

School Organisation Committee**on Wednesday 14th March 2007****Report title: NEW SECONDARY SCHOOL COMPETITION****Report of: DIRECTOR OF THE CHILDREN & YOUNG PEOPLE'S SERVICE****1) Purpose this report:**

- a) To provide the School Organisation Committee (SOC) with details of the representations made by stakeholders during the statutory representation period on the proposed new secondary school in Haringey's Heartlands.
- b) To enable the SOC to consider and make recommendations to the Schools Adjudicator on which, if any, of the proposals should be approved.

2) Advice to School Organisation Committee

We recommend that the SOC

- a) Note that the consultation was carried out in accordance with the arrangements for the establishment of a new secondary school as governed by the provisions of Section 66 of the Education Act 2005.
- b) Note that preliminary statutory notice inviting bids for the new school was published on 4th September 2006 and ran for the statutory 4 month period – until 4th January 2007.
- c) Note that the second statutory notice detailing the proposals received was published on 11th January 2007 and ran for 6 weeks – until 21st February 2007.
- d) Note that a public meeting was held within the first 2 weeks of the statutory representation period.
- e) Note that there were 26 representations received during the statutory representation period. These comprised of 19 letters of support for a new community school, 4 letters of support for Haberdashers' Aske's Trust to establish an Academy, 1 letter of support for more diverse educational provision in Haringey and 2 letters expressing discontent over the process, particularly the change of legislation, but not actually commenting on any of the four bids. Three representations were received after the 21st February deadline.
- f) Note that copies of the Statutory Notices and the four bids has already been circulated to all members of the SOC.
- g) Note that from 9th February 2007 new regulations have come into force which will impact on the decision making arrangements for the competition. These new regulations provide that where a competition for a new secondary school is held, the School Organisation Committee (SOC) must refer the proposals to the Office of the Schools Adjudicator for a decision if they include:
 - proposals published by the Local Authority for a community or foundation school;
 - proposals published by the CE or RC Diocese for a foundation or voluntary aided school.

The former point applies in this case.

- f) Note that the Office of the Schools Adjudicator will make the final decision about who will set up and run Haringey's new secondary school, taking account of the recommendations made by SOC.
- g) Submit a recommendation to the Schools Adjudicator.

Report authorised by: Ian Bailey, Deputy Director of the Children & Young People's Service



Contact officers: Ian Bailey, Deputy Director, Business Support and Development
Corinne Hilton School Organisation and Development Officer

Telephone: 020-8489 2450 / 5019

3. Access to information: Local Government (Access to Information) Act 1985

The following background papers were used in the preparation of this report:

- Decision Makers Guidance Sections 1, 2a & 6 updated from 1st September 2006.
- New Secondary School in the Heartlands: report to Executive 13th June 2006.
- Consultation document and representations from interested parties June 2006 to February 2007.
- Haringey Council's proposal for the New School in Haringey Heartlands: Report to Executive 21st November 2005.
- School Place Planning Annual Report: Report to Executive 26th July 2005.
- SI 59 - The Education (New Secondary School Proposals) (England) (Amendment) Regulations 2007.

4 Need for a new secondary school

- 4.1 Detailed analysis of pupil numbers was presented at the SOC and Executive in the annual school place planning report in July 2006. This report demonstrates that Haringey has an increasing number of pupils in primary schools and projections show that we will need to open a new school by 2010.
- 4.2 The table below shows the total surplus capacity across Haringey's community and voluntary aid secondary schools for the last academic year and for September and January of the current academic year 2006/07.

school	2005/06 school year			2006/07 school year	
	Sep-05	Jan-06	May-06	Sep-06	Jan-07
Alexandra Park School	0.80%	0.00%	0.70%	0.00%	0.10%
Fortismere School	0.30%	0.20%	0.20%	0.00%	0.41%
Gladesmore Community School	1.30%	0.80%	0.80%	1.60%	-1.48%
Highgate Wood	0.90%	1.20%	1.10%	1.60%	1.15%
Hornsey school for girls	2.10%	0.30%	1.20%	1.90%	1.23%
Northumberland Park Community School	2.50%	3.20%	1.70%	3.70%	2.38%
Park View Academy	1.20%	1.60%	1.20%	2.10%	0.41%
St Thomas More RC School	-3.30%	-0.40%	0%	-1.60%	-0.73%
The John Loughborough School	1.30%	2.30%	3.00%	3.30%	2.66%
Woodside High School	15.10%	11.80%	10.90%	16.30%	13.99%
Haringey Total	2.50%	2.20%	2.10%	3.00%	2.06%

4.3 It has been acknowledged by the London Challenge team and the DfES that Local Authorities should have a surplus capacity within their secondary school sector of 5%. This allows for parental choice and pupils moving to the area and being admitted to school outside of the normal transfer time. Haringey's surplus capacity is significantly below the recommended standard.

5 Funding for the project

5.1 Secured BSF investment of £25 million will provide the funding for the new school. The planned levels of expenditure and accommodation schedule for the school are based on DfES BB98 and on the proposed specialisms of the school in visual arts and media, and allow for provision for students with autism. The council purchased the freehold of the land for the school site for £7.2 million on 7th December 2006.

6 The competition process

6.1 From 1st September 2006 the Education Act 2005 came into force. Under Section 66 Local Authorities are required to hold a competition whenever statutory proposals are required for a new secondary school, including proposals by the council (unless, exceptionally, the Secretary of State agrees that a competition need not take place). A competition is when interested parties compete against each other to establish and run a new school.

6.2 Under these regulations, the competition would have been decided by the School Organisation Committee or, upon appeal, the Schools Adjudicator, not by the Secretary of State.

6.3 These regulations set a requirement to publish a preliminary notice inviting bids for the new school. The notice invites bids from independent promoters within 4 months. The local authority then publishes details of all received bids, along with any Local Authority proposal. There is then a six week representation period in which comments or objections can be made, before the bids are forwarded to the School Organisation Committee.

6.4 From 9th February 2007, new regulations have come into force which will impact on the decision making arrangements for the competition currently underway in Haringey. These new regulations provide that where a competition for a new secondary school is held, the School Organisation Committee (SOC) must refer the proposals to the Office of the Schools Adjudicator for a decision if they include:

- proposals published by the Local Authority for a community or foundation school;
- proposals published by the CE or RC Diocese for a foundation or voluntary aided school.

6.5 The School Organisation Committee may consider the different bids and make comments on them to pass to the Schools Adjudicator, but cannot determine the outcome of the competition.

6.6 These new regulations can be viewed in Appendix 1.

7 Consultation process

- 7.1 On 13th June 2006, Executive agreed that statutory consultation and the competition processes for the new secondary school under The Education Act 2005 could begin. The first phase of the consultation finished on 11th August 2006. A copy of the consultation document can be viewed in Appendix 2
- 7.2 Twenty-one (21) responses were received from the public consultation. Fifteen (15) prefer the new school to be a Community school and two (2) would prefer a Voluntary Aided school. Four (4) did not state a preference. All responses received during the consultation can be viewed in Appendix 3.
- 7.3 The main points responders commented on were as follows:
- support for an inclusive community school;
 - assurances that the school facilities are opened up to wider community use;
 - concern about the location being near the railway line, and;
 - concerns over the timing of the consultation.
- 7.4 In response to the final point, we agreed to continue to accept responses to the consultation throughout the period of competition. No further responses were received until the representation period, (see below).
- 7.5 On 4th September 2006 Statutory notices were published inviting proposals for the new school. The notice invited proposals from independent promoters to be received by the council no later than 4th January 2007,(see Appendix 4 for the notice).
- 7.6 On 3rd October 2006 a meeting was held by representatives of the Department for Education and Skills (DfES) for interested parties and potential sponsors at The Decorium, in Wood Green. Representatives of the council discussed why a new school is needed, listened to comments and answered questions.
- 7.7 Four submissions were received in response to the notice, these were from:
- CfBT Education Trust - for a foundation school
 - Haberdashers' Aske's Hatcham College Trust - for an academy school
 - Haringey Council - for a community school
 - United Learning Trust (ULT) - for an academy school
- 7.8 Summaries of each proposal received are given in section 8 below.
- 7.9 On 11th January 2007 a statutory notice was published which provided information on all the proposals received (see Appendix 5). Following a six week representation period, ending 21st February 2007, comments or objections on the proposals could be made by anyone with an interest in the new secondary school.

7.10 Two public meetings were held to give Haringey residents and interested parties the opportunity to discuss the bids for the new secondary school. In accordance with the regulations the first meeting was held within two weeks of the start of the statutory representation consultation – 16th January 2007. Just over 35 people attended this meeting. A second meeting was held on 6th February 2007 to provide a further opportunity for interested parties to ask questions to the different promoters. Over 110 people attended this meeting.

8 Proposals to run Haringey's new school

8.1 Four proposals have been received to run Haringey's new school. These are summarised as follows, drawing on summaries provided by the promoters.

CfBT Education Trust proposal

8.2 CfBT are seeking to establish the new school as a Trust school under the terms of the Education and Inspections Act 2006. These are not expected to come into force until after May 2007. Consequently, as this proposal for a Trust school is being established before the Education and Inspections Act provisions comes into force, it will actually be for an enabling Foundation under the 1988 Act. This school would cater for 11-16 year olds.

8.3 The proposed organisation of the school would create the effect of having 3 smaller schools within a larger school. Each of the small schools would have a designated head of school. Together they would form the senior leadership team working together to the Chief Executive Principal of the entire school. The CfBT would work to Haringey's over subscription admissions criteria.

CfBT Education Trust background

8.4 CfBT Education Trust is a registered charity and the country's leading specialist not for profit education consultancy company. Established 40 years ago CfBT now has an annual turnover exceeding £100 million. All funds are used for educational purposes, reinvest £1million every year for practice-based research.

8.5 CfBT has managed the implementation of several national programmes for the DfES, NCSL, Local Authorities and, Connexions and juveniles in secure estates. CfBT is one of six contracted OfSTED providers, is contracted to deliver the school improvement service in East Sussex and Lincolnshire, and was recently awarded a contract by the DfES to deliver the entire Gifted and Talented programme across all schools and Local Authorities.

8.6 CfBT is on the PfS (Partnership for Schools) Education Advisers framework and is heavily committed to the BSF (Building Schools for the Future) programme. They are currently contributing to the schools BSF development programme in Islington, Lambeth, Newham, Nottingham, Kent and Birmingham.

