

Ref 1/4189

Circular No 2007/06

22 January 2007

To: Principals of all Primary Schools and Royal School Armagh (Preparatory Department)

***Procedure for Transfer from Primary to Post Primary Education 2007/2008
Transfer Interviews***

Dear Principal

Department of Education Circular 2006/12 states that Principals should invite parents to meet with them to discuss their child's progress, the information contained in the transfer form and to nominate the post-primary schools to which they would prefer their child to transfer to.

As outlined in Part 2 of the Annex to Circular 2006/12 principals are expected as part of their duties, to provide assistance to parents in completing Transfer Forms and to draw attention to specific information which may be required by non-grammar as well as grammar schools. Experience through the servicing of Independent Appeal Tribunals has confirmed the view that it is extremely important that full information is provided for each preference stated whether the preference is a first or a lower preference or whether the school applied for is a grammar or non-grammar school.

1 Completion of Transfer Forms

You are asked to remind parents to consider carefully the Admissions Criteria of the schools for which they would like their child to be considered for admission as published in the board's booklet 'The Guide for Parents'. The Department's leaflets – "A Guide for Parents – Transfer to Post-Primary Education" and "Transfer Procedure - Advice to Parents" also provide information for parents.

Parents should be informed that it is important and ***ultimately their responsibility*** to ensure that all relevant and appropriate information regarding their child is on or attached to the Transfer Form.

You will appreciate that it is essential that all parts of the Transfer Form are correctly completed before it is returned to the board for processing. Principals are asked to ensure in particular that the following information is included:

- The name of the primary school;
- The pupil's name and date of birth;
- The name and address of the parent(s);
- The postcode (this is used by some schools as an aid in checking distances from home to school);
- The preferences;
- The Principal's signature;
- The parent's signature.

A Transfer Form should be completed for all Primary 7 pupils with the exception of those who have a statement of special educational needs or for whom overage retention has been approved. The Psychology Service and the Pupil and Parent Unit are currently dealing with a number of requests for overage retention and board advice will be issued to the individual schools concerned as soon as it becomes available. Unless the Board of Governors has already formally agreed that the child concerned should remain in the school for a further year the child remains part of the Transfer Procedure. Please be sure to include a transfer form for any child who was admitted to your school since September 2006.

2 Birth certificates

- Some birth certificates are still outstanding.
- If your school has been contacted please submit the birth certificate as a matter of urgency and ensure that you identify the school when sending the Birth Certificate in.
- All birth certificates received by the Pupil and Parent Unit will be returned to schools in the schools post shortly.

3 Parental Responsibility

Where a parent is not living with the child but still holds parental responsibility, both parents are entitled to attend a Transfer Interview and to nominate preferences. Where a dispute arises it is for the parents to come to a joint decision.

Although not particularly desirable it is acceptable for separate interviews to be held. If there has been an element of dispute it is strongly recommended that both parents sign the Transfer Form.

Please contact the Pupil and Parent Unit to obtain further advice and guidance if you are in doubt.

4 Invitations to Interviews

An exemplar letter is enclosed with this circular. I would remind principals that paragraph 8.4 of Department Circular 2006/12 recommends that a photocopy of the partially completed Transfer Form is issued with the invitation to the interview. This provides the parent with an opportunity to check the address and other details including the postcode. This is very important, as the Post Office cannot guarantee delivery the day after posting if a correct address including postcode is not on the envelope. If you are not issuing a partially completed form to parents Form TP/07/1 will have to be altered and principals will have to make every effort to ensure that the personal details provided on the Transfer Form are correct. The correct address is also critical as many post-primary schools use address, distance or postcode within their admissions criteria.

5 Parents not attending for interview

Where parents indicate that they do not wish to participate in an interview please send all copies of the Transfer Form to the parent. The parent/parents can then indicate their preferences and sign the Transfer Form. They should keep the pink copy of the Transfer Form and ensure that the other 4 copies are returned to the principal for his/her signature before submission to the Pupil and Parent Unit for processing. The principal should write 'Did not attend for interview' at the bottom of the Transfer Form. *If you encounter particular difficulties with regard to this arrangement please contact Mrs Elizabeth Reaney Tel (028) 3751 2406.*

6 Preferences

Please ensure as far as possible that parents carefully consider the implications of their preferences before nominating schools as changes of preferences cannot be guaranteed a place especially after the issue of placement letters.

<p>Any change of preferences must be notified to the Pupil and Parent Unit by Friday 9 March 2007 unless there are significant circumstances e.g. a substantial change of address.</p>

If a boarding place is being sought this should be clearly stated on the Transfer Form and the relevant box ticked at the bottom of Section B.

Parents should be asked to list at least three schools. If a grammar place is being sought they should be advised to list at least one non-grammar school.

