



Office of
the Schools
Adjudicator

Determination

Case reference: ADA3667

Objector: An individual

Admission authority: The London Borough of Redbridge for Ilford County High School.

Date of decision: 13 October 2020

Determination

In accordance with section 88H(4) of the School Standards and Framework Act 1998, Mrs Talboys and I do not uphold the objection to the admission arrangements for September 2021 determined by the London Borough of Redbridge for Ilford County High School, Redbridge.

We have also considered the arrangements in accordance with section 88I(5) and found that there were other matters which did not conform with the requirements relating to admission arrangements in the ways set out in this determination. These other matters have been revised by the admission authority.

The referral

1. Under section 88H(2) of the School Standards and Framework Act 1998, (the Act), an objection has been referred to the adjudicator by an individual (the objector), about the admission arrangements (the arrangements) for Ilford County High School (the school), a selective community secondary school for boys aged 11 – 18 for September 2021. The objection is to the following:
 - a. the use of age standardisation in the selection tests, which is said to operate unfairly;
 - b. failure to set out clearly how the pass mark is set;
 - c. the setting of the pass mark before the tests are taken;

- d. offering priority to applicants eligible for the Pupil Premium;
 - e. re-use of the same tests for late applicants; and
 - f. refusal to offer late testing.
2. The local authority for the area in which the school is located is the London Borough of Redbridge. The local authority is the admission authority and is a party to this objection. Other parties to the objection are the school and the objector. The school has declined to comment.
 3. This is one of 12 objections to the admission arrangements for September 2021 for 12 different schools referred to the Office of the Schools Adjudicator by the same objector. Mrs Ann Talboys and I have been appointed as joint adjudicators for these 12 objections as permitted by the Education (References to Adjudicator) Regulations 1999. I have acted as the lead adjudicator for this case and have drafted this determination.
 4. There are a number of aspects which are common to all 12 objections. We are aware that the objector has made objections to other schools in previous years about these same aspects. Those objections have been determined by different adjudicators. We have read the relevant previous determinations and taken them into account. Those determinations do not form binding precedents upon us, and we have agreed that we should consider each of these aspects afresh. Therefore, the approach we have taken is to discuss the objections which have been made this year to each of the common aspects and agree the wording of our determinations in relation to those aspects. Identical wording will appear in each of the 12 determinations in relation to these common aspects.
 5. Where an objection also contains aspects which are unique to that objection, the lead adjudicator has made a determination on each of those aspects which has then been read and agreed by the other adjudicator prior to publication of the determination.

Jurisdiction

6. These arrangements were determined under section 88C of the Act by the London Borough of Redbridge, the local authority, which is the admission authority for the school. The objector submitted his objection to these determined arrangements on 14 April 2020. We are satisfied the objection has been properly referred to us in accordance with section 88H of the Act and that one aspect of the objection is within our jurisdiction, namely the objection to the use of age standardisation in the selection tests.
7. We have also concluded that the following aspects of the objection are “the same or substantially the same” as an objection determined by the adjudicator on 17 January 2020. This is case number ADA3527 which can be found by clicking on the following link www.education.gov.uk/schoolsadjudicator, and inserting the name of the school into the search engine. These aspects are as follows:

- a) The arrangements are unclear about how the pass mark is set, and therefore how places are allocated; the setting of the pass mark is flawed and there can be no basis for setting it as it is which are based upon the ability to benefit from a grammar school education.
 - b) Pupil Premium: creating a two-tier system is “nonsensical” and is unfair to applicants on higher scores who would have been offered a place if a place had not been offered to an applicant eligible for Pupil Premium on a lower score.
 - c) Re-use of the same tests for late applicants is unreasonable and unfair because there is a risk that applicants who have taken the tests will pass on the questions to those taking the test at a later date.
 - d) The admission authority is refusing late testing.
8. Regulation 22 of the School Admissions(Admission Arrangements and Co-ordination of Admission Arrangements) (England) Regulations 2012 (the Regulations) and paragraph 3.3(e) of the School Admissions Code (the Code) state that objections “**cannot be brought** which raise the same or substantially the same matters as the adjudicator has decided on for that school in the last 2 years”.
 9. As the Regulations and the Code prevent the objector from bringing an objection to the matters listed above, we are unable to consider these aspects of the objection. The case manager informed the objector of this by letter dated 20 May 2020. The letter also informed him that we would consider any representations he wished to make in relation to jurisdiction, and that any such representations would be circulated to the local authority for information. The objector has made no representations on jurisdiction.
 10. In his response to the representations of the admission authority, the objector raised an additional issue which is not part of the objection. This related to the practice of affording more time to complete the selection tests to applicants with learning difficulties and other disabilities. Since this was not part of the objection and was not raised before the deadline for objections of 15 May 2020, we are not able to consider it.
 11. We have also used our power under section 88I of the Act to consider the arrangements as a whole.