8.7 Alongside Southwark Diocese Board of Education and Toc H, CfBT are the joint sponsors of St. Mark's Academy in Merton. CfBT owns six private primary schools in the UK and one (4-19 year old school) in South Africa. CfBT manages 12 schools on behalf of the Ministry of Abu Dhabi as part of a major public-private partnership and has a well established school support operation based in

Hyderabad, India. From 2007 CfBT will manage the International School of Azerbaijan.

Haberdashers' Aske's Hatcham College Trust proposal

- 8.8 Haberdashers' Aske's Hatcham College Trust proposes to establish an 11-18 Academy in Haringey: the Haberdashers' Aske's Wood Green Academy [HAWA] and to consult on extending this to a 3-18 Academy. Classes will be largely single sex 11-16 within a co-educational campus while the Sixth Form will be fully co-educational. The Trust reaffirms the vision of absorbing Alexandra primary school into HAWA, either now or at a future date, and hope to provide an integrated 3-18 curriculum.
- 8.9 There is interest in modifying the borough's distance criterion for admission to HAWA to a random ballot among remaining applicants living within three miles of the school, once places have been allocated to the accepted priority groups (SEN; public care; exceptional medical/social/educational need; siblings). The proposal includes automatic entry to the secondary school for Alexandra primary pupils, and 10% of students to be chosen for musical aptitude in line with the school's specialism.
- 8.10 It is proposed that HAWA would become part of the Federation of Haberdashers' Aske's schools, which include Hatcham College & Haberdashers' Aske's Knights Academy.

Haberdashers' Aske's Hatcham College Trust background

- 8.11 The Haberdashers' Company (one of the twelve 'great' Livery Companies of the City of London) remains trustee of the Aske Charity and as such will continue to safeguard the original intentions of Robert Aske. In September 2005 the Federation of Haberdashers' Aske's Hatcham College & Haberdashers' Aske's Knights Academy were set up by the Haberdashers' Company in order to increase the availability of an Aske's education to more students and make a wider use of the strengths that Aske's has to offer. These schools share a single Vision and Ethos, with one overarching Governing Body and Chief Executive. The Aske's Vision is one where all students in the federation are inspired to reach their full potential, regardless of ability or background, where aspirations and achievements are constantly raised through the highest quality academic, personal and vocational teaching and guidance, and where the students and staff at the two academies benefit from each others strengths.

Haringey Council's proposal

- 8.12 Haringey Council's proposal is for an 11-16 year old mixed, multi-faith community comprehensive school serving the Wood Green, Hornsey and Haringey Heartlands communities with an opportunity to become part of a hard federation of successful schools.
- 8.13 The school will specialise in the visual arts and media which will enable it to benefit from its unique location in the cultural quarter of Haringey. It will also have an additional specialism in supporting students with autistic spectrum disorder. The school would work to Haringey's over subscription admissions criteria.

Haringey Council's background

- 8.14 The Children and Young People's Service was judged as good in the recent inspection in the context of a rapidly improving Council which moved to 3* in the Annual Comprehensive Performance Assessment of Local Authorities in 2005 and maintained it in 2006.
- 8.15 The Council has a good track record in establishing successful new institutions. Alexandra Park School was opened in 1999 and the new Haringey Sixth Form Centre is on-track to open in September 2007. Haringey Council created and supported the most successful Fresh Start School in the country, and have secured Haringey in Waves 2 and 4 of the Building Schools for the Future (BSF) Programme, an investment of £178 million.
- 8.16 Standards in all Haringey secondary schools have risen rapidly in the past five years, at twice the national rate. Haringey is 8th out of 150 local authorities for progress between Key Stage 3 and 4 (14 to 16 years olds).

United Learning Trust proposal

- 8.17 United Learning Trust proposes to establish an 11-16 Academy with a specialism in Arts and Media. Admission to the Academy are in line with Haringey's over subscription admissions criteria. ULT are not proposing any 6th form provision at the Academy. The school will be federated with both UCST's Independent Schools and ULT's other Academies.

United Learning Trust background

- 8.18 The United Learning Trust (ULT) is an educational charity, created to manage a number of Academies spread across the country. ULT is a subsidiary of the not-for-profit charity, the United Church Schools Trust (UCST) and shares with it the objective of managing schools which offer students a high quality education. With an ethos based on their founding Christian principles of respect, service and compassion, discipline and hard work, ULT helps to prepare young people for a rewarding and enriching adult life.
- 8.19 ULT is currently involved with 13 Academies. The existing Academies in Manchester, Lambeth, Northampton and Salford were joined in September 2006 by ULT's new Academies in Barnsley, Walthamstow, Paddington and two in Sheffield. Working is progressing on four proposed Academies in Stockport, Banbury, Swindon and a second one in Manchester. It now runs 20% of academies that have opened.
- 8.20 The United Church Schools Trust was founded as an educational charity in 1883 with the principal objective of creating schools that would offer pupils a good academic education based on Christian principles of service and tolerance, with particular reference to the Church of England.
- 8.21 Whilst the Christian faith will be the starting point and the central focus for the ethos of the Trust and the Academy, the beliefs and practices of other faiths will be valued and respected. It is hoped that parents and pupils of all faiths will find the Academy a welcoming community.

9 Guidance

9.1 This report, as required in the guidance, summarises representations received during the statutory period and sets out a response on behalf of Haringey Council as promoter of the competition. The Education Act 2005 requires that, when deciding competitions, the SOC and Schools Adjudicator must have regard to guidance issued by the Secretary of State. The full guidance is attached as Appendix 6.

10 Representation

10.1 Copies of all representations received are attached in Appendix 7. Twenty Six (26) written representations were received during the statutory period.

10.2 Nineteen (19) letters expressed support for the council's proposal to establish a community secondary school.

This included representation from:

- David Lammy MP
- Haringey Green Party
- Highgate Wood Governing body
- Muswell Hill Governing Body
- Haringey NUT
- Haringey TUC

10.3 Four (4) letters expressed support for Haberdashers' Aske's Trust to establish an academy.

10.4 Two (2) letters expressing discontent over the process, particularly the change of legislation, but not actually commenting on any of the four bids.

10.5 One (1) letter expressed support for the notion of more diverse educational provision in Haringey other than a community school.

10.6 Three (3) representations were received late. These can be viewed in Appendix 8

11 Summary of comments

11.1 The following excerpts are representative of the comments made in representations supporting the community school proposal:

- "Mechanisms of accountability put in place by other bidders cannot compensate for the absence of the ultimate electoral mechanism at the disposal of Haringey people".
- "If we are to retain any degree of strategic thinking and planning at all in education planning for all students, it is essential that schools are given the support and framework supplied by a local authority".
- "Haringey Council has recent experience of planning, designing, and marketing a new school, Alexandra Park School and the New Sixth Form Centre".

- “I am confident of the success of such a school given the authority’s proven track record in driving and sustaining improved standards of achievement, and in particular its vital experience in securing and providing highly regarded support and constructive change”.
- “Haringey has been at the fore-front in developing special units for pupils with disabilities within mainstream schools and the proposed unit for autistic children will meet a growing need”.
- “We have concerns about how the community and council would influence how the school is operated, if either an independent trust or governing body also governing schools in other boroughs were running the new school. We also think that other local residents and parents are mostly in favour of a community school and these views are more important than following other non-local views and policy”.
- “Haberdashers’ Askes’ Federation are running two secondary schools in Lewisham and claim considerable academic success. The data here suggests that the Federation has in fact shifted the balance of admissions in two failing schools to higher-attaining students over recent years so improvement in academic achievement should not be unexpected”.
- “We are also concerned about the impact upon Alexandra Primary school about the proposed ‘absorption’ into an academy [Haberdasher’s Askes’ Federation proposal]”.
- “The proposal [Haberdasher’s Askes’ Federation] suggests that (assuming the federation has ‘absorbed’ the neighbouring Primary School) pupils would be taught co-educationally at KS1 and KS2, then segregated at KS3 and KS4, mixing again in the sixth form. No real educational justification is put forward for this approach. We are simply told that it ‘is the Haberdashers’ way.’ This aspect of the proposal does not reflect any known local parental demand”.
- “How can the public be satisfied that public monies in these schools [other than community schools] are properly used? What action can the public take if concerns are raised? This is one problem of public money being handed over to less democratically accountable bodies”.
- “The case for a new community school linked through a Federation with other Haringey schools under the guidance of the council seems to me to be by far the best way forward”.
- “CfBT have little experience of running inner London schools exhibiting the challenges faced in Haringey”.
- “ULT claim expertise in managing construction projects, yet are a year behind with their Paddington Academy”.
- “In terms of the process Haringey TUC is extremely perturbed to find that it would appear that Lord Adonis has changed the process whereby bids will be adjudicated part of the way through the process. This seems to us highly unusual and may be thought to bring the whole matter into disrepute”.

11.2 The following excerpts are representative of the comments made in representations supporting the Haberdasher's Askes' Federation proposal:

- “[Haberdasher's Askes' Federation proposal] brings with it the potential for partnership between an educational foundation of proven ability, commitment and resources and those behind the development of the Heartlands”.
- “I believe that Haringey's Education Authority needs to concentrate on improving standards at other schools in the area first and foremost”.
- “They [Haberdasher's Askes' Federation] have a proven track record with the Hatcham College and Knights Academy schools in Lewisham”.
- “I like their [Haberdasher's Askes' Federation] proposed admission procedures”.
- “Their [Haberdasher's Askes' Federation] proposal to teach boys and girls separately would benefit both groups”.

12 Recommendations

12.1 Note that the consultation was carried out in accordance with the arrangements for the establishment of a new secondary school as governed by the provisions of Section 66 of the Education Act 2005.

12.2 Note that preliminary statutory notice inviting bids for the new school was published on 4th September 2006 and ran for the statutory 4 month period – until 4th January 2007.

12.3 Note that the second statutory notice detailing the proposals received was published on 11th January 2007 and ran for 6 weeks – until 21st February 2007.

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12.5 Note that there were 26 representations received during the statutory representation period. These comprised of 19 letters of support for a new community school, 4 letters of support for Haberdashers' Aske's Trust to establish an Academy, 1 letter of support for more diverse educational provision in Haringey and 2 letters expressing discontent over the process, particularly the change of legislation, but not actually commenting on any of the four bids. Three representations were received after the 21st February deadline.

12.6 Note that copies of the Statutory Notices and the four bids has already been circulated to all members of the SOC.

12.7 Note that from 9th February 2007 new regulations have come into force which will impact on the decision making arrangements for the competition. These new regulations provide that where a competition for a new secondary school is held, the School Organisation Committee (SOC) must refer the proposals to the Office of the Schools Adjudicator for a decision if they include:

- proposals published by the Local Authority for a community or foundation school;
- proposals published by the CE or RC Diocese for a foundation or voluntary aided school.

