



Department  
for Education

# **Free schools applications: criteria for assessment**

**Special schools**

**December 2015**

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## Introduction

We are making the application process simpler for everyone applying to open a new free school, for example, there is no longer a requirement to conduct a parental demand survey. In addition, where an applicant group has a published track record or we already hold information you will not have to provide it again as part of your application.

Please read this section carefully before completing your application(s) as there are different requirements depending on whether or not you have experience and already run schools.

For the section of the application about vision and curriculum, most applicants that want to replicate a strong school they already have open (ie open a new mainstream school of the same type and age range) will only need to tell us how the curriculum or vision differs from existing provision and refer us to Ofsted results and data for that school and for their trust as applicable.

For the section of the application about capacity and capability, we know MATs and approved sponsors may already have discussed their capacity and capability with their RSC, or may have plans to do so. Where MATs and sponsors have agreed in principle with their RSC how many free schools their trust currently has the expertise and time available to open, we will use that information to assess capacity. We will require written confirmation of the agreement from their RSC's office.

Discussing capacity and capability with your RSC (or someone on his or her behalf) is not mandatory, and does not mean that your application as whole will be approved. Many MATs and sponsors will already have had this kind of discussion with their RSC as part of their normal discussions of growth plans, and if you already have an email confirming capacity from your RSC there is no need to get another one. If you haven't, you can contact your RSC's office using the details below. Cross-regional trusts should start by contacting their 'lead' RSC but *may* also need to contact the RSC local to their proposed school.

Region	RSC	How to contact	Likely date to meet RSC
East of England and NE London	Tim Coulson	<a href="mailto:rsc.eastnelondon@education.gsi.gov.uk">rsc.eastnelondon@education.gsi.gov.uk</a>	15 January 9am – 2pm
Lancashire and West Yorkshire	Vicky Beer	<a href="mailto:lwy.rsc@education.gsi.gov.uk">lwy.rsc@education.gsi.gov.uk</a>	07 January
South Central and NW London	Martin Post	<a href="mailto:rsc.scnwl@education.gsi.gov.uk">rsc.scnwl@education.gsi.gov.uk</a>	15 January
North	Jan Renou	<a href="mailto:rsc.north@education.gsi.gov.uk">rsc.north@education.gsi.gov.uk</a>	Email for dates
East Midlands and Humber	Jenny Bexon-Smith	<a href="mailto:emh.rsc@education.gsi.gov.uk">emh.rsc@education.gsi.gov.uk</a>	Email for dates

Region	RSC	How to contact	Likely date to meet RSC
South West	David Carter	<a href="mailto:rsc.sw@education.gsi.gov.uk">rsc.sw@education.gsi.gov.uk</a>	Email for dates
West Midlands	Pank Patel	<a href="mailto:rsc.wm@education.gsi.gov.uk">rsc.wm@education.gsi.gov.uk</a>	20 January
South East and S London	Dominic Herrington	<a href="mailto:rsc.sesl@education.gsi.gov.uk">rsc.sesl@education.gsi.gov.uk</a>	Email for dates

**If it isn't possible to meet due to diary pressures, or you meet but your RSC is not yet able to agree your capacity, please provide the information as set out in the criteria.** If you do meet, we recommend it should be by mid-January. Otherwise, if your RSC wants you to complete the full written information you will not have much time left to do so.

The following groups will need to complete the whole capacity and capability section (F) whether or not they have discussed with their RSC:

- Applicant groups **without any open schools**, including approved sponsors or MATs with no schools;
- **MATs that only have one open school** (ie they have a MAT funding agreement but only one open school so far), and who are not approved sponsors;
- **Independent converters**;
- **Applications from standalone schools, whether academies or maintained, and who are not an approved sponsor.** We welcome applications from all strong schools – you do not need to be an academy to apply. Whether you are a single academy or a maintained school, and are not an approved sponsor, we do have a presumption in favour of you forming a MAT with the new school. If you are proposing alternative governance arrangements please explain in F2;
- **Applications from groups of schools where the new school(s) would not be part of a MAT with the proposing schools**, for example umbrella trusts; federations that are not converting to become MATs; or any other clusters of schools (academies or maintained) that are coming together to propose a new school but where they won't be part of a MAT. As above, whether you are a group of academies, maintained schools, or a mixture, we do have a presumption in favour of at least some of the proposing schools forming a MAT with the new school(s). If you are proposing alternative governance arrangements please explain in F2.

### What we mean by a 'strong track record'

Throughout this criteria document, and the application form, we talk about schools, groups, or trusts with a 'strong track record'.

When we use this phrase, we mean:

- You have a 'good' or 'outstanding' judgement from Ofsted;
- Your externally moderated data on achievement, with particular reference to rates of progress, is at least in line with where it was at the last Ofsted inspection, and should show that pupils' rates of progress are above average for comparable cohorts in other settings.

If you want to replicate an existing special school, then the existing school needs to meet the above definition.

If you have several schools (special or other), they do not all need to meet this definition, but we need to know why any schools are weaker (if they are), and we need to understand why/how you have the capacity both to improve them and to run the free school and make sure it is strong. In Section F we ask you to use this definition to explain the educational track record of your free school group and (where applicable) your trust as a whole.

**All applicants – including those that do not yet run schools –** should keep this definition in mind when explaining the track record of the individuals in their group.

## Section A – tell us who you are

### Things you need to know:

- In this section we ask you for basic information about your applicant group and your company limited by guarantee.
- There are no assessment criteria for this section.
- If you are applying to establish more than one free school under the same multi-academy trust, you need only complete one version of this section.
- If you are applying for more than one free school, but with each free school managed by a different trust, you must complete a separate version of this section for each school and make clear the connection between your applications.

### Notes on this section:

As companies limited by guarantee, certain details will be publicly available on the Companies House website. However, the personal information you provide in **Section A** will be treated in accordance with the Data Protection Act 1998.