Procedure

12. In considering this matter we have had regard to all relevant legislation and the School Admissions Code (the Code).
13. The documents we have considered in reaching our decision include:
 - a. a copy of the minutes of the meeting of the LA at which the arrangements were determined;
 - b. a copy of the determined arrangements;
 - c. the objector’s form of objection dated 14 April 2020, supporting documents and

- subsequent correspondence;
- d. the local authority's response to the objection;
 - e. responses to questions we have raised with the test provider; and
 - f. ADA3527 determined on 17 January 2020.

The Objection

- 14. The key issue which is the subject of this determination is the objection to the use of age standardisation in the selection tests. The objector says that, although it appears that age standardisation is used in the selection tests, this is not made clear in the arrangements. It is the objector's view that age standardisation is not needed, and that its use creates an unfair advantage to younger applicants.

Other Matters

- 15. In a letter from the case manager dated 20 May 2020, other matters were drawn to the attention of the admission authority as they appeared not to conform with the requirements of the Code. These were the definition of looked after children and previously looked after children, which appeared to be incorrect, and the fact that the arrangements did not contain a map of the catchment area.

Background

- 16. The school is a selective school for boys aged 11 to 18. The Published Admissions Number (PAN) for September 2021 is 180. There is also a selective school for girls, Woodford County High School, in the local authority which has the same admission arrangements, the same PAN and shares a common catchment area. Both schools are heavily oversubscribed. Eligibility for entry is determined on the basis of an applicant's total age standardised test score in the selection tests. There is a pre-set pass mark of 104. The arrangements say that no applicants scoring less than 104 will be added to the ranked list or the waiting list. Where there are more eligible applicants than there are places, the oversubscription criteria are applied. These can be summarised in order of priority as follows:
 - I. Looked after and previously looked after children.
 - II. Children formerly in state care outside England and Wales.
 - III. Children eligible for the Pupil Premium at the time of application for a place ranked according to the total standardised score in order of merit.
 - IV. Children living in the catchment area ranked according to the total standardised score in order of merit.

- V. Children living outside the catchment area ranked according to the total standardised score in order of merit.
17. The arrangements say that the level of ability for entry is very high, and that in the last five years only applicants who live in the school's catchment area have been admitted. The deadline for registration for the tests was 24 June 2020. Parents are told their child's overall position in order of total standardised score before the deadline for expression of preferences on 31 October. There is a wealth of information for parents about the test procedure; the number of applications; results and minimum scores for admission in the previous year. This information is all accessible via a link on the school's website appearing next to the published admission arrangements.

Consideration of Case

The objection

18. The objector says in the form of objection: "It appears age standardisation is used, yet this is not clear in the admissions policy. Age standardisation is flawed. No age standardisation occurs for A levels, GCSEs or year **6 SATs** (tests where an expected standard of **100** is expected), the latter which is sat just 8 months after the main 11+ date. It was not even used in the old year 2 SATs tests. It is not used for phonics tests or multiplication tests. Age standardisation is never used in any public examination". He asks whether all of these other forms of testing are wrong not to use age standardisation, and why age standardisation is required for the school's selective tests but not required for SATs.
19. The objector's view is that age standardisation is used based upon the claim that different age groups score different marks as they are younger or older as the case may be. However, he considers that the research which has led to this claim is flawed and rarely challenged. What does make a difference to an applicant's score (he says) is preparation. Preparation and tutoring for the tests effectively mean that the applicant's age becomes irrelevant, and most applicants prepare or are tutored. Therefore, age standardisation provides an unfair advantage to younger applicants. The objector suggests that there is no evidence that age standardisation will lead to fair outcomes in a situation where the majority of applicants have prepared or are tutored.
20. In the objector's words: "It is obvious that age standardisation is not required when tests are prepared for. A 16 year old is no better at recalling multiplication tables than a 10-year old who has been practising. A 10-year old who has been practising NVR questions can beat a number of MBA graduates taking the same test (this I have demonstrated further, with my own sons). Age is irrelevant to the score if one prepares. Preparation is king". The objector later produced furthermore detailed information in support of his arguments. He suggests that, although some children taking the school's selection tests are inevitably younger than others, they will have had the same number of years of schooling. By Year 6, after nearly seven years of being taught the same things, any disadvantage caused by being younger will (he says) have narrowed