The former point applies in this case.

12.8 Note that the Office of the Schools Adjudicator will make the final decision about who will set up and run Haringey's new secondary school, taking account of the recommendations made by SOC.

12.9 Submit a recommendation to the Schools Adjudicator.

2007 No. 59

EDUCATION, ENGLAND

The Education (New Secondary School Proposals) (England) (Amendment) Regulations 2007

<i>Made</i>	<i>16th January 2007</i>
<i>Laid before Parliament</i>	<i>19th January 2007</i>
<i>Coming into force</i>	<i>9th February 2007</i>

The Secretary of State for Education and Skills, in exercise of the powers conferred by sections 66 and 120 of, and paragraphs 5 and 10 of Schedule 10 to, the Education Act 2005[[1](#)] makes the following Regulations:

Citation

1. —(1) These Regulations may be cited as the Education (New Secondary School Proposals) (England) (Amendment) Regulations 2007 and come into force on 9th February 2007.

(2) These Regulations apply only in relation to England.

Amendment of Education (New Secondary School Proposals) (England) Regulations 2006

2. —(1) The Education (New Secondary School Proposals) (England) Regulations 2006 [—(1) These Regulations may be cited as the Education (New Secondary School Proposals) (England) (Amendment) Regulations 2007 and come into force on 9th February 2007.

(2) These Regulations apply only in relation to England.

Amendment of Education (New Secondary School Proposals) (England) Regulations 2006

2. —(1) The Education (New Secondary School Proposals) (England) Regulations 2006 [—(1) The Education (New Secondary School Proposals) (England) Regulations 2006 [[2](#)] are amended as follows.

(2) At the beginning of regulation 5, for "Notices" substitute "For the purposes of section 66 (3)(d), notices".

(3) In regulation 5(h) for "schools" substitute "school".

(4) In regulation 6(1)(f) for the comma after "authority" where that word first occurs, substitute "and".

(5) In regulation 10(a), after "them", insert "under section 66(7)(b)".

(6) In regulation 10(b) (ii) for "paragraphs (2)" substitute "paragraph".

(7) At the end of regulation 17(1)(b) insert the word "or".

(8) After regulation 17(1)(b) insert—

" (c) where the proposals published under section 66 in response to a notice under that section, consist of or include any proposals which are

made by the local education authority for the area in which the school organisation committee has been established; or

(d) where the proposals published under section 66 in response to a notice under that section consist of or include any proposals for the establishment of a foundation or voluntary school which is proposed to be designated under section 69(4) of the 1998 Act as:

(i) a Church of England school, or

(ii) a Roman Catholic school, or

(iii) both a Church of England and a Roman Catholic school."

(9) After regulation 17(3) insert the following—

" (4) The school organisation committee, in cases where sub-paragraphs (1)(c) and 1(d) apply, must make any referral within four weeks of the end of the period prescribed by regulation 12 or paragraph 3(1) of Schedule 10 (as substituted by regulation 22(3)) as the case may be."

(10) In regulation 22 (1)(a) omit "(2)".

Andrew Adonis

Parliamentary Under Secretary of State Department for Education and Skills

16th January 2007

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Education (New Secondary School Proposals) (England) Regulations 2006.

They amend regulation 17(1), by inserting new sub-paragraphs (c) and (d), to provide that school organisation committees must refer to the adjudicator any proposals that the local education authority (for the area in which the school organisation committee has been established) has made, or that relate to the establishment of a Church of England or Roman Catholic school (or a school of both those denominations).

They also make a number of minor corrections mostly of typographical errors.

(This note is not part of the Regulations)

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proposals that the local education authority (for the area in which the school organisation committee has been established) has made, or that relate to the establishment of a Church of England or Roman Catholic school (or a school of both those denominations).

They also make a number of minor corrections mostly of typographical errors.



The Children and Young People's Service

Statutory Notice inviting proposals for a new secondary school in Haringey.

Notice is hereby given in accordance with section 66(1) of the Education Act 2005 that Haringey is inviting promoters to establish a new Secondary school for 1080 boys and girls between the ages of 11 and 16 from 01 September 2010.

The number of pupils in Haringey Primary schools is expected to grow over the next 10 years. At the same time Haringey is reducing the number of pupils in several secondary schools.

The new school is to be built at the Eastern Utility site, which is in Wood Green and adjacent to Alexandra Park. The new school will be needed at the centre of the borough in order to provide for the increasing number of pupils. The site is close to Alexandra Palace Station and 600 metres from Wood Green tube and bus station, making travel to and from the school convenient.

The Eastern Utilities land forms part of the Heartlands development, which is a significant regeneration scheme and will contribute towards the regeneration of under used sites and attract major investment into the area. The site will also be in close proximity to a significant amount of residential developments.

The purchase for the land freehold is in the region of £6 million. The Local Authority will meet the capital cost of £25.75 million in order to implement the proposals to the extent required by any enactment. In the event of a non-Haringey Local Authority proposal securing the right to establish the new secondary school, the Local Authority will transfer their interest in the site and any buildings on it, which are to form part of the school premises to the school's trustees, foundation body, or governing body in accordance with paragraphs 13(4) and 14(5) of Schedule 10 to the Act.

The school will be built to accommodate 8 forms of entry in each year group. The number of pupils to be initially admitted to the school at age 11, from 01 September 2010, will be 162 pupils (6 forms of entry). When there is sufficient demand, the roll will be increased to admit 216 pupils (8 forms of entry). There will be an additional 25 places in a special unit for students with autism.

The school will be open from 8am to 6pm all year round, providing access to a range of activities for young people such as arts, sports or special interest clubs, and other study support such as 'catch up' and 'stretch' opportunities. The school will promote family and adult learning through the extended services programme. The school will develop an identity and focus for the local community including facilities to support a wide range of community uses/services. The school will play an important part in the development of the re-development of this part of Haringey and have a particular focus on arts and media.

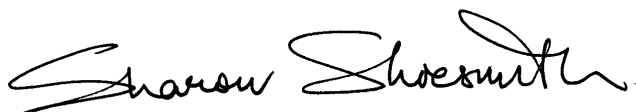
Any proposal brought forward should be in line with the requirements set out in the above paragraph. However, proposals that do not comply with all the requirements but meet the need for secondary places in Haringey will be considered.

Within four months after the date of publication of this notice any person or group may bring forward a proposal to promote the school. The invitation period for proposals therefore extends from the date of this notice until 4th January 2007. Proposals must contain all the information required by part 1 of Schedule 2, under Section 66 (1). Promoters must send their bids to:

Corinne Hilton
School Organisation & Development Officer
Business Support & Development Team
Haringey Children and Young People's Service
Professional Development Centre, Downhills Park Road, London N17 6AR
corinne.hilton@haringey.gov.uk
(Tel) 020 8489 5019 / 5000 (Fax) 020 8489 5004 / 5001

Within three weeks after the end of the invitation period, the Local Authority will publish a notice summarising all proposals received. Within six weeks after the date of publication of these proposals, any person may object to or make comments on the proposals by sending the representations to the Local Authority. Within two weeks after the end of the representation period, the Local Authority will send to the School Organisation Committee all representations made (and not withdrawn in writing) within the representation period, together with the Authority's observations on them.

Signed



Sharon Shoesmith
Director
The Children and Young People's Service

Date: 4th September 2006

Timetable

Statutory invitation to bid to promote the new school	4 th September 2006
Deadline for bids to be received	4 th January 2007
Statutory notice published detailing the received bids	10 th January 2007
Public meeting to discuss all bids	16 th January 2007
Statutory notice period ends	20 th February 2007

HARINGEY COUNCIL

The Children and Young People's Service

Haringey New Secondary School competition

In accordance with section 66(8) of the Education Act 2005, Haringey Council hereby gives notice that following their notice of 04 September 2006 inviting proposals for a new secondary school, four proposals have been received. The following are summaries of each proposals received. Details of where the full proposals can be viewed are listed at the end of this notice.

CfBT Education Trust 60 Queens Road Reading RG1 4BS has submitted a proposal to establish a new Foundation School.

The new school will place a strong focus upon developing the individual skills, aptitudes and interests of all students', equipping them for life as learners and workers in the 21st Century. The school will have a high work ethic. It will set out clear expectations for all students with high aspirations for students' levels of personal achievement. It will be a fully inclusive school built on an ethos of respect for diversity with a sense of self-respect and personal responsibility. It will offer an enrichment programme that will extend the opportunity for students, staff and families to learn beyond the school day and academic year. It will be a school of which the community, students, families and staff alike will be proud. In establishing the ethos of the school, an essential characteristic will be the creation of three small schools within the one organisation, sharing the same campus, working collaboratively as one larger federated model under one executive principal and one governing body. Two of the schools would be as mainstream schools following the full breadth and balance of the national curriculum. They will work in parallel with two Y7 –Y11 vertical groupings. Each of these schools will be the equivalent of 4 forms of entry with 108 young people in each parallel year group. The third small school would be the integrated resource for young people with Autistic spectrum disorders. The specialist provision offered through this third school would be developed in partnership with the National Autistic Society. Each of the small schools would have a designated head of school. Together they would form the senior leadership team working together to the Chief Executive Principal of the entire school. At the heart of the school ethos will be drive to continually improve. It will have a sharp focus on standards and outcomes ensuring all staff are giving of their best on behalf of the young people in the school and all young people recognise the contribution they have to make to their own success at school. At the time of application the nature of the specialism has yet to be determined.

United Learning Trust 23 Chapel Street Titchmarsh Northamptonshire NN14 3DA has submitted a proposal to establish a new Academy.

In our proposal to build an Academy in Haringey we have provided a comprehensive description of our ethos and approach and hope this level of detail demonstrates our thoughtful commitment to the project. In summary, it is our aim to bring out the 'best in everyone'. The Academy will be a non-selective community school welcoming those of all faiths and none. Its ethos will be guided by ULT's founding principles of respect, service, compassion and responsibility. The principles underpinning the Academy's ethos, vision, curriculum, enrichment programme and admissions policy relate not only to the desire to promote academic and personal success, but also to the Academy seeking to be an active agent for community cohesion. The Academy will be a high performing centre of learning promoting the highest possible levels of achievement. It will also actively support the development of personal qualities and competencies to enable each student to become a successful and fulfilled adult. The curriculum will draw upon the strengths of the National Curriculum, but place greater emphasis on personalised learning and in particular an individualised student support programme which guarantees 1-1 tutoring, guidance and progress review on a regular basis. The Academy will provide a broad, balanced and relevant curriculum for all. It will specialise in the Arts and Media and become a centre of excellence, providing enhanced resources which will be made available to students, partner schools and the community. It will specialise in the Arts and Media.