Personal data is collected on the Word and Excel templates in order to consider an application to set up a free school and will not be used for other purposes. For the purposes of the Data Protection Act, the Department for Education is the data controller for this personal information and for ensuring that it is processed in accordance with the terms of the Act.

The department will hold all personal information you supply securely and will only make it available to those who need to see it as part of the free school application process.

## Section B – your chosen school

### Things you need to know:

- In this section we want you to tell us the important details of the type of free school you are proposing.
- There are no assessment criteria for this section.
- If you are applying for more than one free school, you must complete Section B (and the rest of the Excel spreadsheet apart from Section A) for each free school for which you are applying.

## Section C – Vision

This is your opportunity to tell us in your own words about the overarching vision for your school and how it informs your education plan. You will need to demonstrate in later sections that the vision is both deliverable and affordable within the funding allocated to free schools. Your application should be coherent and consistent throughout and work together as a cohesive whole.

Please note that special free schools cannot be designated as having a religious character. Applicants may seek to register as having a distinct religious ethos which is reflected within the vision and values of the school, but will not normally be able to appoint teachers on the basis of faith and will not be able to have faith-based admissions arrangements for pupils.

### Things you need to know:

- **All** applicants should complete this section in full. If you have existing open schools (or schools about to open) you will already have a vision for your trust. You should tell us here about your trust's/school's vision, how the new school(s) you are proposing form(s) part of that vision, and any changes you want to make to it.

### All applicants must:

- Describe why they want to set up their particular free school in the area they have identified and the pupils they intend to cater for;
- Include a brief explanation of the key features, including the proposed age range, any particular ethos they wish their school to have (eg any religious or other beliefs);
- Ensure your vision is consistent with the rest of your application;

You do not need to provide details of your intended enrichment programme at this stage, however, if an enrichment programme is crucial to achieving your vision you should mention it in this section and provide more details in the education plan (D1).

If your application will result in there being more than one school in your trust (ie you are applying to establish more than one free school, you already have a free school which is open or about to open or you have any open state-funded or independent school) you must also provide:

- A brief overarching vision for your chain, including: the number and types of open schools you already manage and have in pre-opening (including free schools, academies, voluntary aided schools and independent schools); and your planned expansion strategy (including how many schools you hope to have in total, your planned geographical spread and timescales).

We will assess how credible the proposal is and if you have a clear rationale for establishing the school in the area.

**How much you should write:**

We would normally expect the vision section to be no more than three pages long for a single school and longer where you are applying for two or more schools.

## Section D – Education plan

This is the heart of your application. Your education plan must explain how your school will achieve its education vision. You should note that section D in the application form includes two parts for you to complete.

**Part 1** asks you to fill out a table showing how your school will grow over time to full capacity. The numbers included in this table must be consistent with the pupil numbers used in the budget planning spreadsheet (where we have asked you to complete one).

**All applicants** must complete this table. **Multiple applicants** must complete a separate table for **each school they are proposing**.

We would generally expect special free schools to be at full capacity no later than the start of the fourth year.

**Part 2** is where you should provide the information relevant to the criteria below.

- D1 - the curriculum;
- D2 – measuring pupil performance;
- D3 - the staffing structure;
- D4 - ensuring inclusivity;
- D5 – ensuring the particular needs of the children coming to your school have been carefully considered and will be met appropriately.

These sections must demonstrate how you will deliver your vision. As well as being achievable, your education plan must be affordable within the funding allocated to free schools and consistent with your financial plans.

### **D1 – an ambitious and deliverable curriculum plan which is consistent with the vision and pupil intake**

**If you have (an) open state-funded special school(s) with a strong track record, and you want to open another special school(s), please tell us:**

- Details about the pupil population at the existing school(s) (eg levels of EAL, FSM, etc) and how the pupil population at the new school(s) will be different;
- What if anything, you will need to change about your curriculum in response to those differences (eg if the new school will be in an area with much higher EAL, will that change your approach to literacy?);
- Where the new school will be a different age range or for slightly different kinds of needs, explain how the curriculum will those needs, whilst having an ambitious approach to doing so,

- Anything else that will need to be different about the curriculum at the new school (eg are there any changes to the subject choices you'll offer because the labour market near your new school will be different?);
- How you will ensure the new school(s) and your current school(s) are consistent in their approach to teaching and learning, etc;
- Complete the tables in the application form with:
  - A list of subjects to be offered with the number of hours spent per week on each. You do not need to provide sample timetables;
  - The length of the school day, including any enrichment time, making a distinction between compulsory and voluntary activities.

(If you have a number of strong schools of the same phase and type as the new school(s) you are proposing, you can either compare the cohort at the new school(s) to *one* of your existing schools (and tell us which one), or compare the cohort at the new school(s) with the cohorts at your trust's schools as a whole.)

We will assess the quality of your plans based on a combination of your track record and the evidence you provide against the criteria.

#### **How much you should write:**

We would normally expect Section D1 to be no more than 10 pages long. You might write only two or three pages if the new school's population will be very similar to the existing school and you want to replicate the curriculum very closely. You might write 10 pages if the age range will be different or you are catering to a slightly different set of needs.

#### **If you fall into one of the following categories:**

- Have existing strong state schools but they are not special schools;
- Are a new group without existing schools;
- Are an independent converter;
- Anyone else.

#### **You must:**

- Demonstrate that your proposed curriculum will be deliverable;
- Demonstrate that your curriculum is broad, balanced, and appropriate for the types of need for which you intend to cater. We will look at how you intend to develop literacy and numeracy skills and science skills and how you prepare pupils for adulthood;
- Complete the tables in the application form with:

- A list of subjects to be offered with the number of hours spent per week on each. You do not need to provide sample timetables;
- The length of the school day, including any enrichment time, making a distinction between compulsory and voluntary activities.
- Offer qualifications as appropriate.

