

HAMPSHIRE COUNTY COUNCIL

Decision Report

Decision Maker:	Executive Member for Education
Date:	24 October 2013
Title:	New Schools – criteria to be addressed in applications from sponsors to establish an academy/free school
Reference:	5246
Report From:	Director of Children’s Services

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1. Executive Summary

- 1.1. The purpose of this paper is to seek a decision to agree the criteria to be addressed in applications from potential sponsors of new schools and against which submissions will be assessed by the Director of Children’s Services to determine the Local Authority’s preferred sponsor to establish a new academy or free school.
- 1.2. The paper sets out the legislative background leading to the presumption that new schools will be academies or free schools, and the process which Local Authorities must follow having decided, under its statutory duty to plan and secure sufficient schools, that a new school is required.
- 1.3. Appendix C is a proposed application form to be completed by sponsors, the content of which will be assessed to determine which sponsor, on the strength of its application, is the preferred bidder to establish the new school and should be recommended as such by the Local Authority to the Secretary of State for Education.

2. Contextual information

- 2.1. Existing statutory requirements mean that Local Authorities, in their role as commissioners, must plan and secure sufficient schools for their area. Section 37 and schedule 11 of the Education Act 2011 made changes in relation to the process for establishing new schools, including the academy/free school presumption.
- 2.2. When the Local Authority (LA) decides a new school is needed the Authority is required to seek proposals to establish an academy/free school and to specify a date by which proposals must be submitted to the LA. It is for the LA to decide how to consult and with whom, taking all necessary steps to ensure

that the widest possible range of groups or organisations that might be interested in establishing the new school are aware of the opportunity to do so.

- 2.3. As soon as the need for a new school has been agreed the LA must notify the Department for Education (DfE) setting out the type (eg. mainstream, special educational needs, pupil referral unit) age range, gender and capacity of the academy/free school it wishes to see established. The LA is required to confirm :
 - that it has identified the required capital to establish the new school, the amount and its source;
 - that the LA will agree a reasonable and mutually acceptable funding allocation for pre and post opening costs associated with establishing the new school;
 - that the LA will provide the site for the new school together with details of site ownership or tenure arrangements and how these will operate for the new school;
 - and provide an impact assessment of the proposal, both on other existing educational institutions locally and in terms of impact on particular groups of pupils from an equalities perspective.
- 2.4. Once notified by the LA of a proposal for a new academy/free school the DfE publishes a link to the details on its website for the attention of potential sponsors.
- 2.5. Local Authorities are also required to make provision in their Growth Fund to support increases in pupil numbers relating to basic need including new schools. This relates to the per-pupil revenue funding in addition to all funding for pre-opening development costs and post-opening funding required to address diseconomies of scale until a new school reaches capacity.
- 2.6. Once formal proposals are received, the Secretary of State must be provided with details of all proposers. The Secretary of State will then notify the LA if he has any concerns about a proposer's capability or capacity to deliver the proposal and particularly where he is minded not to enter into a funding agreement with a particular proposer.
- 2.7. The LA is required to complete an assessment of proposals and provide the Secretary of State with this, together with the steps which the LA has taken to seek proposals for an academy/free school. When considering a LA's assessment the Secretary of State will focus on criteria around strategic vision, educational capacity and performance, financial planning and operational capacity and governance. For existing sponsors the Secretary of State will focus on the credibility and track record of the proposer.
- 2.8. Having assessed proposals the LA may state its preference which the Secretary of State will take into consideration when deciding whether or not to enter into a Funding Agreement with any of the proposers.

3. Criteria to be addressed in proposers' applications

- 3.1. Education vision.
- 3.2. Education Plan.
- 3.3. Relationship with other schools, the Council and the wider education community.
- 3.4. Capacity.
- 3.5. Financial planning and viability.

(See Appendix C)

4. Recommendations :

- 4.1. That the criteria to be addressed by potential sponsors of academies or free schools in Hampshire, as set out in section 3, be agreed.**
- 4.2. That the application form at Appendix C be used to assess proposers' submissions.**
- 4.3. That the Director of Children's Services be authorised to assess proposers' submissions and select a preferred bidder to be recommended to the Secretary of State for Education.**

CORPORATE OR LEGAL INFORMATION:**Links to the Corporate Strategy**

Hampshire safer and more secure for all:	yes
Maximising well-being:	yes
Enhancing our quality of place:	yes

Section 100 D - Local Government Act 1972 - background documents

The following documents discuss facts or matters on which this report, or an important part of it, is based and have been relied upon to a material extent in the preparation of this report. (NB: the list excludes published works and any documents which disclose exempt or confidential information as defined in the Act.)