considerably. The objector claims that the only content of the 11+ tests which is not taught in schools is Non-verbal Reasoning.

21. The objector's argument is that all children begin at the same level and have to prepare themselves and are capable of reaching their "theoretical maximum". Some children will take longer to reach their theoretical maximum than others after which extra practice has negligible benefit. "This is not simply age dependent, it is skill dependent. Age has no great advantage. 10 year olds fare no worse in NVR than MBA graduates if they prepare; in the same way 10 year olds fare no worse than an MBA graduate in a multiplication tables test. I would anticipate that the 10 year old would be faster than the MBA graduate."
22. The objector's statements appear to be opinion possibly based upon his own experience. We do not need to decide whether his opinions are correct because the question we are considering here is whether standardising 11+ test scores by age creates an unfairness. A 10 year old may do better in a multiplication test than an MBA graduate because he/she has learned the multiplication tables more recently or has a better memory. Repeating tables is a test of memory, not a test of reasoning. The difference between Verbal and Non-verbal reasoning tests and many other types of tests is that success cannot be achieved simply by repeating specific learned information. For example, to do well in the comprehension questions, it will be necessary to have a wide vocabulary. Candidates are required to have absorbed information from many sources and to apply it correctly. Whilst the ability to memorise may not be improved by maturity, the ability to reason is something entirely different.
23. If maturity is developed over time, it would seem to us that children may not all be able to approach these tests from the same level, as the objector suggests. Nobody would suggest that a three year old would be capable of approaching these tests in the same way as a ten year old, for example. There is an age gap of nearly a year between the oldest child taking the 11+ test and the youngest. The questions for us are whether age makes a difference; if so what that difference is; whether standardising the tests by age compensates for the difference; and whether it compensates effectively. The tests are a competition, and in order for any competition to operate fairly, the objective must be that all competitors come to the starting gate at the same time and that there is a level playing field insofar as the tests themselves are capable of achieving this. Familiarisation with the types of questions asked and practice may improve scores, but admission authorities and test providers have no control over whether children prepare or are coached.
24. The LA was asked to comment on the objection and to say why it used tests which are standardised by age. The response was that the LA had changed test providers from GL to CEM in 2013; was unable to locate any records to explain why it had adopted the age standardisation currently used; and those involved had since left the authority. The LA has told us that it has received the following information from CEM, the test providers:

“The age standardised scores/points are calculated from the raw scores to allow candidates to be compared when their age profiles are quite different. The age standardisation is based on days taking into account candidate’s date of birth.

I regret that we cannot provide age related calculations. Under Section 43(2) of the Freedom of Information Act, information that would prejudice a commercial interest can be withheld. We believe that disclosing this information would be likely to prejudice our commercial interest as it would enable competitors to understand our standardisation process which is the result of investment by CEM. This could enable our competitor to understand our general approach to the test”.

The LA says: “We would only add that our admission arrangements are predicated on the candidates who have attained and exceeded the pass mark. The calculations to determine these candidates, including the standardisation process, sits entirely with CEM and does not form any part of our admission arrangements”.

25. In dealing with the 12 objections which have been referred to us, we were conscious that admission authorities were in a difficult position in being asked to respond to questions about the selection tests they use, and that CEM was the appropriate body to answer detailed questions about the 11 plus tests which they sell to grammar schools. We asked CEM a series of questions. The ones specifically relevant to this objection were:

- Could CEM provide us with the methodology it uses for age standardisation of test results? What is the evidence base which underpins the need for this age standardisation?
- Could CEM advise us on the process it uses to ensure that the selection assessments are a true test of ability?