We will also assess the **quality** of the curriculum plan by how far it demonstrates that you have:

- An understanding of the expected pupil intake and their needs;
- A rationale for the type of curriculum proposed which is consistent with the vision. Please explain how it meets the needs of the expected intake, whilst having an ambitious approach to meeting those needs. If you are proposing to teach something other than the national curriculum or use a specific approach, please reference – but don't copy and paste – evidence (where it is available) which demonstrates that it is a good and successful model (eg results of academic research);
- Strategies in place to support pupils to be successful when they enter and leave the school;

#### **How much you should write:**

We would normally expect Section D1 to be 20 to 30 pages long.

## **D2 – measuring pupil performance effectively and setting challenging targets**

**If you have (an) open state-funded special school(s) with a strong track record, and you want to open another special school(s), please tell us:**

- Anything that needs to be different in the new school compared to the existing school you are replicating;
- How you will ensure the new school and your current school(s) are consistent in their approach to assessment, target-setting, behaviour etc.

If you compared with a single school in D1 please use the same school for comparison; if you compared to the whole cohort please do the same here.

We will assess the quality of your plans based on a combination of your track record and the evidence that you give against the criteria.

#### **How much you should write:**

We would normally expect Section D2 to be two to four pages long. You might write less if the new school's pupil population will be very similar to the existing school.

**If you fall into one of the other categories (as listed in D1) you will need to provide the information below:**

- Describe how you will establish a baseline of students' current level of attainment (including external validation of this) and put in place an assessment and data tracking system that will allow pupil performance to be monitored and continuously improved;
- Have ambitious and realistic targets for pupil performance, behaviour and attendance, explaining why they are suitable to measure the delivery of your education vision, and what your strategy will be to achieve them;
- Explain how you will review success measures and targets regularly to improve the school's performance. This could include benchmarking assessment data with other relevant schools.

We will also assess the **quality** of your plans to:

- Use appropriate data to inform teaching and drive progression and attainment for all pupils;
- Focus on measuring and improving quality of teaching in the classroom;
- Liaise with and report progress to parents.

**How much you should write:**

We would normally expect Section D2 to be five to 10 pages long.

### **D3 – a staffing structure that will deliver the planned curriculum within the expected income levels**

**If you have (an) open state-funded special school(s) with a strong track record, and you want to open another special school(s), please:**

- Provide an organogram based on the school you are replicating (or on your trust-wide staffing model if you are comparing the new school to your whole cohort), showing the proposed staffing structure each year until the school is at full capacity in line with planned pupil numbers (including for nursery and sixth form provision (where applicable)). You can either provide one organogram and colour-code which members of staff arrive in which year, or you can provide several organograms if that is clearer;
- Tell us whether you intend to use any of your existing staff in the new school(s) and if so how will this work in practice. Please tell us how you would use staff from any of your existing schools, if you have more than one.

You do not need to provide a commentary on affordability in this section.

We will also assess the **extent to which** your staffing model matches the curriculum you have proposed.

### **How much you should write:**

We would normally expect Section D3 to be no more than a page in addition to the organograms, but it might be a little longer if you are (for instance) opening a school of a different age range and need to explain differences in the staffing models.

### **If you fall into one of the other categories (as listed in D1), you will need to provide the information below:**

- Demonstrate that as the school grows to full capacity, you have an affordable staffing structure and sensible phasing plans that deliver a suitable (interim/developing) curriculum plan. Provide an organogram showing the proposed staffing structure each year until the school is at full capacity in line with planned pupil numbers. You can either provide one organogram and colour-code which members of staff arrive in which year, or you can provide several organograms if that is clearer;
- Demonstrate that at full capacity, your staffing structure is sufficient to deliver the curriculum plan; consistent with the information provided in the budget plans; and affordable;
- Demonstrate that at less than full capacity, your staffing structure is sufficiently flexible to respond to reductions in funding and can still deliver a sufficient curriculum, including an overview explanation of how you would approach making savings. To do this you should explain the actions you would take to reduce costs; the reasons for these actions; and the reason you have prioritised the actions as you have. You should explain how your amended plans would continue to support delivery of your education vision and plan and any changes you would have to make to the education plan;
- If you have existing schools but are still completing this longer information (eg because your existing schools are of a different type), you should also tell us briefly whether you intend to use any of your existing staff in this school and if so how this will work in practice.

### **For independent converters:**

- You must ensure that the staffing structure is compliant with the statutory responsibilities of a state school (eg SEND and child protection) and will meet the requirements/expectations of Ofsted 'good' or better; and can be delivered with your expected income;
- You will want to consider the appropriateness of existing staffing structures and how they might change to live within the levels of per pupil income you anticipate.

We will also assess the **quality** of the staffing structure through the extent to which:

- It includes an appropriate balance of roles, experience and expertise eg senior leadership team, middle managers, teachers, SEN specialists, support staff, personal coaches etc;
- You have credible contingency plans to adapt your staffing structure and still deliver a sufficient curriculum if income were less than expected.
- The changes proposed, if there were a reduction in income, would result in an affordable, good quality education plan which would be consistent with the vision for the school; and reflective of its particular characteristics.

We will use your budget plans (if we have asked you to submit them) to assess your staffing plans are affordable within the funding available. You do not need to provide a commentary or explanation on affordability in this section.

#### **How much you should write:**

We would normally expect Section D3 to be five to 10 pages long.