Haberdashers' Aske's Federation Pepys Road London SE14 5SF has submitted a proposal to establish a new Academy.

"Haberdashers' Academies: Three Schools, One Vision" The Federation will bring the three schools together in a new and ambitious way. United by a single Governing body and Chief Executive, they will still be separate schools with a Principal and Senior Management Team. At the same time, links will develop at every level and in every area of school life. There will be excellent opportunities for sharing resources, learning from each other and student and teacher exchange. There will be a distinct Mission: "to value tradition as well as progress and promote excellence". The Federation will be at the cutting edge of national educational initiatives, committed to research and development and to adopting creative solutions that will benefit all Askean students. The Haberdashers' Aske's Federation ethos is one of: Promoting excellence through mutual respect and responsible behaviour, equality of opportunity for all. The aim for all our schools:

- To provide single sex education for students aged 11-16 and co-education at Primary and Post 16
- To ensure that all students receive a broad, balanced and high quality education including extra activities in an extended day
- To raise levels of achievement
- To work with our local community
- To explore innovative ideas in education
- To involve business and industry in education.

This proposal is to include a sixth form (11-18) and, pending consultations, to absorb the Alexandra primary, creating in effect a 3-18 Academy. The school will specialise in Music.

The Local Authority has submitted a proposal to establish a new Community School.

Haringey Council's proposal is for a high achieving, inclusive, multi-faith community comprehensive school, in which all young people achieve their potential through high quality personalised learning that is designed to meet their individual needs. All young people will make excellent progress from different starting points. The school will make a strong contribution to the well-being and cohesion of the local community and gain from connections across the capital. Governors, leaders, staff and young people of the school will share a responsibility to create an ethos whereby students:

- are keen to learn and value highly their own achievements and those of others;
- develop confidence, high self esteem and a sense of responsibility;
- understand and respect each other's feelings, values, beliefs and cultures;
- behave well because they understand and apply the principles that distinguish right from wrong;
- be active and responsible young citizens within the community;
- take a keen interest in a wide variety of opportunities available through the school and the wider community;
- understand and fulfil the responsibilities of living in a diverse community.

Above all the ethos of the school would allow good relationships to flourish. The school will have the opportunity to operate as part of a hard federation of successful schools that have raised standards of achievement at twice the national rate consistently over six years. The Council is proposing the school would have specialisms in visual arts and media, with additional specialisms in areas of SEN (Autism). Additionally the school will form an important contribution to the planned collaboration between Haringey schools to provide the full range of specialist diplomas, which will provide progression pathways 14-19. The school will benefit from a wide range of partnerships already established across Haringey.

Complete copies of the proposals can be inspected at the following address:

Wood Green Library - High Road Wood Green London, N22 6XD

Hornsey Library – Haringey Park, London, N8 9JA

Marcus Garvey Library – 1 Philip Lane, Tottenham, N15 4JA

Or viewed on the Haringey web site at: <http://www.haringey.gov.uk/newschool>

Within six weeks after the date of publication of this notice (no later than 21st February 2007), any person may object to or make comments on the proposals by sending the representations to:

Corinne Hilton, School Organisation & Development Officer, Haringey Children and Young People's Service, 48 Station Road, Wood Green London N22 7TY
corinne.hilton@haringey.gov.uk (Tel) 020 8489 5019

Within two weeks after the end of the representation period, the Local Authority will send to the School Organisation Committee all representations made (and not withdrawn in writing) within the representation period, together with the Authority's observations on them.

Signed



Ian Bailey
Deputy Director of the Children & Young People's
Service
Business Support & Development

Date 11th January 2007

Note

- A public meeting discussing all bids will be held on 16th January 2007. The meeting will start at 18:30 at Civic Centre, High Road, Wood Green London, N22 8LE
- The new secondary school will be located on the Eastern Utilities land which forms part of the Heartlands development.

Decision Makers Guidance Section 1

Statutory Guidance - Issues to be considered in deciding proposals.

■ Standards

1. The Secretary of State wishes to encourage changes to local school provision which will boost standards and opportunities for young people, while matching school place supply as closely as possible to pupils' and parents' needs and wishes. Decision Makers should assess proposals in the light of these overall criteria, and the specific further considerations set out in this guidance. The Decision Maker may wish to consider whether the proposals are consistent with the Children and Young People's Plan for the area, where such a plan is required, but if they are not consistent they should not reject the proposals solely on these grounds.
2. The Government aims to transform the opportunities open to pupils in secondary education, and greater diversity and innovation have a key role to play in this, with each school developing its own ethos and sense of mission and being encouraged to develop a centre of excellence or specialism. Every school should have an incentive to improve, have effective leadership and management, and collaborate with other schools.
3. The Government wants to use the best schools to lever up standards across the system. This may be by enabling successful and popular schools to expand, or by encouraging a range of collaborative arrangements by which successful schools can share their management and other expertise with less successful schools. Decisive action must be taken to deal with failing schools.
4. In considering standards issues, the Decision Maker should also take account of recent reports from Ofsted or other inspectorates, the autumn package of performance data, and any other performance data. The LAs and others bringing forward proposals should justify them specifically in terms of their impact on standards.

■ Curriculum

5. The Decision Maker must also be satisfied that the proposals are consistent with delivery of a broad and balanced curriculum to the pupils involved.

■ Proposals involving schools in special measures and those causing concernPowers of Intervention

6. The categories of schools causing concern are defined in sections 14-19 of the Schools Standards and Framework Act 1998, as amended by sections 54-59 of and Schedule 5 to the Education Act 2002. Further information on these categories and the relevant follow-up procedures can be found in the DfES guidance on schools causing concern. This legislation is being consolidated and extended within the Education and Inspections Bill currently before Parliament. In addition the Department is currently consulting on new draft statutory guidance in this area, and details are available at <http://www.standards.dfes.gov.uk/sie/si/SCC/>
7. All maintained schools causing concern should receive intensive support from their LA.
8. The Education Act 2005 (section 44), changes the definition of a school in special measures and a new category - significant improvement - replaces previous Ofsted categories of serious weaknesses, inadequate sixth form or underachieving (a non-statutory category). Before reaching a judgement that a school requires special measures, Ofsted inspectors must now take into account a school's capacity to improve. A school that is not considered to need special measures but is nevertheless not performing as well as it should be, may be given a notice to improve. These changes came into force with new inspection arrangements in September 2005. Schools judged to require special measures, to have serious weaknesses, an inadequate sixth form or to be underachieving under the arrangements in place until the end of July 2005 will be re-inspected two years after their designation. Under the new arrangements schools that are made subject to special measures will continue to receive termly monitoring visits; those requiring significant improvement will be re-inspected after one year. However, Ofsted will from September 2006 be

trialling a system whereby schools requiring significant improvement will receive one monitoring visit, around 8 months after the initial inspection that made the judgement, to see what progress the school is making in advance of the re-inspection.

9. When considering the closure of any school causing concern and the expansion of other schools in the area, LAs should take into account the popularity with parents of alternative schools.

10. "Fresh start" proposals are normally designed to replace a school that is subject to special measures, needs significant improvement or is subject to a warning under section 15 of the School Standards and Framework Act 1998. The proposals for both the closure of the school and the opening of the new school on the same site should be submitted in parallel and should be considered together. In such cases there should be a presumption to approve both proposals. When considering the approval of a Fresh Start proposal, the Decision Maker should check that the places the new school will provide are needed.

11. DfES has put in place a programme to support Fresh Start schools. In order to qualify for support under this programme, the Fresh Start proposal will need to be endorsed by Ministers. Such endorsement will of course depend on approval of the statutory proposals relating to the Fresh Start. However, in exceptional circumstances Ministers may decide not to endorse a Fresh Start proposal after the associated statutory proposals have been approved. In such circumstances, the new school will neither qualify for support from the Fresh Start support programme, nor be recognised nationally as a "Fresh Start" school. "Collaborative restart" is a variant of Fresh Start and federation, involving closure/reopening of a failing school in a strong partnership with another local school. It therefore comes under exactly the same decision making regime as Fresh Start.

12. For all closure and Fresh Start proposals involving schools causing concern, copies of the Ofsted monitoring letters for the relevant schools should be made available. The Decision Maker should have regard to the length of time the school has been on special measures, needed significant improvement or otherwise caused concern, the progress it has made, the prognosis for improvement, and the provision of places at neighbouring schools. Where the Decision Maker is presented with proposals to close schools in special measures or otherwise causing concern, they should start from the presumption that these should be approved, subject only to checking that there will be sufficient accessible places of an acceptable standard available in the area to meet foreseeable demand and accommodate the displaced pupils.

13. Where a school is to be closed so that it may be amalgamated with a more successful and popular school, the Decision Maker should again normally approve these proposals, subject to evidence being provided by the LA and other interests that the development will have a positive impact on standards.

14. From September 2006, Fresh Start or Collaborative Restart proposals for secondary schools can only go forward without a competition if the Secretary of State has consented under section 28A (1) of the School Standards and Framework Act 1998, as inserted by section 65 of the Education Act 2005.

Secretary of State's power to direct closure

15. Section 19 of the School Standards and Framework Act 1998 as substituted by section 45 of the Education Act 2005, gives the Secretary of State the power to direct an LA to close a school requiring special measures. Such a direction would not be subject to the agreement of the School Organisation Committee or Schools Adjudicator. However, they may be required to consider proposals for the opening of a new school or for alterations as a consequence of the directed closure. There should be a presumption to approve the consequential proposals.

Proposals other than closure or Fresh Start

16. These should be dealt with as quickly as possible, and the Decision Maker should have regard to the impact the proposals may have on the school's ability to take forward its action for recovering from special measures, removing serious weaknesses or no longer requiring significant improvement.

■ **Creating Additional Places (in existing schools or by new schools)**

17. Where proposals will provide additional places, the Decision Maker should consider whether they are needed. In considering need, the Decision Maker should take into account not only the existence of spare capacity in neighbouring schools, but also the quality and popularity with parents of the schools in which spare capacity exists and evidence of parents' aspirations for a new school or their support for expansion of an existing school. The existence of surplus capacity in neighbouring less popular or successful schools should not in itself prevent the addition of new places. In considering proposals for additional places, the Decision Maker must take account of the impact which proposals will have on the standards of provision. Where proposals add to surplus capacity (either by adding places at existing schools or creating new schools) but there is a strong case for approval on parental preference and standards grounds, the presumption should be for approval. The LEA in these cases will need to consider parallel action to remove the surplus capacity thereby created.