26. CEM’s response was as follows:

“The reason that CEM uses age standardisation, is that in assessments of ability it is expected that the older learners achieve higher scores than the younger learners. In a typical classroom, some learners will be up to 12 months older than their youngest peers. When CEM interpret assessment results our interest is in comparing learner’s ability against the ability of a wider group and it is important that any differences seen are down to ability and not purely down to the age of the learners. Age standardised scores correct for the effect age has on assessment scores. Age standardised scores allow meaningful comparisons to be made between learners in a class, school or larger group.

The age standardised scores are calculated from the raw scores to allow candidates to be compared when their age profiles are quite different. The age standardisation is based on the age of learners on the day they take the assessment.

CEM cannot provide full details of how the calculations are done. Under Section 43(2) of the Freedom of Information Act, information that would prejudice a commercial interest can be withheld. CEM believe that disclosing this information would be likely to prejudice our commercial interest as it would enable competitors to understand our standardisation process. This could enable our competitors to understand our general approach to the test.

In terms of assessment development – all questions are selected from a bank of items that have been specifically written and designed to be appropriate for assessing pupils at the beginning of the Autumn term in Year 6 of the English school system.

Our tests correlate highly with KS2 SATs results: separate studies have shown correlations of around 0.75 on samples of 4000-5000 pupils”.

27. The objector makes two substantive claims, first that the arrangements do not indicate whether age standardisation is used in the selection tests, therefore they are unclear. Second that the tests do not give an accurate reflection of an applicant’s ability because they give an unfair advantage to younger applicants. Additionally, if the school’s tests operate unfairly, this may mean that the practices used to decide the allocation of places are not objective or reasonable.
28. Dealing first with the issue of clarity, the arrangements refer in several places to “the standardised score” but the term is not explained. Section 2.9 of the arrangements says that parents will be provided with advice on their child’s overall position in order of “total standardised test score”, and oversubscription criteria 3, 4 and 5 rank priority according to “the total standardised score in overall order of merit”. However, it is not clear that these references refer to standardisation by age.
29. Although the arrangements themselves do not explain the type of selection tests used, there is a link on the school’s website alongside the published admission arrangements relating to further information about the 11+ tests. I clicked on the link which led to a different page with detailed information about the nature of the tests, numbers of applications and test scores for the previous year, familiarisation booklets and other advice for parents. There was a section entitled ‘**Standardisation**’ which reads: “The tests will be standardised according to the candidate’s age on the test date; candidates have age-weighted to their test results where appropriate. This is called age standardisation and it means that being older or younger disadvantages no child. The standardisation takes into account the number of children taking the test, their average age and their average score. However, no guarantee can be made before National Offer Day on March 1 2021 that the candidate’s total standardised score will secure them a place at the school.”
30. Paragraph 14 of the Code states that “In drawing up their admission arrangements, admission authorities **must** ensure that the practices and the criteria used to decide the allocation of school places are fair, clear and objective. Parents should be able to look at

a set of arrangements and understand easily how places for that school will be allocated". The objector is correct that the admission arrangements themselves make reference to standardisation without explaining that what is referred to is age standardisation, or what age standardisation is, and so could be said to be unclear.