## **D4 – The school will be welcoming to pupils of all faiths/world views and none**

#### **All applicants must demonstrate:**

- That the school will be welcoming to pupils of all faiths/world views and none; and show how the school will address the needs of all pupils and parents;
- How the curriculum will prepare children for life in modern Britain including through the teaching of spiritual, moral, social and cultural (SMSC) education. Consideration must be given to relevant issues, for example how the school will teach PHSE, adhere to the Prevent Duty and have appropriate policies on safeguarding and welfare;
- How the school will promote fundamental British values of democracy, the rule of law, individual liberty, and mutual respect and tolerance of those with different faiths and beliefs;
- How the school will aim to attract pupils from different backgrounds and different communities so that they all feel welcome and play a full and active role in the school;
- How the school will aim to encourage pupils from different communities, faiths and backgrounds to work together, learn about each other's customs, beliefs and ideas and respect each other's views.

In order for us to assess your application for a school with a **religious ethos or a distinctive educational philosophy**, please also provide:

- A brief explanation of how the school's religious ethos will be reflected in the curriculum. This should include the proportion of the school's timetable devoted to

religious education and other subjects that include some faith-based teachings or use faith-based materials. Please set out how the planned approach will help to prepare children for life in modern Britain. This should include elements of subjects that could overlap with faith teaching (for example, if a proportion of literacy teaching includes faith-based material). This section should also set out what time will be devoted to worship, reflection time and prayer and how this will be inclusive to pupils of different faiths or none.

- A brief summary of the alternatives to prayer and religious study that will be available for pupils of a different faith or of no faith.
- A brief summary of how school policies affect pupils of other faiths or of no faith. This must include consideration of the school's uniform and school meals policies, including the wearing of religious symbols; and any dietary requirements. It must also address the religious education curriculum, the arrangements for collective worship, and the criteria for staff appointments to the school.
- Information about engagement and consultation with diverse local community groups, faith authorities and parents demonstrating how you will seek to attract pupils of different faiths and backgrounds to the school.

In preparing your application it is important to note that we will not approve any free school application where we have any concerns about creationism being taught as a valid scientific theory, or about schools failing to teach evolution adequately as part of their science curriculum.

#### **How much you should write:**

For all applicants, we would normally expect section D4 to be five pages long.

## **D5 – The particular needs of the children coming to the school have been carefully considered and will be met appropriately**

#### **All applicants must:**

- Explain the types of need the school will cater for and how the school will cater for these needs;
- Include a strategy to assess and meet the needs of all pupils.

We will also assess the **quality** of your plan to meet the needs of the children through the extent to which:

- Your strategies to cater for identified types of need represent best practice and make use of the teaching specialisms and SEN expertise of members of staff;
- You will engage with other agencies and they will be involved to support pupil development;

- You will ensure safeguarding, good behaviour and good attendance and that any health needs will be met.

**How much you should write:**

We would normally expect section D4 to be 5 pages long.

## Section E – evidence of need

We will assess whether there is **need** for your school by weighing up both local authority and parent demand (or student demand for 16 to 19 places), the need for additional places catering for the specific type of need you have identified and the standards of schools in the local area catering for the same needs. The assessment will consider evidence provided in your application, as well as data held by the department and information provided by local authorities.

We will look at the data you have provided to judge the level of need and the extent to which you have engaged with local authorities and parents (and/or students for 16 to 19 places) for both students with EHC Plans / statements and if applicable those without.

You will need to build a case for your free school by providing a brief description of the special school provision in the area that your school might receive its pupils from, and why your free school will offer something different and of higher quality. You should show whether there is a shortage of high quality places for pupils with those needs in the local authority or neighbouring authorities.

### **E1 – provide valid evidence of need for statemented pupils/pupils with an education, health and care (EHC) plan**

#### **Things you need to know:**

You will need to be able to demonstrate that you have a commitment from local authorities and interest from parents for places in each of the school's first two years of operation and evidence that top-up funding will be paid. The assessment will consider evidence provided in your application, as well as data held by the department and information provided by local authorities.

Underperforming schools will usually be classed as schools rated 'requires improvement' or 'inadequate' by Ofsted. However, we will also take into account pupil attainment and progression data. We may also take into account any plans in place to improve any such schools.

#### **All applicants must:**

- Complete the demand table in the application form showing how many children local authorities would place at the school for the first two years of the school's operation;
- Complete the demand table in the application form showing how many parents (and/or students if post-16) would request that the local authority name your free school on statements of SEN/EHC plans;
- Provide commitments in writing from local authorities for a specific number of places in the first two years, including the top-up funding they will pay. A

suggested wording is as follows: “[local authority] would expect to purchase a minimum of [x] places at [name of free school] at a top up cost of £[x]. The exact cost may differ depending on the specific needs of the child and this will be discussed with [free school trust] on a case-by-case basis”;

- Demonstrate that potential parents and local authorities have made an informed decision when choosing your school. Please include the text you have used in leaflets or other promotional material for prospective local authorities and parents (and/or students if post-16) about the particular characteristics of your provision. You must make sure that this adequately describes the provision you are proposing; we will not consider generic expressions of interest in a new school to be sufficient evidence that there is local authority or parental demand for what you are proposing;
- Provide evidence that there is a shortage of high quality places for pupils with these needs in the local authority or neighbouring authorities.

You will be rated more highly if:

- Your school has commitments in writing from local authorities equal to the number of places in the first and second year of operation;
- Local authorities have committed to pay the required levels of top-up funding;
- You provide compelling evidence that there is a shortage of high quality places for pupils with these needs in the local authority or neighbouring authorities;
- You provide compelling evidence that you have engaged successfully with a high proportion of the local community and adapted your proposal in response to feedback if necessary.

Independent schools must:

- Present evidence of demand from current and prospective pupils separately.

### **How much you should write**

We would normally expect Section E1 to be no more than five x pages long.

## **E2 – Valid evidence of need for non-statemented pupils/pupils without an education, health and care (EHC) plan – if applicable**

The Secretary of State can approve academy arrangements for individual special free schools that are innovative and increase access to specialist provision for children and young people without EHC plans. Those that the Secretary of State authorises will need to make clear through their Funding Agreement that a child or young person with SEN

but no EHC plan should be placed there only at the request of their parents or at their own request and with the support of professional advice such as a report from an educational psychologist. A special free school with these arrangements will be able to admit only those children who have a type of SEN for which they are designated. They will have adopted fair practices and arrangements that are in accordance with the Schools Admission Code for the admission of children without an EHC plan.