■ School Size

18. Decision Makers should not make blanket assumptions that schools need to be of a certain size before they can be good schools (although the cost-effectiveness of proposals should continue to be one of the factors taken into account). All proposals should be considered on their individual merits.

■ New schools

19. Any organisation, association or individual willing to meet the conditions associated with being in the maintained sector, may publish proposals to set up a new maintained school. The Government wishes to encourage the widest possible range of promoters with a contribution to make to educational standards and diversity to come forward – including parent and community groups, private and charitable companies, voluntary groups including church and faith communities, those offering distinctive educational philosophies, existing schools or consortia of schools. All proposals, from whatever source, must be considered on the basis of their educational merits, the extent of parental demand for the places and what they have to offer the local community.

■ Establishing a new secondary school

20. With effect from 1 September 2006 a new statutory framework applies for the establishment of any new secondary school – whether it is to be a brand new school or to replace an existing school. Where a local authority wishes to see a new secondary school established it must either:

- a. invite proposals for such a school as provided for under section 66 of The Education Act 2005 and regulation 3-6 of The Education (New Secondary School Proposals) (England) Regulations 2006. The process is generally referred to as “secondary school competitions”. This is expected to be the route by which most new secondary schools will be established; OR
- b. apply to the Secretary of State for permission to publish proposals for a new secondary school, without running a “competition” as provided for in section 28A of the School Standards and Framework Act 1998, as inserted by section 65 of The Education Act 2005.

21. Where proposers – other than a local authority wish to establish a new secondary school, they must also apply to the Secretary of State for permission to publish proposals for a new secondary school, without running a “competition” as provided for in section 28A of the School Standards and Framework Act 1998. There is no provision for proposers other than LAs to hold competitions.

22. It is important to note that the Secretary of State may only give consent to **publish** proposals. Where consent is granted, the normal statutory process must be followed i.e. Consultation; Publication; Representations and Decision.

■ Proposed admission arrangements – new schools

22A. The Decision Maker should confirm that the admission arrangements proposed comply with the provisions of the School Admissions Code of Practice (Note: under the provisions in the Education and Inspections Bill this is to be replaced by the School Admissions Code). Where the

admissions arrangements are unsatisfactory the proposals should normally be rejected. However, where the Decision Maker would otherwise have been minded to approve the proposals, the Decision Maker should consult the proposer on a proposed modification to the proposals in order that the proposed admission arrangements comply with the Code of Practice.

■ Academies

23. Academies are publicly-funded independent schools established in partnership with business and voluntary sector sponsors. They normally replace one or more schools facing challenging circumstances or will be set up to meet a need for new school places. Academies may be established in rural as well as urban areas. All Academies should contribute to a strategic approach to diversity in their area. The involvement of business and other non-Government partners will enable Academies to develop and implement new approaches to teaching and learning in order to raise standards and promote innovation. All Academies will be required to share their facilities and expertise with other local schools and the wider community.

24. Statutory proposals are not required for the establishment of an Academy – an Academy may be proposed to replace an existing school or schools or may be proposed in response to a secondary school competition. The legal basis for Academies is section 482 of the Education Act 1996, which provides for the Secretary of State to enter into funding agreements with persons undertaking to establish and maintain specific types of independent school. Where an Academy is to replace an existing school or schools, however, the proposals for the closure of those schools should indicate whether pupils currently attending the schools will transfer to the Academy and, if appropriate, what arrangements will be made for pupils who are not expected to transfer.

25. All proposals in response to a secondary school competition will be considered together on their merits. The SOC must consult the Secretary of State to seek a written statement on whether he would be willing to commence negotiations with a view to entering into an agreement for the establishment of an Academy before taking a decision on a competition which includes any proposals for an Academy. All other statutory proposals for changes to maintained schools relating to the establishment of an Academy should be considered together. If provision for pupils at a school proposed for closure is dependent on the establishment of an Academy, any approval of the closure proposals should be conditional upon the making of an agreement for an Academy, but there should be a general presumption in favour of approval.

26. It should be noted that the SOC must consider proposals made by an LA where there are no objections, as the LA do not have the power to make their determination conditional on the making of an agreement for a new Academy.

■ Expansion of Successful and Popular Schools

Secondary Schools

27. The Government is committed to ensuring that every parent can choose an excellent secondary school for their child. The DfES Five Year Strategy document accordingly laid out a range of proposals for increasing the supply of successful secondary schools. One proposal was to support and make easier the expansion of successful and popular secondary schools.

28. The process for the expansion of secondary schools has now been shortened to less than twelve weeks (for proposals which are not referred to the school adjudicator). Governors of all categories of secondary school have the power to publish proposals to increase their intake and the size of their school. And up to two representatives of any governing body that is the subject of expansion proposals are entitled to attend the School Organisation Committee (SOC) meeting which is considering the proposals in order to make their case. In addition, where proposals by a governing body to expand are rejected by the SOC, that governing body now has the right to refer those proposals to the Adjudicator to decide.

29. LAs and school governing bodies may apply to the Department for capital assistance with the work needed for the expansion of secondary schools (other than grammar schools and selective places at partially selective schools) – more information is available at <http://www.teachernet.gov.uk/docbank/index.cfm?id=10541> . Funding will only finally be made available if the proposals are approved by the SOC or the Adjudicator.

General

30. When there is a need or demand to expand school provision, LAs and Governing Bodies should take account of the wishes of parents in deciding which schools should expand. The Secretary of State also wishes to encourage LAs to reorganise provision in order to ensure that places are located where parents want them. For the purposes of this guidance, the Secretary of State is not proposing any single definition of a successful and popular school. It is for the Decision Maker to decide whether a school is successful and popular, however, the following indicators should all be taken into account:

The school's performance

- in terms of absolute results in key stage assessments and public examinations
- by comparison with other schools in similar circumstances (both in the same LA and other LAs)
- in terms of value added
- in terms of improvement over time in key stage results and public examinations.

The numbers of applications for places

- the Decision Maker should also take account of any other relevant evidence put forward by schools.

31. The strong presumption is that proposals to expand successful and popular schools should be approved. In line with the Government's long-standing policy that there should be no increase in selection by academic ability, this presumption does not apply to grammar schools.

32. The existence of surplus capacity in neighbouring less-popular schools should not in itself be sufficient to prevent this expansion, but if appropriate, in the light of local concerns, the Decision Makers should ask the LA how they plan to tackle any consequences for other schools. The Decision Maker should only turn down proposals for successful and popular schools to expand if there is compelling objective evidence that expansion would have a damaging effect on standards overall in an area, which cannot be avoided by LA action.

33. Before approving proposals the Decision Maker should confirm that the admission arrangements of schools proposed for expansion fully meet the provisions of the School Admissions Code of Practice (Note: under the provisions in the Education and Inspections Bill this is to be replaced by the School Admissions Code). Although the Decision Maker may not modify proposed admission arrangements, the proposer should be informed that proposals with unsatisfactory admissions arrangements are unlikely to be approved, and given the opportunity to revise them in line with the Code of Practice. Where the local authority, rather than the governing body, is the admissions authority, we will expect the authority to take action to bring the admission arrangements into line with the School Admissions Code.

■ Balance of denominational provision

34. In deciding proposals to close or reduce the capacity of a Church of England or Roman Catholic school, the decision maker should consider the effect that this will have on the balance of denominational provision in the area. Parental demand and the standards of the school must be taken into account.

35. The Adjudicator should not normally approve proposals for the closure of a Church of England or Roman Catholic school where the relevant church SOC group has voted against its closure and it is clear that the closure, together with any related changes, will reduce the proportion of such denominational places within the authority's area. The exception would be where the school is severely undersubscribed or standards are low.

■ Surplus Places

36. It continues to be important that education is provided as cost-effectively as possible. Empty places can represent a poor use of resources. LAs with high levels of surplus are encouraged to take action to remove surplus places where schools have a quarter or more of their places unfilled and at least 30 surplus places. However, standards at the schools also need to be taken into

account, as well as geographical and social factors, such as population sparsity in rural areas, and the effect on any community use of the premises (see paragraph 60).

37. As noted in paragraphs 17, 30 and 32 above, the Secretary of State wishes to encourage LAs to organise provision in order to ensure that places are located where parents want them. LAs should take action to remove empty places at schools that are unpopular with parents and which do little to raise standards. The removal of surplus places must always support the core agenda of raising standards and respect parents' wishes by seeking to match school places with parental choices.

■ Finance

38. The Decision Maker must be satisfied that any capital required to implement the proposals will be available (paragraph 3(4) of Schedule 6 to the SSFA 1998). Normally, this will be some form of written confirmation from the source of funding on which the promoters rely. In the case of a local authority, this may be from an authorised officer within the Authority.

39. There can be no assumption that the approval of proposals will trigger the release of capital funds from the Department unless the Department has previously confirmed in writing that such resources will be available; nor that any allocation "in principle" can be increased. In such circumstances the proposals should be rejected, or consideration of them deferred until it is clear that the capital necessary to implement the proposals will be provided.

40. Proposals must not be approved "conditionally" upon funding being made available but with two specific exceptions – those being funded under the Private Finance Initiative (PFI) or the Building Schools for the Future programme (BSF). For proposals being funded under PFI and BSF schemes the Decision Maker must be satisfied that funding has been agreed "in principle" but it should set a condition of its approval (see Decision Maker's Guidance Section 6 - paragraph 28 (e) and (f)). This protects proposers so that they are not under a statutory duty to implement the proposals until the relevant contracts have been signed and/or funding is finally released.

41. The Decision Maker will need to be satisfied that the proposals represent a cost-effective use of public funds. The proposed areas and costs should be in line with the Department's guidelines. Decision Makers should confirm that promoters/proposers have referred to the Department's school building design guidance - area guidelines for schools is available in Building Bulletin 98 (Briefing Framework for Secondary School Projects), Building Bulletin 99 (Briefing Framework for Primary School Projects) and BB77 for special schools. Cost information is available in 'Education Building Projects: Information on Costs and Performance Data'. Where costs/areas are not in line with the guidelines the promoters/proposers should provide a satisfactory explanation and in cases of doubt Decision Makers could seek specialist advice from professional building consultants.

42. Implementation of proposals may depend on capital receipts from the disposal of land previously used for the purposes of a community school. Those bringing forward proposals and the Decision Maker should therefore assure themselves that any necessary consent for disposal of the land under paragraph 2 of Schedule 35A to the Education Act 1996 has been received from the Secretary of State. Consent is also necessary for the disposal by foundation or voluntary schools of any publicly funded land and buildings under Schedule 22 of the SSFA 1998.