31. However, the arrangements do not contain only the arrangements for this school, they set out the arrangements for Redbridge primary schools, nursery classes, comprehensive secondary schools, selective secondary schools and sixth forms. Where this is the case, it will be clearer for parents to set out the detailed information which they need about the selection tests in a separate document. This is reasonably common practice for schools which are their own admission authorities as well as local authorities. We take the view that the arrangements are sufficiently clear to comply with paragraph 14 where any additional information about the tests which parents need to read is published alongside the main admission arrangements, clearly signalled to parents and accessible via a one-click. As this is the case, we do not find the arrangements to be unclear in the manner suggested by the objector. Therefore, we do not uphold this aspect of the objection.
32. As we have said above, the objector also suggests that the process of age standardisation provides an unfair advantage for younger children. He believes that the extensive preparation for the tests which children undertake renders the need for age weighted standardisation of test results "*null and void*". The objector cites paragraphs 14 and 1.31 of the Code. I have set out paragraph 14 in full above. It requires that the criteria used to decide the allocation of places are fair and objective. Paragraph 1.31 of the Code states that "The test for all forms of selection **must** be clear, objective, and give an accurate reflection of the child's ability or aptitude irrespective of sex, race or disability".
33. The objector asks why other major assessment events such as SATs or GCSEs are not age standardised and suggests that, because these other assessments are not age standardised, the selection tests for grammar schools should not be age standardised. This issue could of course be argued both ways; if age standardisation is deemed appropriate for grammar schools' tests then why is it not introduced into the SATs and GCSE processes? A look at the online conversations about this topic shows clearly that there are strong views on both sides of this argument, both from parents and assessment providers. This determination, however, concerns the fairness of the admission arrangements for a specific school and deals only with the selective school tests for that school. We will therefore limit our conclusions in this matter to the school in question, its admission arrangements and the selective assessment tests which are part of them.
34. There is significant and compelling research evidence that children who are 'summer born' perform less well in tests of ability than children born at other times of the year. This gap is clear in primary aged children and remains an issue even into the later stages of secondary school. A study by the Institute of Fiscal Studies entitled 'When

You Are Born Matters; The Impact of Date of Birth on Child Cognitive Outcomes in England” collates many previous pieces of research and looks at the reasons why summer born children perform less well. The paper also puts forward some suggestions about mitigating this effect.

35. It is important to be clear about the purposes and rationale of age standardisation and why it might be (or not be) necessary. Age standardisation assumes that the period of birth does not affect the innate intellectual ability of the pupil at the time of taking the test but that the test performance may be affected by age. A younger child might well not perform as well in the test simply because of age and experience rather than because of lower ability. At the time pupils take the 11+, one child taking the test might be born on the first day of the school year (September 1) while another might be born on the last day (August 31). With what amounts to a whole year’s difference in their ages, the older child is clearly at an advantage; for example, they will have been exposed to more language and, on average, a greater range of vocabulary. As children are exposed to a new vocabulary at the rate of more than 1000 words per year, the difference can be very significant for the 11+ tests. Age standardisation removes this potential unfairness and the marks are adjusted to make them ‘standard’ for all children regardless of their age.
36. We are of the view that age standardisation removes some of the potential unfairness for summer born children in the 11+ tests and therefore its inclusion in the admission arrangements for these schools is fair.
37. The objector makes the point that age standardisation is made ‘null and void’ by the extensive preparation which children receive before the 11+ tests. He maintains that “Most children who sit tests prepare. Many are tutored. Some are prepared in outreach programmes free of charge.” The objector has not produced any evidence to substantiate this statement, so therefore we do not know how many pupils are tutored and we have no evidence of preparation through outreach programmes. We are aware that test familiarisation materials are made available to pupils who will be sitting the tests and these documents appear on the admission sections of the websites of some of the schools. These materials are familiarisation information to show how the tests are carried out, completed and marked and they provide examples of the type of question which will be asked in the tests. They are designed to prevent undue anxiety for those pupils who are sitting the tests.
38. We are also aware that many pupils receive additional preparation through tutoring for the 11+ tests. A literature review commissioned by the Office of the School Adjudicator (OSA) which looked at disadvantaged pupil performance in the 11+ test studied this element of the process and confirmed that “Pupils that have been tutored are more likely to access a grammar school, and children in households with larger incomes are more likely to have access to tutoring. Tutoring is found to be effective at supporting pupils to pass the 11-plus.” However, there is nothing in the law or the Code which forbids the use of paid tutoring or additional coaching. We are unaware of the scale of additional tutoring/mentoring/support for pupils in the primary schools in this case. If, as the

objector suggests it is widespread for this school then we do not believe that it makes the use of age standardisation 'null and void'. If all pupils are tutored and improve their scores because of it then the attainment gap between summer born children and others would remain the same- albeit at slightly higher score levels.

39. In summary we are of the view that there is substantial and compelling research which shows that 'summer born' children are at a disadvantage when being tested for ability towards the end of their primary education and that the application of an age standardised weighting to the test scores reduces this disadvantage and makes the tests 'fairer'. Whilst tutoring/coaching/mentoring appears to improve the test results of many pupils, there is no evidence in the research materials we have looked at and the objector has not produced any evidence to suggest that it diminishes the achievement gap due to age. We therefore do not accept that additional preparation for the 11+ tests negates the need for the age standardisation weighting and we do not uphold this element of the objection.