**All applicants intending to admit these students must:**

- Be clear about the intended balance of numbers between those with EHC plans and those without;
- Demonstrate that the intended admissions for pupils without a statement/EHC plan are not merely short-term, catering for those who are going through the assessment process to determine whether a statement is needed, but for a longer period<sup>1</sup>;
- Demonstrate how you would ensure that each admission had professional support.

You will be rated more highly if:

- You provide **compelling** evidence that there is a **shortage of high quality** places for students with these **needs** in the local authority or neighbouring authorities.

**How much you should write:**

We would normally expect Section E2 to be about five pages long.

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<sup>1</sup> A special free school, like any other special school, may cater for pupils who are waiting for or going through an assessment. However, these children are not considered as 'children without a statement/EHC plan' and therefore the evidence that you gather here should not be for these children.

## Section F – capacity and capability

This is your opportunity to show us your trust includes people with the right skills to open your school. You need to demonstrate that your group has the capacity and capability to set up and run the school(s) you are proposing, and that you have access to appropriate educational, financial and other expertise, either within your group or externally.

For parts of Section F, we need less information if you are a sponsor (with at least one school) or a MAT (with more than one school) **and you have already demonstrated your capacity to your RSC**. This applies whether or not you already have special schools in your trust. We need written confirmation from your RSC's office saying how many schools the trust has capacity to open – **you must include the confirmation with your application**. This applies whether or not the new school(s) would be the same type/phase as existing schools in your trust. If you do not have written confirmation from your RSC, you should provide evidence against the full set of criteria.

### F1 – the necessary experience and credentials to deliver the school to opening

In this section we make a number of references to CVs and we set out our requirements for these in Annex A.

**If you are a sponsor with at least one school, or a MAT with at least two schools, and you have a letter or email from your RSC office saying how many free schools you have capacity to open, you need to:**

- Tell us **who (a named individual) is in charge** during pre-opening and provide their CV;
- Complete Table F1(b):
  - You should outline the missing skills and experience (if any) from your team, including both gaps at operational level and gaps in your board of governors/trustees, and how you plan to fill those gaps. Where you have identified people to fill these gaps, please provide the CVs. We expect you will probably have more gaps to fill if you are proposing a type/phase of school that does not already exist in your trust.
  - You do not need to tell us how you will form/recruit the school's local governing body.
- **Provide the CV of your principal designate** if you already know who this is, and for your executive head if you will have one. If you do not yet have a principal designate (and likewise if you intend to have an executive head but they are not yet recruited), you should provide a short timeline (less than one page) for your planned recruitment exercise(s).

We will assess the **quality** of your plans to fill the gaps you have identified, and where applicable, the track record of any individuals you have already identified to fill the gaps.

**How much you should write:**

The length will vary according to the gaps you need to fill and whether you already have a principal designate.

**If you don't have a letter from your RSC confirming your capacity or you are from one of the other kinds of groups outlined in the [introduction](#), you will need to provide the information below:**

- Demonstrate that you have access to individuals with strong relevant education and SEN expertise (for example, strong school improvement experience, a head teacher of a school that meets the definition of a strong track record as outlined in the introduction) and finance expertise, with specific and sufficient time commitments;
- Demonstrate that you have access to individuals with specific and sufficient time commitments and relevant experience in as many of the following as possible:
  - Special school education;
  - Managing school finances;
  - Leadership;
  - Project management;
  - Marketing;
  - Human resources;
  - Safeguarding and health and safety.
- A skills gap analysis of your pre-opening group (including your existing governors/trustees if you already run one or more schools, as they will be in place during pre-opening);
- The CV of your principal designate if you already know who this is and for your executive head if you will have one. If you do not yet have a principal designate (and likewise if you intend to have an executive head but they are not yet recruited), you should provide a short timeline (less than one page) for your planned recruitment exercise(s).

In Section C, you will have explained briefly [any other plans for your trust \(eg expansion plans, plans to take on a sponsored project\)](#) we will refer to those here to help us to assess your capacity to take on a new free school;

If you are a standalone school (whether a maintained school, a sponsor with only one school, a single academy trust or a multi-academy trust running a single school) we

strongly encourage you to set out your plans to work with an academy or free school with a strong track record when developing your proposal and at least until your free school's first Ofsted inspection.

In order for us to assess your application, you should complete all the columns in table F1(a) in the application form and provide a short commentary of your plans.

The table F1(a) asks you to fill out the following information about each individual who is part of your group, including all company members of your academy trust, members of the pre-opening team, and anyone else providing a relevant contribution:

- Name;
- Where they live (ie town/city);
- Role in pre-opening/once the school is open. Please include whether the individual is part of the core applicant group, or someone whose support you are accessing. If the latter, please indicate whether you would expect this support to be provided on a paid, at cost, or voluntary basis;
- Summary of all relevant expertise (eg educational, financial, including any relevant educational results/achievements);
- Approximate time commitments for all the individuals named in pre-opening (in hours per week).

Please include CVs for all the individuals you name in this table. The CVs should include the information requested in the bullets in the annex to this document describing what we need in CVs, should be on the template provided, and should be included as an annex to your application.

The second table, Table F1(b), asks you to set out any skills gaps that you think exist within your group and how you intend to fill them.

**Independent converters** must include CPD strategy and transition plans which will deliver continuous improvement in the quality of SEND leadership and management, teaching and learning, personal development and outcomes for children.

We will assess the quality of:

- Your skills gap analysis and your strategy to fill the gaps you have identified;
- The track record of the individuals you have listed as experts in the areas named above.