43. The prior agreement of the Secretary of State will also be needed where it is proposed that capital should be raised from the disposal of school playing fields (details are given in DfES Guidance 1017 - 2004 The Protection of School Playing Fields and Land for Academies published in November 2004). Proposals dependent on disposal of land for their implementation may not receive full approval until consent for their disposal has been received. Proposals may, however, be approved conditionally under Regulation 9 of the Education (School Organisation Proposals) (England) Regulations 1999 conditional upon the acquisition of a site or playing fields.

■ New Voluntary Aided School – Promoter liabilities

44. For proposals for a new voluntary aided school the Decision Maker must have a statement (Form 18), signed by the promoters, that provides evidence that the Governing Body will be able to meet their financial responsibilities for all future building work.

■ Views of Interested parties

45. The Decision Maker must consider the views of all those affected by the proposals or who have an interest in them including parents, residents, pupils, staff, other schools and colleges, diocesan bodies and other providers, LAs, the LSC (where proposals affect 14-19 provision) and the Early Years Development and Childcare Partnership or any local partnership that exists in place of an EYDCP (where proposals affect early years provision). This includes statutory objections and comments submitted during the representation period (and before proposals are accepted as valid the Decision Maker will need to be satisfied that the legal requirement to consult has been met).

■ **Community cohesion and race equality**

46. The Government wants to promote ethnic, religious and cultural tolerance and respect between different groups of people living and working together. Tensions can grow where ethnic groups have segregated themselves from each other - whether by choice or circumstance - in housing, work, leisure and education. The Government is therefore committed to improving community cohesion: the uniting of people of different races, cultures and faiths in a common sense of belonging and pride in a shared civic identity. The areas which appear to be most successful in uniting different communities are those which combine an emphasis on shared values and common citizenship with a positive approach to celebrating diversity.

47. To realise the benefits of our multi-cultural society there is a need for positive action to promote community cohesion. Schools have a key part to play in this by providing opportunities for young people from different backgrounds to learn from each other; by encouraging, through their teaching, an understanding of, and respect for, other cultures and faiths; and by activities in the community which help to build bridges between different ethnic groups.

48. When considering proposals for new schools the Decision Maker must consider whether the proposals will help to promote community cohesion. This will need to be considered on a case by case basis, taking account of the community that the new school will serve and the views of different sections within the community. There is no single model of school inclusiveness which can be applied to all circumstances - prime consideration should be the needs of the particular local community. Examples of matters which the Decision Makers might consider are: how the school proposes to meet its statutory duty to promote racial equality, how it will encourage good citizenship, if the school is to have a religious character how it will deliver RE both in its own faith and other faiths, how it will address ethnic minority achievement issues and the needs of bi-lingual learners, if it has a religious character whether it will give priority to pupils of other faiths/denominations or to a specified group of applicants regardless of faith/denomination and its plans for partnership working with other schools. Some examples of partnership working are set out in Section 5

49. Promoters of new schools must include in their proposals information about how the school will tackle religious, racial and cultural division, and contribute to well-being across the community. Where proposed new maintained schools already exist as independent schools, information about what they are already doing and contributing will also be relevant.

50. The Decision Maker will need to consider the views of the local community, the commitment of the new school promoters and their own assessment of the robustness of the proposed means for achieving inclusiveness. Proposals for new faith schools should be judged on the same basis as proposals for other schools. The Local Government Association's Guidance on Community Cohesion should also be referred to by those drawing up proposals for changes in school organisation. Proposals should be prepared against the background of the initiatives and documents referred to in that guidance, including the Local Strategic Partnership's community strategy.

51. The Decision Maker must ensure that a proposed school does not intend an admission policy which would disadvantage pupils such as Gypsy and Traveller pupils and asylum seeker pupils where the need to provide for such pupils is likely to arise.

■ **Accessibility**

52. Difficulties with transport can prevent people participating in learning or restrict their choice of the quality, subject matter or type of learning they attend. In considering proposals for the reorganisation of schools, Decision Makers should satisfy themselves accessibility planning has been properly taken into account that e.g. in cases such as school closures and the location of

new schools. Facilities are to be accessible by those concerned and disadvantaged groups not disadvantaged further, particularly by the cost or availability of transport to places of learning

■ Equal opportunity issues

53. The Decision Maker must consider whether there are any sex, race or disability discrimination issues that arise from the changes being proposed, for example, that where there is a proposed change to single sex provision in an area, there is equal access to single sex provision for the other sex to meet parental demand. In considering proposals for an existing independent school to become maintained the Decision Maker must be satisfied that if the school is co-educational it will provide equal opportunities for boys and girls.

■ Rural schools and sites

54. In considering statutory proposals to close a rural school, the Decision Maker should have regard to the need to preserve access to a local school for rural communities. There is therefore a presumption against the closure of rural schools. This does not mean that no rural school should ever close, but the case for closure should be strong and the proposals clearly in the best interests of educational provision in the area. In order to assist the SOC, those proposing closure must provide evidence to the SOC to show that they have carefully considered:

- The transport implications of rural school closures, including the welfare and safety of the children, the recurrent cost to the LA of transporting pupils to a school further away, the quality and availability of transport links to the alternative provision, the effects on road traffic congestion, and the environmental costs of pupils travelling further to schools.
- The overall and long term impact on local people and the community of closure of the village school and of the loss of the building as a community facility.
- Alternatives to closure including the potential for federation with another local school to increase the school's viability; the scope for Extended School or children's centre status to provide local community services and facilities e.g. child care facilities, family and adult learning, healthcare, community internet access etc.

55. It is the responsibility of the Decision Maker to decide whether a school is to be regarded as rural for the purpose of considering proposals for closure under this guidance and in particular the presumption against closure. The Department's register of schools - Edubase - includes a rural/urban indicator for each school in England based on an assessment by the Office for National Statistics. The Decision Maker should have regard to this indicator. Where a school is not recorded as rural on Edubase, the SOC may nonetheless wish to consider evidence provided by interested parties that a particular school should be regarded as rural. The Office for National Statistics have introduced new rural/urban indicators, and may be prepared to advise in cases of doubt, as may the Countryside Agency.

56. Where a school is situated on more than one site, proposals are required to close one of the sites if any of the other sites is a mile or more away from it. The Decision Maker should take into account the same sort of factors in deciding whether to approve the closure of one of the sites of a rural school, and there is a presumption against their closure also, particularly where schools have recently been amalgamated and there has been an understanding that education would continue on the site.

■ Travel to School

57. In deciding statutory proposals, the Decision Maker should bear in mind that proposals should not have the effect of unreasonably extending journey times or increasing transport costs, or result in children having to negotiate significant barriers such as railway lines or major roads. Proposals should also be considered against Government objectives to reduce traffic congestion and promote alternatives to the car through the School Travel Planning process

58. When considering proposals to close a school in a deprived area, Decision Makers should have particular regard to the transport arrangements proposed by those bringing forward proposals, the quality of the transport links between the communities served by the school and the site of the alternative provision, and the possible effect of the proposed arrangements on pupil unauthorised absence and staying-on post-16.

■ Extended schools

59. As part of the Every Child Matters agenda to improve outcomes for all children the Government wants all schools to provide access to a core offer of extended services by 2010, with half of all secondary schools and a third of all primary schools doing so by 2008. The Government's vision for extended schools is set out clearly in the Extended Schools Prospectus available at www.teachernet.gov.uk/extendedschools. The core offer will comprise of: 8am-6pm childcare/varied menu of interesting activities all year round; parenting support including family learning; swift and easy referral to a range of specialist support services; and community access to the school's sports, arts and ICT facilities including adult learning. Where the provision of extended services are a feature of proposals (e.g for a new school) this should strengthen the case for their approval.

■ Impact on Community

60. In some areas, a school may already be a focal point for family and community activity, and its closure may have wider social ramifications. It may also provide extended services for a range of users. In considering proposals for the closure of such schools, the effect on families and the community should be considered. The information presented by those bringing forward proposals to close such schools, particularly when they are in receipt of funding as part of regeneration activity, should therefore show evidence that options for maintaining community facilities in the area have been considered. The views of other relevant agencies and partnerships with responsibility for community and family services should be taken into account, alongside those of the local police, Government Offices and Regional Development Agencies having responsibility for the New Deal for Communities.

■ Foundation body

61. Foundation and Voluntary schools may establish foundation bodies to be responsible for the land and assets of a group of schools. Proposals may therefore include a reference to plans to establish a new foundation body or join an existing body. Where the proposals include a reference to the need to establish a new foundation body, an approval should be conditional upon the Secretary of State approving the establishment of that body by a certain date.

■ Federation of schools

62. Schools may become federated under a single governing body. Where proposals for a new school include plans for a new federation, or to join an existing federation, any approval should be conditional upon the school being accepted into the federation or the federation coming into being by a certain date.

■ School playing field issues

63. The Education (School Premises) Regulations 1999 set out the standards for school premises, including minimum areas of team game playing fields to which schools must have access. Decision Makers should satisfy themselves that the proposals include provision that ensures that these standards are met unless the Secretary of State has agreed exceptionally to a relaxation in their case.

■ Land tenure arrangements

64. For new voluntary aided schools it is desirable that a trust holds the freehold interest in the site. Sites of certain voluntary schools are held on diocesan general trusts, or by religious orders on their general trusts and these arrangements may apply to new schools. Other arrangements can provide for sites to be held on specific trust for the purposes of the school. Where there are no existing established arrangements, promoters of new schools should consider creating a specific trust.

65. Where the trustees of the proposed VA school hold or will hold a leasehold interest in the site, the Decision Maker will need to be assured that the arrangements provide sufficient security for the school. A leasehold interest under a specific trust would do so where the lease is for a substantial period - normally at least 50 years - and where it avoids clauses which would allow the leaseholder to evict the school before the termination of the lease. The lease should also avoid provisions which would obstruct the governing body or the headteacher in the exercise of their functions under the Education Acts, or place indirect pressures upon the funding bodies.

66. The Department will consider the land tenure arrangements in deciding whether grant-aid can be offered in principle for the establishment of a new VA school. The Department will offer advice as necessary to the promoters on how far the proposed arrangements are acceptable and this advice can be made available to the Decision Maker. For proposals to change a school's category to VA the SOC will need to refer to details of proposed land tenure in the prescribed information to satisfy itself that proposed arrangements are satisfactory.