7 Checklist

Although the checklist is to be found on page 18 of the Guide for Parents and parents have been advised to study it before attending for interview it still might be helpful to have this information available at the actual interview. I cannot emphasise too strongly the importance of including on the transfer form any information relevant to the child's circumstances.

8 Assistance with Transport

Parents may only be granted assistance with transport if there have been unsuccessful applications to all suitable schools within 3 miles of a pupil's home. Please study carefully paragraph 2 on pages 24 & 25 of The Guide for Parents before giving parents advice.

Particular difficulties have arisen in the past. The following is an example of a possible situation.

The parents of a pupil expressed an interest in a child with a grade C2 attending one of 2 local Grammar Schools.

Grammar School 'A'

- 2½ miles from the child's home
- in recent years the school admitted Grade A, B1 and sometimes B2 pupils

Grammar School 'B'

- 4 miles from the child's home
- in recent years the schools has always been able to admit some grade C2 pupils and always all C1 pupils

It was considered that there was no point in stating Grammar School 'A' as a preference.

Outcome • Child is accepted by Grammar School 'B'

- Parents refused assistance with transport as Grammar School 'A' was not stated as 1st Preference. **The rules for assistance with transport are based on application to all suitable schools within 3 miles of the pupil's home!**

Although the example cited refers to possible admission to Grammar schools the same rules apply to all secondary schools.

9 Principal's advice to parents about preferences

A number of disputes have arisen because it is alleged principals of primary schools appear to have given incorrect advice to parents. It is extremely unwise for principals to indicate to parents that a child may or may not be admitted to a particular secondary school whether it is a grammar or non-grammar school.

PRINCIPALS SHOULD NEVER HINT OR INDICATE THAT ADMISSION TO A PARTICULAR SCHOOL IS GUARANTEED.

A further consideration is that no one can forecast accurately what grades will be admitted to a particular Grammar School. Changes in patterns of application/admission can and do vary from year to year in both grammar and non grammar schools.

Principals are reminded that parents in the Non-selective areas: Craigavon 2 Tier System and others have the same rights as in other areas. These rights include access to appropriate advice and participation in a Transfer Interview. The correct order of preference is just as important.

10 Claims of Special Circumstances

Advice on dealing with claims that a child's performance in the Transfer Tests was affected by medical or other problems is attached in Appendix A. Please note the change on this year's Transfer Form in that the box provided in Section C must be ticked if Special Circumstances are being claimed.

Principals are reminded that in accordance with Department of Education 2006/12 (Paragraph 8.1) they **must not** comment on a pupil's performance except where parents are claiming that special circumstances affected the pupil in the tests.

11 Confidential Information

The board can make special arrangements to deal with very sensitive information. Contact should be made with Mrs Elizabeth Reaney (028) 3751 2406 and I would ask you to ensure that parents are aware of this facility.

12 Return of Transfer Forms to the Pupil And Parent Unit

Many schools in non-selective areas will hold Transfer Interviews soon and parents will complete Transfer Forms before the end of January. Make sure however that parents have had the opportunity to attend open days/nights in the relevant schools.

It would be appreciated if completed Transfer Forms are forwarded to the Pupil and Parent Unit for processing as soon as they become available. This will facilitate the inputting of information so that Post Primary Schools receive the 1st preference applications by the due date Friday 16 March 2007.

It is quite acceptable to send the Transfer Forms in batches including forms signed by parents who have indicated that they do not wish to participate in interviews. These may be forwarded at an early date with the balance being forwarded after the interviews are completed.

All transfer forms to be returned as soon as possible and by Friday 16 February 2007 at the very latest but do remember we welcome the return of forms as soon as they are available.

CLAIMS FOR NEGLIGENCE

The Board appreciates that providing advice may mean some extra work for Principals and staff but if schools provide advice then they will be less likely to be the subject of a claim for negligence. I would remind you of the separate correspondence already issued regarding such a claim in the Belfast Board.

SUPPORT FOR OTHER PARENTS

Principals should provide particular support to parents from ethnic minorities, parents who have recently moved to Northern Ireland or have other circumstances where special help is required. The board will make every effort to assist such parents and may in some cases be able to arrange for interpreters to be present at transfer interviews. Please contact me as soon as possible if such services are required.

If you have any queries please do not hesitate to make contact with me or the relevant staff in the Pupil and Parent Unit.

Yours faithfully



Mairead Maguire (Mrs)
Head of Pupil and Parent Unit
Direct Line (028) 37512411
MM/AMK
Encs

TRANSFER PROCEDURE

Guidance To Primary School Principals on Dealing with Claims That The Performance Of A Child In The Transfer Tests Was Affected By Medical Or Other Problems (Commonly referred to as Special Circumstances).