You will be rated more highly if:

- The individuals with education, SEND, and finance expertise form part of your core applicant group;

- You have individuals with expertise in most of the additional areas listed under bullet 2 under the ‘applicants without RSC letters’ heading above, they form part of your core applicant group, and they have a strong track record in their areas of expertise;
- You already have individuals in your core applicant group who would make strong trustees once the school is open (or who are currently strong trustees/governors at your school(s)) and they have excellent school finance, leadership and/or other relevant experience;
- You illustrate a clear understanding of the required capacity and have secured sufficient time commitments from each individual.

**How much you should write:**

We would normally expect section F1 to be about five pages long (not including the CVs in an annex).

## **F2 – a governance structure, and roles and responsibilities that will ensure accountability and effective decision making in this academy trust and drive improvement in the new free school**

**If you are an established sponsor with at least one school, or a MAT with at least two schools, and you have a letter or email from your RSC office saying how many free schools you have capacity to open, please tell us:**

- What changes, if any, you need to make to your existing governance structure, roles, and responsibilities, or schemes, or delegation in order to ensure your trust continues to exercise strong accountability for your free school(s) both before and after they open, and for the rest of your trust. You may be more likely to be proposing changes if you are adding a school of a new type or phase to your trust, moving into a new part of the country, or if you are growing your trust in other ways too (you should have listed the trust’s other growth plans in Section C);
- Include a brief description of any specific conflicts of interest and an explanation of how you intend to manage them. Declare any financial transactions that are likely to take place between any member/trustee (or a connected party/business) and the academy, the nature of the transaction(s) and that they will comply with the ‘at cost’ principles set out in the Academies Financial Handbook;
- We will assess the quality of your plans to manage conflicts of interest (if any) and whether any changes you are proposing will help ensure your trust continues to exercise strong accountability.

**How much you should write:**

- The length will vary according to whether you need to make any changes and if so how significant they are, and whether you need to let us know about any likely related-party transactions or conflicts of interest.

**If you don't have that letter from your RSC or you are from one of the other kinds of groups outlined in the introduction you will need to provide the information below:**

- Provide a diagram, in line with accepted academy trust models and in line with the Academies Financial Handbook, showing your proposed governance structure, including lines of accountability between the company members, the school's trustees, any local governing bodies or committees and the school's senior leadership team. The governance structure should cover all elements of the proposed school, including nursery, where applicable;
- Include a brief explanation of the roles and responsibilities of the company members, the trustees, any proposed committees and the principal;
- Include a strategy for avoiding and minimising conflicts of interest and for securing independent challenge to members and trustees;
- Include a brief description of any specific conflicts of interest and an explanation of how you intend to manage them. Declare any financial transactions that are likely to take place between any member/trustee (or a connected party/business) and the academy, the nature of the transaction(s) and that they will comply with the 'at cost' principles set out in the Academies Financial Handbook;
- Set out a plan to recruit and train any high-quality individuals you need, particularly those with education, school governance, and finance expertise (this will apply to your whole trust board if you do not yet have one; if you already have a governing body/trust board you should set out how you plan to recruit and train high quality individuals for any skills gaps you may have);
- If you are a maintained school or a group of maintained schools, and you are proposing becoming a MAT with your new school, you should describe how the governance will work, but you do not need to have converted to academy status before applying.
- If you are a school or group of schools (whether maintained or academy) and you are *not* proposing becoming a MAT with your new school, you should explain why you have made this choice as well as how governance arrangements will work in practice.

We will also consider the proposed size and structure of your board of trustees and whether it will enable effective decision making.

If you are applying for more than one school you must provide:

- A diagram showing the governance structure which demonstrates clear accountability and scrutiny arrangements between the trust and each school;
- A brief explanation of the strategic remit of the board together with the remit of local governing bodies and their structure;
- A brief explanation as to how the trust would intervene quickly in a school should that be deemed necessary and how it would know to do so.

**How much you should write:**

We would normally expect section F2 to be about five pages long.

### **F3 – independent schools only, including special institutions that are privately run: a good educational track record and credible plans for meeting the standards of the state sector**

The background information and glossary document explains the minimum criteria you need to meet as an independent school wanting to become a free school and how we assess these applications. Please read this section carefully before deciding to apply.

**If you meet the minimum criteria and decide to apply, you must:**

- Provide the date and overall judgement of your latest inspection with the link to the full report;
- Complete a self-assessment against the Ofsted Common Inspection framework. A template is included in the application form;
- Provide details of attendance numbers at the school for the last five academic years and a copy of the standard parent contract with the school;
- Demonstrate in your plans your school's current position, how your school will transition to the state sector, risks, priorities and timescales;
- Complete a self-assessment of current governance arrangements and provide a clear strategy for setting priorities and creating accountability, including schemes of delegation and any continuous improvement plans. A template is included in the application form.

In order to be rated **highly**, your plans should be:

- Validated by a head teacher of an 'outstanding' state special school and/or a national leader of governance. Your school also needs to meet the definition of a strong track record given in the introduction, but referring to your inspectorate if it is not Ofsted;
- Your school's existing governance arrangements must be strong.

### How much you should write:

We would normally expect section F3 to be about five pages long.