67. Promoters of new foundation or voluntary controlled schools, and any governors seeking a change of category to such, should discuss their land tenure arrangements with the LA. The LA should provide assurance to the SOC that land tenure arrangements will be satisfactory.

■ Independent schools

68. If the proposal is from an existing independent school the Decision Maker will need to consider whether the school has, or would have, a range of suitable staff to meet the school's needs, including teachers with qualified teacher status, and whether the premises will be suitable for the purpose of a maintained school.

■ Early Years provision

69. In considering any proposals involving changes in early years provision, the Decision Maker should consider whether the proposals will integrate pre-school education with childcare services and/or with other services for young children and their families; and should have particular regard to the views of the Early Years Development and Childcare Partnership.

70. In deciding whether to approve any proposals to close a nursery school, the Decision Maker should be aware that nursery schools generally offer high quality provision, and have considerable potential as the basis for developing integrated services for young children and families. There should be a presumption against the closure of a nursery school unless the case for closure can demonstrate that:

- full consideration has been given to developing the school into a children's centre and there are clear, justifiable grounds for not doing so, for example, unsuitable accommodation, poor quality provision and low demand for places;
- plans to develop alternative provision clearly demonstrate that it will be at least as equal to the quantity and quality of early years provision provided by the nursery school with no loss of expertise and specialism; and that
- replacement provision is more accessible and more convenient for local parents.

71. In deciding whether to approve any proposals to close a nursery class, the Decision Maker should consider whether the alternative provision will maintain or enhance the standard of education provision. Alternative provision could be with providers in the private or voluntary sectors.

■ Infant class sizes

72. Local education authorities and schools have a legal duty to ensure that no infant class of 5, 6 and 7 year olds with a single teacher contains more than 30 pupils (apart from a few very limited exceptions, which relate to children with special needs or those offered places outside the normal admissions round). Before approving any statutory proposal affecting infant classes, the Decision Maker should ensure that its implementation will not compromise the Authority's ability to meet the class size limit.

■ 14-19 provision and collaboration

73. The Government has published proposals to develop 14-19 as a coherent phase of education in which young people remain committed to continuing learning after the age of 16. To that end, it wants young people to be able to choose from a broad range of general and vocational options from the age of 14 and to be able to progress through learning at a pace that is right for them. Where necessary, it expects that this should be achieved through increased collaborative working between local providers, including schools, colleges, training providers and employers.

74. Where a proposal relates to provision for 14-16 year-olds, the Decision Maker should consider the extent to which it will extend the range of options available to students in this age group and enhance the opportunities for collaboration between relevant local providers.

■ 16-19 schools

75. The Learning and Skills Act 2000 allowed the establishment of maintained schools which provide full-time education suitable for the requirements of pupils over compulsory school age but do not provide education suitable for the requirements of pupils of compulsory school age. Arrangements for the publication of proposals for the establishment of 16-19 schools are broadly as for other maintained schools.

■ 16-19 Provision - General

76. The Learning and Skills Act 2000 entitles all 16-19 year olds to further education and training. Schools and colleges must offer high quality provision that meets the diverse needs of all young people, their communities and employers. 16-19 provision should be organised to ensure that, in every area, young people have access, within reasonable travelling distance, to high-quality learning opportunities across schools, colleges and work-based training routes.

77. In September 2003 Ministers set out their **five key principles** for the reorganisation of 16-19 provision, following requests from partners (including LSC and LAs) for more clarity on Government expectations. Decision Makers should therefore consider all proposals for changes to 16-19 provision in the context of these principles.

78. Details of the five key principles can be found in 'Principles underpinning the organisation of 16-19 provision' booklet - <http://www.teachernet.gov.uk/docbank/index.cfm?id=5233>. Briefly they are:

- quality - all provision for all learners should be high quality, whatever their chosen pathway;
- distinct 16-19 provision - all young people should be attached to a 16-19 base which will meet the particular pastoral, management and learning needs of this age group;
- diversity to ensure curriculum breadth – well-managed collaboration between popular and successful small providers will enable them to remain viable and to share and build on their particular areas of expertise;
- learner choice – all learners should normally have local access to high quality 16-19 provision in a range of settings and any proposals for change to this provision should take into account the views of all stakeholders;
- affordability, value for money and cost effectiveness - proposals for change should include how any capital and recurrent costs and savings will lead to improved educational opportunities.

■ ADDITION OF SIXTH FORMS BY “HIGH-PERFORMING” SCHOOLS

79. There should be a strong presumption in favour of the approval of proposals for a new sixth form where:

- The school is a high-performing specialist school that has opted for a vocational specialism; or
- The school, whether specialist or not, meets the criteria for “high performing”, and does not require capital support.

80. Where a new sixth form is proposed by a specialist school that has met the “high performing” criteria and which has opted for a vocational specialism, capital funding will be made available from the new 16-19 Capital Fund. Specialist schools wishing to apply to the 16-19 Capital fund should contact the Learning and Skills Council.

81. There should also be a strong presumption in favour of proposals for a new sixth form where the school, whether specialist or not, is assessed as meeting the DfES criteria for "high performing" and does not require additional capital resources.

82. The presumption will apply to proposals submitted to the SOC within:

- 12 months from the date a school commences operation with vocational specialist status; or
- 12 months from the date a school is informed that it meets the DfES criteria for "high performing";

whichever is the latest. [NOTE: "submitted to the SOC" above refers to when proposals and representations are with the SOC, following the end of the representation period.]

83. Schools wishing to open a sixth form under these circumstances should consult and publish its proposals as soon as possible. The school should ensure that, in forwarding its proposals to the local school organisation committee, it provides a copy of the notification from the DfES that it meets one of the criterion in paragraph 79 above.

84. It is important that any new school sixth form works in partnership with other providers to ensure young people have access to a wide range of learning opportunities. In assessing proposals from "high performing" schools to add a sixth form, decision-makers should have regard to the importance of collaborative working.

85. "High performing" schools seeking to add sixth forms are subject to the same special procedures as secondary schools seeking to expand. The following timetable will therefore apply.

Stage of process	New timeframe
Period for objections and comments	4 weeks
Period by which the LEA must pass comments to SOC together with its own comments and views on the comments of others.	2 weeks
Period after which the governing body of the school concerned can ask for the proposal to be referred to the school adjudicator	6 weeks

86. In addition, the governing bodies of all secondary schools bringing forward proposals to add sixth forms will be able to attend the School Organisation Committee meeting at which their proposals are to be discussed and make representations. They will also be able to appeal to the Adjudicator if their proposals are rejected by the SOC.

■ 16-19 provision "Competitions"

86A. Non statutory competitions for new 16-19 provision were introduced from January 2006. They are being administered by local LSCs, in line with their role as commissioner of 16-19 provision. Local LSCs will identify need for provision through StARs and invite and process competition entries. The establishment of new institutions by competition will involve a 2-stage approval process:

- i. the competition selection process;
- ii. approval of the outcome by existing processes (e.g. SOC approval of school/LA proposals and Secretary of State approval of college/LSC proposals, as required by law);

Competitors will be eligible to apply to the 16-19 Capital Fund from December 2005 for funding from 2006/07. Where a competition is "won" by a school, they must then publish statutory proposals and these must be considered by the Decision Maker on their merits

Where proposals to establish sixth forms are received, and the local LSC is running a 16-19 competition, the Decision Maker must take account of the competition when considering the proposals.

■ LSC proposals to close inadequate 16-19 provision

87. The Learning and Skills Act 2000 (as amended by the Education Act 2005) gives the Learning and Skills Council (LSC) powers to propose the closure of sixth forms requiring significant improvement at all categories of school (by proposing to change the school's age range to stop at 16); and to propose the closure of a 16-19 school placed in special measures or requiring significant improvement of whatever category, including special schools.

88. A sixth form is deemed to require significant improvement if Ofsted judges that it is failing to give students an acceptable standard of education, or in relation to its provision for pupils over compulsory school age the school is performing significantly less well than it might in all circumstances reasonably be expected to perform. A 16-19 school may require special measures if the school is failing to give its pupils an acceptable standard of education and the persons responsible for leading, managing or governing the school are not demonstrating the capacity to secure the necessary improvement in the school. A 16-19 school may require significant improvement if although not requiring special measures it is performing significantly less well than it might in all circumstances reasonably be expected to perform.

89. The LSC powers to close are triggered only where, having had two consecutive adverse reports from Ofsted, a school has failed to turn its 16-19 provision round. Where the sixth form is proposed for closure there should be a presumption to approve these proposals, subject to evidence being provided by the LA and other interests that the development will have a positive impact on standards.

■ LSC powers to propose the reorganisation of 16-19 provision

90. The LSC may make proposals for the reorganisation of post-16 provision in an area, including changes to school sixth forms. The proposals may be made in response to the findings of an area inspection, or in order to meet at least one of three relevant objectives:

- to increase participation amongst 16-19 year olds
- to increase the achievement of 16-19 year olds
- to expand the range of learning opportunities available to 16-19 year olds.

91. LSC reorganisation proposals may include changes to provision in sixth form colleges and other FE settings in addition to schools and all decisions will be made by the Secretary of State. School Organisation Committees will be consulted and their comments on the proposals, and any objections or comments by interested parties, must be passed by the LSC to the Secretary of State within one month of the end of the objection period when the proposals are submitted for decision.

■ Conflicting Sixth Form Reorganisation proposals

92. Where the implementation of reorganisation proposals from the LSC conflict with other published proposals put to the School Organisation Committee for decision, the Committee will be prevented by the School Organisation Proposals by the LSC for England Regulations 2003 from making a decision on the related proposals until the Secretary of State has decided the LSC proposals (see paragraph 7-9 of Decision Makers' Guidance Section 3). If proposals come before the Adjudicator he or she should similarly delay a decision until the Secretary of State has taken a decision on the LSC proposals.

■ Special educational needs provision

93. Section 14 of the Education Act 1996 provides a general duty on LAs to ensure sufficient primary and secondary school places. The same section also requires LAs to have regard to the need to secure that special educational provision is made for pupils with special educational needs. Indeed almost every school in the country will have some children on roll who have special educational needs (SEN). So there are likely to be SEN implications in every school

reorganisation. School reorganisation provides opportunities for LAs to consider the most effective ways of ensuring that appropriate SEN support is delivered to pupils wherever it is needed. This may be in mainstream schools, in specialist resourced provision within the school or in a specialist unit attached to, or co-located with, mainstream schools, or in special schools.