Introduction

This advice is being given in the light of experience both of the application by grammar schools of their Admissions Criteria and from the deliberations of Independent Appeal Tribunals, Judicial Reviews at the High Court, Claims of Negligence on the part of the Primary School Principal and in the light of concerns about the supporting information and educational evidence provided by primary schools.

These notes are intended as an aid for Primary School Principals on special circumstances but are not intended as an authoritative interpretation of special circumstances. It is strongly recommended that you adhere closely to the guidance given by the Department and the board. A copy of the Department's letter of 4 October 2000 is available on request from the Pupil and Parent Unit. A copy of all information attached to the **Transfer Form should be provided to parents.**

What are the Legal Requirements?

The law requires that grammar schools must consider medical or other problems which may have affected a child's performance in a Transfer Procedure Test and which are supported by documentary evidence of a medical or other appropriate nature. The law does not define what the medical or other problems can be. **The Education and Library Board's Solicitors have stated that it is good practise for the primary school principal to ask parents at the transfer interview whether they wish to make a claim of special circumstances but that it is not a matter for the principal to consider whether or not the special circumstances claim is valid or legitimate.**

The Purpose

The purpose of having the above requirement is to enable the Boards of Governors of grammar schools to consider applicants for whom the parent is claiming that medical or other problems may have affected their child's performance in a Transfer Procedure Test and:-

- (a) to decide the grade a child would have obtained but for the intervening problem; and then
- (b) to treat the child as if he/she had actually obtained that grade in the application of the school's admissions criteria.

The grammar school may not necessarily decide to upgrade a child if the evidence does not warrant it. **An Independent Appeal Tribunal may only overturn a decision of a Grammar School in relation to a claim of special circumstances if the school has acted unreasonably in the light of its admissions policy and the evidence presented to the school.**

Arrangements For Dealing with Special Circumstances

The arrangements for dealing with special circumstances reflect the fact that ultimate responsibility for admissions to grammar schools rests with individual school Boards of Governors. Boards of Governors

must consider any claims that a child's performance in the tests may have been affected by medical or other problems.

The first step of the selection process is, therefore, that the post primary school should examine any and all cases where special circumstances are claimed and decide whether or not the child should be considered as having a higher grade. It must be stressed that where special circumstances are claimed it does not mean that the child must automatically be regraded – that is a matter for consideration by the school on the basis of the evidence available in each individual case.

It is the responsibility of parents to ensure that such claims are supported by documentary evidence of a medical or other appropriate nature, and that such evidence is provided for Boards of Governors to consider with the child's application. It is matter for Boards of Governors to decide on the validity of each case and decide, in light of its admissions criteria, whether the child should be admitted.

A Board of Governors needs to be satisfied that the child would have obtained a better transfer grade in the tests but for the impact of the special circumstances.

How should the primary school deal with such a claim?

If parents wish to make a claim that the performance of their child in the tests was affected by medical or other problems then it will be necessary to consider carefully the special circumstances criteria published for all Grammar Schools named as preferences.

- 1 Remind the parents that it is *their responsibility* to ensure that all the relevant information is attached to the Transfer Form. (Advice from both the primary school and the board is available on the preparation of their claim).
- 2 Ensure consistency of approach to all claims made by parents.
- 3 Advise the parents that they must:-
 - (a) tick the box in Section C and
 - (b) provide a written statement of the claim on the Transfer Form and the grounds for making it;
 - (c) obtain medical or other reports from statutory or other agencies such as a counsellor, solicitor or hospital to verify that the special circumstances existed eg in the case of an alleged medical problem was the child examined or treated by a doctor at the time the problem was claimed to have arisen? This will be more sustainable than a medical certificate obtained after the grades are published reporting a claim which the parent made about their child. The examples quoted are illustrative only and should not be regarded as an exhaustive list.

Parents are sometimes justifiably reluctant to let schools know about their circumstances especially when these relate to personal issues. Where documentation in support of a claim of special circumstances contains information of particularly sensitive nature special arrangements to forward this to the post primary school(s) listed as a preference(s) may be made by contacting Mrs E Reaney (028) 3751 2406.

- (d) obtain evidence from the primary school as to whether or not the child's performance was affected and what, if any were the effects. If there are any special reports held by the school, e.g. a report from a board psychologist, then the parents should be made

aware of them and asked whether they wish them to be sent to the grammar school as part of the claim.

- 4 Provide comparative academic evidence by completing Form SC1 (or equivalent) as stated in the Department's letter of 4 October 2000.

This should include an indication as to whether or not the school was aware of the circumstances.

Any statement made by the Principal on the child's academic achievements in comparison with his/her peers who achieved the same or a higher grade in the tests such as "We expected this child to achieve a B1" should be supported by corroborative evidence. **Such statements should only be made if there is a claim of special circumstances.**

Each grammar school will have in its admissions criteria what it requires by way of educational evidence to support special circumstances. This should be taken into account when completing the Form SC1 (or equivalent).