## **F4 – Independent schools only, including special institutions that are privately run: a good financial track record and credible plans for meeting the standards of the state sector**

### **If you meet the minimum criteria and decide to apply, you must:**

- Provide a succinct outline of the financial performance of your school during the last four years. Submit the school's audited financial statements and auditors' management letter for the last two years with your completed application form. If the school has not been open long enough to have two years' worth of audited accounts, please supply alternative evidence of the school's current financial health (for example, bank statements, or draft accounts, internal audit (or equivalent) reports);
- Tell us about any relevant financial issues relating to the potential conversion to free school status and explain how you will seek to address them. You should expect to discuss these in greater detail when asked during the later stages of the application process and if interviewed. Examples of financial issues which may impact on becoming a free school include running at an operating deficit or having outstanding loans and overdrafts, including mortgages;
- Tell us how you will manage the transition from an independent school's accounts to a free school's accounts and provide a cash forecast. This should detail how the income and expenditure will change from the time of possible approval to when the free school opens;
- Confirm in writing that you have disclosed all short and long term financial liabilities, including any tax disputes;
- Provide details of any pension scheme and details of any other investment or debt;
- Provide an explanation of your existing and planned internal and external financial management and governance arrangements, including for scrutiny and challenge. [The academy financial management and governance self-assessment](#) sets out the essential requirements for open academies and could be used to demonstrate where you are already compliant, and the areas where further work is required.

### **In order to be rated highly:**

- Your existing school must have an outstanding track record of financial management and provide good value for money in terms of cost per pupil.

## **F5 – Independent schools only, including special institutions that are privately run: an appropriate, well-maintained and secure site**

### **You must provide**

- A site assessment carried out by a surveyor in the last year which:
  - Clarifies (if applicable) the capacity to expand pupil numbers and how the building will be fit to teach the proposed curriculum to the standards required;
  - Fully discloses site dilapidation and capital investment requirements;
  - Fully discloses site maintenance, policies and procedures.
- A schedule of the school's leasehold and freehold properties, including detail of rent and service charges payable;
- Provide a plan of each property which will be suitable for the purpose of making searches;
- Provide details of mortgages, charges and other security instruments or any option over any of the assets.

## Section G – budget and affordability

Letters from RSCs are not relevant in this section.

**If you have any open state-funded school(s)** we will use information we already know about the financial situation of your school(s) but please feel free to tell us anything of that will help us understand your financial health more fully.

**If you have (an) open state-funded special school(s) with a strong track record, and you want to open another special school(s) of the same age-range located in the same local authority:**

- You do not need to complete the Excel template at this stage. If you are invited to interview we may ask you to complete the plan at that stage, particularly if your existing school or the one you are proposing is small. If you are looking to open a smaller school then we expect you to provide a clear rationale.
- If you are proposing a special school of a different age range and/or in a different local authority, you will need to complete the Excel template.

**If you are opening a special school of a *different age range or different local authority* from your existing strong school(s), or if you fall into one of the other categories described in D1 you will need to provide the information below:**

- We want you to tell us about your financial plans and the assumed income and expenditures of your proposed school. We also want to tell us about the viability of your school during its early and later stages and we will then use this information to test the resilience of your plans.

Before you begin to develop and complete your plans, you should read:

- The overview of free school funding in Annex A of the background information and glossary document which explains how your school will be funded once open;
- The [financial templates](#), together with guidance on how to complete them;
- We ask you to provide a financial plan showing your income and expenditure as your school grows to full capacity. We want to check that your financial plans will support delivery of your education vision and plan and that your school is viable within the funding provided.

If you fall into one of the other categories described in D1 you will have included in your education plan (D3) an explanation of the changes you would make if you had to operate with less income. We want to make sure that your school is resilient to changes in income as a result of having fewer pupils than expected.

**Row 93** on the 'budget' tab on the Excel template will provide you with the 70% figure to give you an idea about the sort of savings you might need to make.

The special Excel financial template will calculate the baseline funding you will receive for statemented pupils/pupils with an EHC plan and for any post-16 non-statemented

pupils/pupils without an EHC plan based on the pupil numbers you input. You must enter the top-up funding rate.

You will need to use the mainstream financial template to work out the per-pupil rate for pre-16 non-statemented pupils/pupils without an EHC plan and add this additional income in the marked row in the 'other income' section on the budget tab of the special Excel template. Please provide a note explaining this in column P.

You must provide the following information:

- Complete the Excel template showing income and planned expenditure and the assumptions made about each line in the space provided. You should explain clearly what you have based your assumptions on and the evidence you have to show these are realistic and appropriate.
- Make sure that the information in your plan is consistent with the other parts of your application, for example the staffing structure and pupil numbers in the education plan should agree with the financial plan;
- Show that you have allowed for unforeseen problems and contingencies;
- Not show a cumulative deficit in any year. Any in-year deficits must be planned for by accumulating a surplus in (a) previous year(s);
- Not be dependent on borrowing, third-party or nursery income to break even in any year. You may feel that the third party income you have identified is reasonable, however, whilst we want you to include this, your plans must not rely on this additional funding to break even.
- Please also explain the rationale behind the top-up rate. If your top-up rate is higher than your local authority per-pupil rate, you should explain the savings you would make if the rate were to be reduced.

We will also assess the quality of your financial plan by the extent to which it is reasonable, represents good value for money and is prudent. In making this assessment we will consider:

- Core operating income/expenditure assumptions (it is vital that these are included in the plan);
- Benchmarking information for income and expenditure (including for nursery provision, where applicable). These should also be entered in the assumptions/rationale column;
- Contingencies;
- Any centrally-provided services and their costs;
- Proportion of spend allocated to each budget area – and particularly to staffing;
- Staff to pupil ratios;

- The context of the local area (eg the percentage of FSM and SEND pupils);
- The school's particular education offer (eg specialist teachers, equipment).

**For independent schools:**

- You should set out clearly your assumptions as to how you will remain financially viable, with sufficient reserves, to operate as a successful state sector school;
- You should also set out your assumptions on the development costs of maintaining a 'good' or 'outstanding' school.

**How much you should write**

We would normally expect the Word part of Section G to be about five pages long.

## Section H – Premises

Finding a suitable site is an essential part of opening a free school. As part of preparing your application you should investigate potential sites for your school and tell us about them in your application.

There are no criteria for this section of your application, although we make a value for money judgement on each free school application that includes likely site costs.

### Things you need to know:

If you are applying for **more than one school**, you need to complete this section for each school.