DocumentLocation

The academy/free school presumption. DfE advice for local authorities and new school proposers.	DfE website.
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IMPACT ASSESSMENTS:

1. Equalities Impact Assessment:

- 1.1. An impact assessment has been undertaken. This has not identified any adverse impact on equalities.

2. Impact on Crime and Disorder:

- 2.1. The recommendations have no impact on crime and disorder.

3. Climate Change:

- a) How does what is being proposed impact on our carbon footprint / energy consumption?

It is expected that any new permanent accommodation will be built according to the County Council's sustainability and carbon reductions. By seeking to provide school places close to the homes of pupils the impact of vehicular transport and associated emissions will be minimised.

- b) How does what is being proposed consider the need to adapt to climate change, and be resilient to its longer term impacts?

No specific measures have been identified.

Proposed Academy Application

Section A: Applicant details	
Main contact for this application	
1.	Name:
2.	Address:
3.	Email address:
4.	Telephone number:
About your organisation	
5.	Please give details about your organisation or group
6.	Has your organisation/group been approved by the DfE as an academy sponsor? <input type="checkbox"/> Yes <input type="checkbox"/> No
7.	How many schools are you currently running/sponsoring? Please give details below.
8.	How many schools have you got DfE approval to open in the next 2 years?
9.	Did you put together this application with support from another company or organisation? <input type="checkbox"/> Yes <input type="checkbox"/> No
10.	If Yes, please list the name(s) of the organisation(s) and describe clearly the role they played in developing your application. Please also describe the role (if any) you envisage for them in setting up and/or running the Free School if your application is successful:
11.	Through its members, directors or otherwise, does the company limited by guarantee have any formal or informal links (eg. financial, philosophical or ideological) with any other organisations within the UK or overseas? These may include: other Academy or Free School groups; other institutions; charitable bodies; and/or commercial or non-commercial organisations. If yes, please provide details <input type="checkbox"/> Yes <input type="checkbox"/> No
12.	Would your proposed school be designated as having a religious character or have a faith ethos? Please give details below.

Section B: Education vision

Please set out clearly why you are seeking to establish the Academy and what is distinctive about your organisation's approach. Explain key features of the school including:

- identify what will make the school distinctive in its vision and ethos and how this has informed the education plan;
- set out your aspirations for the achievement of pupils and why these targets are appropriate;
- explain how the ethos of the school will be reflected in its curriculum, pastoral care and approach to teaching and learning; and
- explain how your group's religious beliefs and affiliations will be reflected in, or influence, the curriculum if you are applying to set up an academy designated as having a religious character.

Section C: Education Plan

- The education plan should describe how the Education Vision would be implemented in practical terms
- How would you ensure excellence in the quality of teaching and learning?
- What systems would you use to monitor performance and standards for pupils?
- How would you ensure that your curriculum and performance meet the needs of all pupils?
- Set out your approach to providing extended learning opportunities outside the normal school day
- How would you ensure strong leadership, management and governance?

Section D: Relationship with other schools, the Council and the wider education community

- Demonstrate your understanding of the community that the Academy will serve and show how your education plan addresses the needs of that community.
- Set out your proposed admissions policy, including the criteria to be used to prioritise places if your school is oversubscribed.
- Explain how you will make the school attractive to, and effective for, all pupils.
- Describe your plans for working with other schools, Hampshire County Council and the wider community.
- Set out how you will promote good community relations.

Section E: Capacity

- Demonstrate that your organisation has the necessary capacity and expertise to set up and run a new school.
- Give details of the individuals who would be involved in setting up the new school.
- Set out plans showing an appropriate and phased build up of staff in line with planned pupil numbers and financial resources.
- Set out your plans for recruiting high quality members of staff.
- Set out your approach to school leadership and management
- Describe how you will identify and appoint committed governors with the breadth of skills needed.
- Give details of the systems that will be established to ensure the effectiveness of provision from the outset

Section F: Financial planning and viability

Please provide an outline 3 year budget for the school.

Set out below your views on the key financial challenges you might encounter in establishing and running a new primary school, and how you would seek to address them.
Detail the systems you would put in place to ensure that the school's finances are properly managed.

.....Signature
Date

.....Print
Name