94. When considering proposals for the reorganisation of special educational needs provision the Decision Maker should have regard to:

- the statutory duty placed on Local Authorities, under section 315 of the Education Act 1996, to keep under review their arrangements for special educational needs provision;
- the elements of the Local Authority's Children and Young People's Plan relevant to special educational needs, and in particular the Authority's plans for promoting inclusion (that is, for educating a higher proportion of pupils with statements of special educational needs within a mainstream setting);
- the particular SEN factors mentioned in Section 2.9.

95. Some children with special educational needs will also be disabled, and some disabled children, though they may not have special educational needs, may have particular access requirements. From September 2002 schools and LAs are under a statutory duty under the Disability Discrimination Act 1995 to increase the accessibility of schools for disabled pupils. LAs are required to prepare accessibility strategies and schools are required to prepare accessibility plans. These strategies and plans must show how the LA or school plan to:

- increase the extent to which disabled pupils can participate in the school curriculum;
- improve the physical school environment;
- improve the delivery to disabled pupils of written information in different formats.

■ Change of school category

96. The Government's five-year strategy and the White Paper - Higher Standards, Better Schools for All - envisages a system of "independent specialist schools", based on the expectation that community and voluntary controlled (VC) schools increasingly will seek to change category to foundation. Regulations have been introduced enabling the governing bodies of most community and VC schools to decide their own proposals to change category to foundation, and the Department has consulted on extending these arrangements to primary schools. Any proposals to change the category of a school falling to the SOC to decide should be considered on their individual merits. A school cannot gain, lose or change a religious character by changing category. To do this a school must close and open as a new school.

97. In deciding such proposals the Decision Maker must take into account the restrictions on changing category prescribed in the regulations:

- if the school proposes to change to the voluntary aided category, evidence must be provided that the governing body are able and willing to meet their financial responsibilities for building work after the proposed implementation date (Form 18 should be provided);
- the change of category cannot authorise a school to establish, join or leave a foundation body; and
- a foundation, voluntary aided and voluntary controlled school may not become a community school and a foundation special school may not become a community special school unless the required transfer agreement is entered into (i.e. regarding the land or buildings owned by the trustees and/or governing body).

98. Where the change of category will lead to a change in admission arrangements those bringing forward proposals should also ensure that all interested parties are consulted on the proposed arrangements at an early stage. These parties should include schools and parents of children already at, or likely to attend the school. In considering proposals for a change of school

category the Decision Maker may not modify proposed admission arrangements. These fall to be dealt with under the normal admissions consultation arrangements.

Implementation

99. Where as a result of a voluntary aided (VA) school changing category the Local Authority becomes responsible for the implementation of previously approved statutory proposals in respect of the VA school which have not yet been fully implemented, the Department would continue its support of any agreed capital costs for those proposals, and would be prepared to consider applications from an LA to meet its share of any capital costs which previously fell to the governing body. LAs would also be able to publish statutory proposals to be relieved of the duty to implement approved proposals in respect of the school in its previous category. The Decision Maker would decide any such proposals under the provisions of paragraph 5 of Schedule 6 to the School Standards and Framework Act 1998.

Conditional approvals

100. Some proposals to become a foundation school may involve becoming a member of a group foundation and may only be approved conditionally i.e. upon the Secretary of State approving the establishment of the new foundation body, or agreeing to the school joining an existing group foundation by a specified date. All such change of category proposals will require conditional approval and therefore cannot be determined by the local authority. They must be referred to the School Organisation Committee for decision and then passed to the adjudicator if the SOC cannot agree a unanimous decision.

101. Where it is necessary for a trust to be established or for an existing trust deed to be varied for the school to change category, any approval must also be conditional upon this occurring by a specified date.

■ **New secondary school proposals – Every Child Matters**

102. The Decision Maker should consider how the proposals will help every child and young person achieve their potential in accordance with Every Child Matters principles. This should include considering how the school will provide its extended services, opportunities for personal development, access to academic and vocational training, measures to address barriers to participation, support for children and young people with particular needs e.g. looked after children or children with special educational needs (SEN) and disabilities.

■ **New foundation secondary school proposals with a foundation**

103. The Decision Maker should consider whether the Trust has charitable objects which are appropriate for a key role in the establishment and leadership of a school (e.g. the advancement of education and/or other charitable objects relevant to this purpose), and also whether the trust partners are involved in any activities that might be considered inappropriate (for example tobacco, gambling, adult entertainment, alcohol etc). Where such information is available, the Decision Maker will also want to consider the experience and track record of the Trust partners, their particular expertise and background as against the needs of the school, for example, their contribution to raising school standards and also to promoting community cohesion.

Statutory Guidance - Factors to be considered - proposals for new secondary schools in response to a secondary school competition

■ 2.1A PROPOSALS FOR NEW SECONDARY SCHOOLS IN RESPONSE TO A SECONDARY SCHOOL COMPETITION

In general, similar considerations will apply to proposals for secondary schools within competitions as to individual proposals for schools. Different proposals may have different strengths and weaknesses. Decision Makers will need to balance these and decide which proposal best meets the criteria for new schools overall. In addition, they will need to decide which proposals best meet the specific requirements for a new school for the area in question.

The following factors should not be taken to be exhaustive. Their importance will vary, depending on the type and circumstances of decisions. All proposals should be considered on their individual merits.

The Decision Maker must also consult statutory guidance in Section 1, in particular any paragraph(s) referred to in brackets.

■ Effect on standards and contribution to school improvement

- the extent to which the proposals will improve the standards, quality, range and/or diversity of educational provision in the area (Paras 1-4, 18, 19-23);
- the extent to which the proposals advance the transformation strategies set out in the Department for Education and Skills : Five Year Strategy for Children and Learners and Higher Standards, Better Schools For All, particularly to make it easier for new promoters – including parents' groups – to open schools in response to local demand.
- the extent to which the proposals will deliver a broad and balanced curriculum (Para 5).

■ Admissions

- whether the admission arrangements are fair and equitable, and in line with the School Admissions Code (Para 22A)

■ Need for places

- the extent of parental demand for the type of school in question, for example, provision for particular faiths or denominations or specialisms (Paras 17, 19)
- the extent to which the proposals would contribute to enhancing the diversity of provision in the area (Paras 1-2)

■ Finance

- whether the proposals represent a cost-effective use of public funds (Para 41)
- whether, if the proposal is for a new voluntary aided school, the promoters have provided a statement that the governing body would be able to meet their financial responsibilities for building work (Para 44)

■ Views of interested parties (Para 45)

- the views of parents and other local residents
- the views of any Local Authority affected by the proposals
- the views of the CE and RC dioceses in the area

- the views of other schools and colleges in the area
- the views of the Learning and Skills Council (if the proposals affect the provision of post-16 education)

■ Community cohesion, inclusiveness and partnerships

- the extent to which, and how satisfactorily in the circumstances of the community, the proposals address the need to promote community cohesion (Paras 46-49)
- the extent to which the proposals take account of the needs of families and the wider community (Paras 50-51)
- the extent to which the proposals contribute to delivery of the Every Child Matters agenda, including the health, safety, enjoyment and achievement of children (Para 102)

■ 14-19 issues

- the extent to which appropriate collaborative arrangements have been considered (Para 73-74)
- how proposals fit in the context of the Five Key Principles i.e. quality; distinct 16-19 provision; diversity to ensure curriculum breadth; learner choice; affordability, value for money and cost effectiveness (Paras 76-78).

■ Equal opportunities

- any sex, race or disability discrimination issues or other human rights issues including any sex discrimination issues in relation to proposals for a single sex school (Para 53)

■ Other issues

- whether the school will provide strong links with the local community and provide family and community services (Para 59)
- for voluntary and foundation schools where a trust is not to hold the freehold of the site, whether the land tenure arrangements are satisfactory (Para 64-67)
- for voluntary and foundation schools, whether the proposal is to join an existing group foundation body or to jointly establish a new group foundation body (Para 61)
- for proposals to establish a foundation school with a foundation, whether the foundation has appropriate charitable objects (Para 103)
- whether the proposal is to join an existing federation or to jointly establish a new federation (Para 62)
- whether the new school will meet the minimum statutory requirement for provision of school playing fields (Para 63)

■ Proposal from an existing independent school

- if co-educational, whether it would provide equal opportunities for boys and girls (Para 53)
- whether it would have suitably qualified staff and the premises would be suitable for the purpose of a maintained school (Para 68)

Non-statutory guidance on community cohesion

■ **Community cohesion – additional factors that may need to be considered**

- How the school proposes to fulfil the Race Relations Amendment Act 2000 requirement to promote racial equality.
- How good citizenship will be encouraged.
- Where the school is to have a religious character, what are the intentions for religious education in the school's own and other faiths.
- Where the school is to have a religious character, whether it intends to give priority for at least some places to applicants of other faiths/denominations, or to specified groups of applicants (e.g. from the locality or local feeder schools) regardless of faith/denomination.
- Where the school is seeking to join the maintained sector from the independent sector, what it already does to demonstrate care for community cohesion.
- What plans the school has for partnership working with other schools, that would contribute to community cohesion by enabling pupils to gain an understanding of, and share experiences with, others from different ethnic, cultural or faith backgrounds. Illustrative examples of possible approaches are given below. This list is not exhaustive or prescriptive and promoters of new schools should be encouraged to be as creative as possible in the light of local circumstances.
- Inter-school twinning between schools with pupils from mainly different cultural backgrounds.
- Lesson exchanges giving opportunities for children of different backgrounds to meet and learn together.
- Teacher exchanges whereby teachers have the opportunity to take classes comprising children from different ethnic backgrounds.
- Joint school trips, either field trips where pupils work together in groups, or recreational trips such as visits abroad.
- Joint school choirs, orchestras or sports teams - offering opportunities for cross-cultural groups to work as part of the same team.
- Joint visits to theatres, museums and galleries.
- Joint drama productions.
- Joint committees of school governors/teachers/parents, working together to share experience and improve standards within the local family of schools.
- Joint cross-cultural community projects such as community action groups to help people living in isolation, or with special needs, for example young mothers, the elderly and

infirm; or joint charity events.

- Community projects within the school designed to coach people with English language difficulties, helping them with conversation, reading and writing.
- Mentoring arrangements at various levels - between schools where the best schools help the lowest achievers, on a one-to-one basis between governors and heads where the more experienced help the less experienced, and between pupils where individuals have a named mentor in another school.
- Shared facilities so that less advantaged pupils have access to good IT facilities, science and language laboratories etc.
- Shared secular school assemblies.
- Joint workshops for brainstorming cross-cultural issues.
- Joint communications such as pupils and teachers working together on an inter-school newspaper, video conferencing between schools and electronic linking between schools, for example via a local area network.

