

## **How can selective admissions to grammar schools be ended?**

Under current regulations selective entry into grammar schools remains unless a majority of local eligible parents vote in a ballot for it to change or grammar school governing bodies decide to change their admission policies to admit children of all abilities. No governing bodies have done this so far. No local authority or community can make the decision.

## **What has to happen before there can be a ballot?**

Before a ballot can be held 20% of eligible parents in the areas concerned must sign a petition calling for a ballot. To require all of the 164 grammar schools in England (there are no fully selective schools in Wales or Scotland) to take children of all abilities would need 48 petitions and ballots. First 10 people must contact the Electoral Reform Services (ERS) to say that a petition is to be gathered. This is the trigger for the ERS to collect the names of eligible parents from the local schools and to list the feeder schools (see below). A petition has to be gathered within a year.

## **Where is the legislation?**

The rules on balloting to end selection were set up by the School Standards and Framework Act 1998. The legislation is contained in Statutory Instrument 1998 No. 2876 (The Education (Grammar School Ballots) Regulations 1998). These regulations list the schools and the rules on petitioning and balloting.

<http://www.opsi.gov.uk/si/si1998/19982876.htm>

Section 107 of the School Standards and Framework Act and the Ballot Information Code (a schedule attached to the regulations) set out the conditions for the campaigns. Crucial to the legislation is the definition of an eligible parent (ie eligible to sign a petition and vote in a ballot). The definition differs depending on whether the ballot would be an area or feeder ballot.

## **What is an area ballot?**

In area ballots all parents living in the area are eligible to sign a petition and ballot, including those with children below school age or those living outside the area but with children in the schools within the LEA. However parents who choose to send their children to (perhaps non-selective) schools outside the area have to register, whereas parents sending their children to the (perhaps grammar) schools in the area are automatically on the list of eligible parents. Area ballots would be needed to end selection in the ten LEAs defined by the regulations as fully selective (Bexley, Buckinghamshire, Kent, Lincolnshire, Medway, Slough, Southend, Sutton, Torbay, Trafford).

## **How does a feeder school ballot differ?**

For the 38 ballots in the other 26 English LEAs with grammar schools only parents who have children in the feeder schools to the grammar schools would be eligible. Feeder schools are those which have sent a total of five or more pupils to the grammar schools in question over the year when the signatures are being gathered and the preceding two years.

## **Have any ballots happened?**

The only ballot to be held was in Ripon in 2000 to ask parents if they supported a change to admissions to Ripon Grammar which is a co-ed grammar across the road from a co-ed secondary

modern. It was a feeder ballot with a relatively small electorate. Two thirds of the eligible parents who took part voted to keep the status quo. But what the vote made clear was the unfairness of feeder ballots and the lack of information compared to a genuine consultation on change. In Ripon parents did not know if their decision would mean the amalgamation of the two schools for example.

#### **Why are these rules unfair?**

- The system seems designed to ensure there is no proper debate. The effects of selection on children and their educational opportunities do not get the consideration they deserve. Campaigners have to focus on getting signatures although the real issue is selection. Potential voters do not have any official information about the effect of selection.
- The Ballot Information Code covers material produced by campaigners. Section 107 is designed to stop schools or local authorities spending money on influencing the outcome of a petition or ballot. Both are subject to differing interpretations. Discouraged by these regulations teachers and LEAs do not make their views clear. So, a 'neutral stance' from the professionals means - in practice - support for the status quo. There is no limit on spending. This tends to favour supporters of selection. The Ripon pro-selection lobby could afford to send a video to every home.
- In a later concession following the Ripon ballot, the then DfEE ruled that an A4 information leaflet could be sent out via schools, once enough signatures had been gathered to trigger a ballot. The content would have to be approved first by the Department. But it is as soon as signatures are sought that unfair practices emerge and misinformation begins. In Ripon once the petition threshold was reached ballot papers were sent out and returned very quickly. No real debate happened, so had information been produced then, it would have been useless.
- Campaigns need to know the 20% threshold number, and feeder school ballot campaigners also need to know which schools are feeder schools, to avoid wasting time asking parents who are not eligible. This information is collected by ERS. All local schools are contacted to provide lists of names of parents. This lengthy process, often taking several months into the year in which the signatures have to be collected, costs a great deal of public money.
- In most cases many thousands of signatures would be required before parents could vote. For example about 18,000 signatures would be needed to trigger a ballot in Bucks. All signatures must be collected in one petition year. Petition signatures cannot be carried over from one petition period to another despite that fact that only one cohort of parents becomes ineligible each year and a new one eligible. Campaigners have to contact all parents directly to ask them to sign a petition. Petitions cannot be sent out via schools. It is difficult to get the parental lists as only parents from the particular school can ask for them, and many are reluctant. Collecting signatures door to door takes a great deal of time. The petition takes ages to fill in.
- The eligibility to vote in feeder ballots shows clear social segregation. Primary schools where most children are disadvantaged send few children to grammar schools. As a result they are not feeder schools and thereby their parents have no say in ending selection. Inevitably private school parents are over represented in feeder ballots as many private schools coach pupils to pass the entry tests to grammar schools. In Ripon private school parents made up a quarter of the electorate, although a parliamentary question at the time revealed that only 4.6% of primary children in North Yorkshire were in private education.

- In feeder school areas many local parents are ineligible to sign petitions and vote. Parents with children in infant schools are ineligible. In Barnet campaigners trying to collect signatures found that parents at a primary school next door to a grammar school were not eligible to sign the petition as not enough of the children at their school had passed the entry test. The second largest group of the Ripon electorate, after private school parents, were the parents in a school 10 miles away, while some Ripon parents were ineligible.

### **What does Comprehensive Future want to see instead?**

Comprehensive Future wants an end to selection on ability and aptitude. No major party supports selection. No other change to existing schools requires campaigns initiated locally involving a petition and a ballot - a change to academy status for example.

Selection into grammar schools could be ended, as it was in the past, by a requirement that the schools to stop selecting the next intake and from then on. Our pamphlet *Ending Rejection at 11* sets out how this could be done. We do not want to see any grammar school closed but gradually, over a number of years, these schools becoming comprehensive in intake. This could be done without disruption to families or staff in the school. If the Government of the day required a parental voice to be included, regulations could be introduced to allow parents to vote to keep selection if a sufficient number wished to do so.

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