### All applicants must:

- Complete the Excel application form with details of your preferred sites. For each site, you are asked for:
  - The details of your preferred location;
  - The full address and postcode;
  - Details of how you found the site;
  - The tenure and ownership plus purchase/lease cost if known;
  - Confirmation of local authority support for use of a site, if applicable;
  - Confirmation of availability;
  - An outline of its current use;
  - Your reasons for choosing it and its suitability;
  - Size of site and building, if known;
  - Comments on the condition of the building.
- Additionally, please provide any site plans, agent's particulars, photos, catchment/location maps or other associated technical information as annexes by sending to: [premises.freeschools@education.gsi.gov.uk](mailto:premises.freeschools@education.gsi.gov.uk) clearly marking the name and location of your free school in the subject line. All supporting text information on sites must be included in the Excel application form. Please note that any additional Word documents submitted will not be reviewed.

The form also asks you to calculate the required floor area for your school. Please use the following formulae to calculate this (we call this the gross internal area). As well as helping us, this will also help you search for suitably sized buildings.

## For special schools:

Age range and size	Size (m <sup>2</sup> )
Primary pupils only; ambulant	700m <sup>2</sup> + 15m <sup>2</sup> per pupil
Primary pupils only; non-ambulant	700m <sup>2</sup> + 21m <sup>2</sup> per pupil
Schools with any secondary age pupils; ambulant	700m <sup>2</sup> + 15m <sup>2</sup> per pupil
Schools with any secondary age pupils; non-ambulant	700m <sup>2</sup> + 21m <sup>2</sup> per pupil

(For all-through schools, please use the individual phase numbers and add together)

You should make enquiries as to whether your preferred sites are available for acquisition or leasehold but you must not enter into any negotiations at this or any other stage. If your application is approved, the Education Funding Agency (EFA) will undertake negotiations to acquire a site for your school.

We will make an overall cost and value for money assessment of your preferred site. You should therefore aim for the lowest possible capital costs and be as flexible as possible in your site requirements. We may also ask you to share sites with other approved free schools and when open, you may be required to share surplus space in your permanent building with newly approved free schools requiring a temporary home.

It is our very strong preference that local authority sites are used and this is because often we are able to secure them on what is known as a peppercorn basis. This is a long lease, usually 125 years, with a token payment of a very minimal sum per annum and as such they usually offer exceptional value for money. As part of your application, you will need to demonstrate that you have spoken with the relevant contacts at the local authority to ascertain if there are any site options, in the education and wider local authority estate that they would be prepared to offer to your free school.

The best person to start with at the local authority is the [Director of Children's Services](#) or the school places commissioning team as although they will not be the property experts, they will be able to access the best information and put you in touch with the property teams. In any event, it is useful to seek support for your project from these officers. It would be useful if you could provide the local authority with some or all of the following information:

- Preferred geographical area for your school;
- Size of school in terms of forms of entry and required area in m<sup>2</sup> terms.

We do not expect to provide capital funding to independent schools that do not plan to create additional places. If you wish to expand provision as an independent school, we will consider whether capital funding may be made available. Decisions will be made on a case by case basis with strong supporting evidence required.

If, after approval of your application it proves impossible to identify a feasible site, we may have to delay the opening of your school or, in some cases, we may not be able to open your school at all.

You will be in the strongest possible position if you have identified a number of feasible sites at the application stage.

## Annex A – CVs

Below we explain what should be included in CVs in Section F.

### Educational expertise

- If an individual is or was a member of a school leadership team, head of department/faculty or a teacher, please provide their CV on the template provided, including:
  - Details of their last three roles (this should cover the last four years. If not, please include additional roles) – the school(s) in which they were employed, their position(s) and how long they were in each position;
  - The school's results for the years they were in post. Please bear in mind the definition of a strong track record provided in the introduction. For a senior leadership team member these should include, as appropriate compared to local authority and national averages or averages for similar cohorts in other settings, as applicable. These should include, as appropriate, Key Stage 2 results, 5 A\*-C GCSE including English and maths results, best 8 value-added scores if available, or, for 16 to 19, average point score per entry and per student for level 3 qualifications and level 3 value-added scores for academic and vocational provision. If these results are not available, they should set out the track record of the school they led in terms of developing literacy and numeracy skills, qualifications achieved, and preparing pupils for adulthood. For a departmental head or teacher please include their subject/department's results for the years they were in post, compared to their school's averages, looking at the same types of results as for senior leaders;
  - A brief commentary on why their previous experience is relevant to the role that they would have in pre-opening and/or once this proposed free school is open;
  - Please also provide details of when they have supported other schools if applicable, and references to Ofsted judgements where they have been directly responsible for a positive transformation;
  - At least one referee who is able to confirm their education credentials. We may make other enquiries as we see fit;
  - Optionally: any other brief comments they wish to make on how their role(s) had an impact on raising standards.

### Financial expertise

- For the group's nominated finance lead(s), please provide their CV on the template provided, including:

- Details of their last three roles (this should cover the last four years. If not, please include additional roles) – where they were employed, what their role was, how long they were in each role and what their financial responsibilities were;
- A brief commentary on why their previous financial experience is relevant to the role that they would have in pre-opening;
- Details of their professional financial qualifications;
- At least one referee who is able to confirm their finance credentials. We may make other enquiries as we see fit.

### **Other expertise**

- Section F also asks you to provide information on individuals in your group who have other relevant skills and expertise that will ensure the success of your proposed free school. This may include communications, marketing, human resources and project management expertise. There are no specific requirements for these areas but please provide CVs on the template provided for these individuals including:
  - A brief commentary outlining their previous experience, why this is relevant to the role that they would have in pre-opening and how they will add value;
  - Details of any relevant professional qualifications.

Please note that CVs should be included in the appendices of the Word application form, and do not count within the page limit.



Department  
for Education

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