Form SC1 (or equivalent) should include the following details about ALL pupils in the class taking the tests. **It is not appropriate to provide information about some children only and exclude information about other children.**

- i) Dates tests were taken
- ii) Description of tests eg internal/standardised tests
- iii) All the pupils school test results in English, Mathematics, science and Technology (ie, internal tests and standardised tests) from the beginning of the Key Stage 2 period (ie P5) compared to the results for the same tests of all the other members of his/her P7 class and the transfer grades of his/her P7 class. It is not appropriate to provide information about some children only and exclude information about other children.
- iv) The primary principal needs to record a statement of fact if P5 and P6 results are not available.

In the case of a small school/class it may be necessary to provide the previous year/other class(es) to show comparative academic information.

Do not send worked tests or samples of the pupil's work. If a parent wishes to include such material please contact Mrs Elizabeth Reaney.

- 5 Give a copy of all documentary evidence (including Form SC1 or equivalent) plus the Transfer Form to the parents.
- 6 The evidence submitted should, if possible, be listed on the Transfer Form.
- 7 If any evidence from the school is to be submitted after the parent has signed the Transfer Form then a copy should be given to the parents (including Form SC1 or equivalent). Principals are advised that parents should not sign the Transfer Form until they are satisfied that all supporting evidence is attached. Normally, all documentary evidence should be submitted through the Board by **Wednesday 7 March 2007**. You are alerted to the fact that a number of grammar schools make reference within their criteria for special circumstances that they will only consider information attached to the Transfer Form at a particular date. If there is likely to be a delay in securing evidence please contact the Pupil and Parent Unit. When a parent is appealing against the decision of the Board of Governors of a grammar school not to

admit their child, primary school Principals are advised, in normal circumstances, **not to provide any new evidence or statements as part of the appeal process**. It is not considered appropriate by the Appeal Tribunals that Principals or teachers attend the hearing to support the appeal of the parents. The role of Tribunals is to examine whether or not a post primary school applied its admissions criteria correctly at the time the decision on selection was reached, taking into account the information available at that time.

Pupils Seeking Places in Non-Grammar Schools

Where a parent wishes to make a claim for “special circumstances” and is seeking a place in a non-grammar school, then it is the *parent’s responsibility* to ensure that all necessary information is made available in writing and attached to the Transfer Form. The parent should point this out where it is relevant in particular situations. **Not all non-grammar schools take account of “special circumstances”**. The situation for individual schools can be established by examining the school’s admission criteria.

MM

22 January 2007

School: _____

Date: _____

Transfer from Primary to Post Primary Education: 2007/2008 School Year
COMPLETION OF TRANSFER FORM

Dear Parent/Guardian

I am inviting you to come to the school on _____ at _____ to discuss your child's progress and the information to be included on the Transfer Form. I will be asking you to nominate the post primary schools to which you would prefer your child to transfer and to sign the form. The Southern Education and Library Board has recommended that before you come for interview you attend the relevant Open Nights/Days at local Post Primary Schools; that you study the relevant parts of the Guide for Parents including the admissions criteria of schools in which you are interested and the checklist on page 18.

I have sent you a copy of the partially completed Transfer Form and would ask you to be good enough to check that all the details given in Section A are correct. In particular, please check that the Postcode is correct as delivery of placement letters may be subject to delay if this is missing or incorrect. The board will issue the placement letter to the named parent(s). If there is a parent living at another address this can be discussed at the interview.

Please be good enough to complete **Form TP/07/PP** below and return it to the school with your child.

Yours faithfully

PRINCIPAL**FORM TP/07/PP**

Transfer from Primary to Post Primary Education: 2007/2008 School Year

A CHILD'S DETAILSName of Child: _____ **D.O.B.** _____

Present School: _____

Home Address: _____

_____ **Postcode** _____**B ATTENDANCE AT MEETING***(please tick relevant box in sections B & C)*

- (a) I intend to be present for interview as requested.
- (b) I cannot attend for interview as requested. I would be available at the following time(s)/date(s) if an interview can be arranged.

(No guarantee can be given that an interview will be arranged for alternative times/dates.)
 I can be contacted by telephone on _____ during school hours.

- (c) I cannot attend for interview and would ask you to forward the actual Transfer Form so that I can indicate the preferred post primary schools.

C ACCURACY OF INFORMATION ON PARTIALLY COMPLETED FORM

- (d) I confirm that the information in Section A above is correct or
- (e) I have amended Section A to provide the correct information

Signed: _____ **Parent/Guardian****PLEASE COMPLETE AND RETURN IMMEDIATELY TO THE PRIMARY SCHOOL PRINCIPAL**