes. (09/02/2016)

**Q. Baroness Lister (Labour):** To ask Her Majesty's Government what consideration they have given to the comment made in the 2014–15 annual report of the Chief Schools Adjudicator, that "the complex [admissions] arrangements of some schools do not serve local children well". (09/02/2016)

**Q. Baroness Lister (Labour):** To ask Her Majesty's Government what steps they propose to take, if any, to reduce the complexity of the admission arrangements employed by religiously selective schools, as highlighted in the report *An Unholy Mess* published by the Fair Admissions Campaign and the British Humanist Association last year, and the 2014–15 annual report of the Chief Schools Adjudicator, so that all parents are better able to understand what is required to gain admission to their local school. (09/02/2016)

**Q. Baroness Lister (Labour):** To ask Her Majesty's Government what advice or guidance, if any, they propose to provide to schools, in particular to religiously selective schools, regarding compliance with the School Admissions Code, in the light of the findings of the report *An Unholy Mess*, published by the Fair Admissions Campaign and the British Humanist Association last year, that a significant number of schools are failing to comply with the Code in various ways. (09/02/2016)

**Q. Jeff Smith MP (Labour):** To ask the Secretary of State for Education, what assessment she has made of implications for her policies of the finding in the Fair Admissions Campaign's report, entitled *An unholy mess*, published in October 2015, that schools which are their own admission authorities are consistently failing to comply with the School Admissions Code. (11/02/2016)

**Q. Jeff Smith MP (Labour):** To ask the Secretary of State for Education, with reference to her Department's press release, Parents to get greater say in the school admissions process, when her Department plans to launch its consultations on proposed revisions to the School Admissions Code. (11/02/2016)