Other matters

40. It was pointed out to the local authority that the definitions of 'looked after children' and 'previously looked after children' in section 2.13 of the arrangements appeared not to comply with paragraph 14 of the Code because they seemed to be incorrect and misleading and therefore unclear. The local authority agreed to revise the wording for this definition, and has confirmed to us that it has done so. We are grateful to the local authority for its cooperation in this matter.
41. Note xi in the arrangements referred to catchment areas, and there is a link which takes you through to the main local authority website. The arrangements did not contain maps of the catchment areas. When the words 'school catchment areas' were inserted into the search engine on the main website, this did not lead to any obvious page containing maps of the catchment areas for 2021/2022. Insertion of the postcode of the council offices gave the nearest school to that address but this did not show the extent of the catchment area for that school.
42. There was a map of the catchment areas for various different schools in a document entitled "Transfer to Secondary Schools 2020", which appeared to be the previous year's annual prospectus. This map did not appear to be sufficiently clear to comply with paragraph 14. It appeared not to be possible for a parent to look at the arrangements for 2021/2022 and understand what the catchment area is for any Redbridge secondary schools. A school's catchment area is part of the admission arrangements and must either be described clearly in the arrangements, or there should be a map attached as part of the arrangements. It is not sufficient to publish maps in the annual prospectus because the prospectus for admissions in September 2021 would generally not be published until September 2020, whereas the deadline for registering for the selection tests is 26 June 2020.

43. The local authority said that it has added the following links and wording to its admission arrangements to enable direct access to the information on the 11 plus Common Catchment Area and Secondary School Catchments to sections 1.2 and 2.2 of the arrangements: “1.2 All community comprehensive schools have set areas called "catchment areas" and children living in a catchment area have priority for admission. Follow the link: <https://my.redbridge.gov.uk/map>, click on Map category 'Education', then select Secondary School Catchment Area”.
44. “2.2 The schools have a common catchment area. Follow the link: <https://my.redbridge.gov.uk/map>, click on Map category 'Education', then select from 11+ Common Catchment Area. If parents live outside this catchment area, consideration for a place at one of these schools will be given after all the requests from those within the catchment area have been met. However, all those who register will have the opportunity to be tested”.
45. We tested the links and they led to the relevant maps, which can be expanded so that the catchment areas can be identified clearly. We are grateful to the local authority for its cooperation in this matter, and for making these revisions.

Summary of Findings

46. We do not find the arrangements to be unclear as to whether the selection tests used to determine admission to the school are standardised by age. Although the arrangements themselves make reference to 'standardised scores' without explaining that this refers to standardisation by age, there is a link on the school's website published alongside the admission arrangements which explains that the tests are standardised by age, and what this means.
47. Neither do we find that the use of age standardisation is unreasonable or operates to cause an advantage to younger applicants which is unfair. On the contrary, our view is that age standardisation is necessary in order for the tests to operate fairly to younger applicants. Preparation and coaching may assist applicants to achieve a higher test score. This applies to any child taking the tests regardless of age. Coaching is not encouraged by CEM or by the local authority, but neither of these bodies can control whether parents choose to have their child coached or not and the Code does not forbid coaching. The fact that not all children are coached may well lead to unfair outcomes in a society where we are aware that disadvantaged children are less likely to be coached. But age standardisation serves to create a level playing field so that children are not disadvantaged by age at least. For these reasons, we do not uphold this objection.

Determination

48. In accordance with section 88H(4) of the School Standards and Framework Act 1998, Mrs Talboys and I do not uphold the objection to the admission arrangements for

September 2021 determined by the London Borough of Redbridge for Ilford County High School, Redbridge.

49. We have also considered the arrangements in accordance with section 88I(5) and found that there were other matters which did not conform with the requirements relating to admission arrangements in the ways set out in this determination. These other matters have been revised by the admission authority.

Dated: 13 October 2020

Signed:

Schools Adjudicator: Marisa Vallely

School Adjudicator: Ann Talboys