

**Title: CET Primary School Tower Hamlets****Author: Department for Education (DfE)****Impact Assessment – Section 9 Academies Act Duty**

1. Section 9 of the Academies Act 2010 places a duty upon the Secretary of State to take into account what the impact of establishing the institution would be likely to be on maintained schools, Academies, institutions within the further education sector and alternative provision in the area in which the additional school is (or is proposed to be) situated.

**Background**

2. CET Primary Tower Hamlets will be a 4 – 11, non-denominational co-educational primary school in Tower Hamlets. The school proposes to open with two reception classes and a Year 1 class, a total of 75 places building up to an eventual capacity of 350. The school will be open on the site Solebay Street in the Mile End and Globe ward of Tower Hamlets in 2013. They will be temporarily situated in the Kirtland centre in the Bow West ward.

3. The proposers are an educational charity who founded the Moat independent special school in 1998 for children with specific learning difficulties.

**Catchment Area, its Characteristics and Admissions**

4. The school's admissions arrangements are compliant with the new Admissions Code. Pupils will be admitted at reception age without reference to ability, aptitude or social background. Should the school be over-subscribed, after admitting all children with a statement of SEN which names CETPS Tower Hamlets, priority will be given in the following order:

- (a) Looked After Children.
- (b) Children with exceptional medical, social, or other needs that can only be met by providing a place at the particular school concerned rather than any other school (to be decided in consultation with the Director for Schools and Learning in each case). Applications made under this category will only be considered if supporting evidence from an appropriate professional (e.g. doctor or social worker) is attached to the application form. This supporting evidence must set out the particular reasons why the school in question is the most suitable and the difficulties that would be caused if the child had to attend another school.
- (c) To brothers and sisters of a child who will be already attending the school when the child is admitted, including the separate infants and junior schools. The definition of 'sibling' includes twins, triplets, half-brothers/sisters, foster siblings and step brothers/sisters, residing in the same family home.
- (d) Children living nearest to the school using straight line measurement from the main entrance of the school to the main entrance of the child's home.

5. CETPS Tower Hamlets will operate a waiting list for each year group. Where in any year the school receives more applications for places than there are places available, a waiting list will be determined solely in accordance with the oversubscription criteria. Where places become vacant they will be allocated to children on the waiting list in accordance with the oversubscription criteria.

6. The permanent site of CETPS Tower Hamlets will be based in the Mile End and Globe Town ward in Tower Hamlets. The school does not have a self-defined catchment area. For the purposes of the impact assessment, we have created a proxy catchment area. The average distance travelled to a primary school in Tower Hamlets is 0.5 miles. We have therefore assessed the impact on all primary schools within a one mile radius of the Free School. It is officials' view that it will be unlikely that schools situated over 1 mile away from the Free School will be impacted or will be more than minimally impacted.



7. In Tower Hamlets, there is currently a 4.2% surplus of primary places, and the primary school population is projected to grow significantly over the next five years. Any potential negative impact on local schools should be mitigated by the growing population (see table provided by the Local Authority below). If no new primary school places were added there would be an 8.1% shortfall of places by 2015/16.

8. Despite this apparent surplus there is a large unplaced pupils list and the local authority have told us they are relying on the school opening and could comfortably fill the places.

Capacity			Number of pupils on roll					
Capacity as at May 2011 (negative value = deficit of places)	Surplus capacity 2010/11 (negative value = deficit of places)	Projected surplus capacity 2015/16 (negative value = deficit of places)	Actual 2010/11	Forecast 2010/12	Forecast 2012/13	Forecast 2013/14	Forecast 2014/15	Forecast 2015/16
21,909	4.2%	-8.1%	20995	21639	22220	22685	23154	23689

		Academic year 2010/11		Academic year 2015/16		2010/11 – 2015/16
LA	Number of places in 2011	No. of pupils	Surplus %	No. of pupils	Surplus %	% increase in population
<b>Primary school pupil population</b>						
Tower Hamlets	21,909	20,995	4.2%	23,689	-8.1%	9.5%

### Projected number of 0-19 persons in Tower Hamlets 2011-2016

9. GLA Population Projections show that in 2011 there were 61,677 0-19 year olds in Tower Hamlets which is expected to rise by 10.5% to 68,189 in 2016.

10. One fifth of the borough's population are aged under 16 - similar to the percentage in London and England. However, there are significant differences by ethnicity: the borough's Bangladeshi population has a far higher proportion of children than the white population. The number under the age of 16 is expected to rise by approximately 12% by 2016.

### Local Authority View

11. Tower Hamlets are facing increasing demand for pupil places and recognise that the additional places provided by CETPS Tower Hamlets will contribute to the increased supply of places the LA is planning for. They do, however, have concerns that suitable premises will not be secured in time for September 2012 opening.

### Representations

12. No direct representations have been received by the Department but a public consultation has been carried out by the proposer group. Free Schools are obliged, under Section 10 of the Academies Act 2010, to consult with those persons they think are appropriate as to whether the Academy Trust should enter into the Funding Agreement with the Secretary of State.

13. The Academy Trust has used various methods to carry out their consultation. This included in person (LA, parents, some potential parents and nurseries), direct email or post to primary and secondary schools, newspaper and website notices for the wider community. It has also used flyers and forms for residents in the local area. The Trust asked for responses to a questionnaire which included the following question on its website and allowed 8 weeks for responses:

“Do you agree that CET should enter into a Funding Agreement with the Secretary of State to open a new Free Primary School in Tower Hamlets?”

14. The Trust received a total of 11 questionnaires, all completed online. The results indicated 70% were in favour of CETPS Tower Hamlets opening in the local area and 30% not in favour. Statistics from the website indicated 120 unique visitors and 589 unique page views. 61 parents of primary school age children completed register of interest.

15. We believe the consultation undertaken by the Academy Trust is sufficient to comply with s.10 of the Academies Act 2010 and that as a result it is reasonable for the Secretary of State to enter into the Funding Agreement with the Academy Trust.

**The impact on the majority of primary schools in the local area will be minimal (impact on schools within 1 mile)**

16. It is expected that the majority of primary schools will feel a minimal impact from CETPS Tower Hamlets. Many of these schools are judged to be oversubscribed so, even if they did lose pupils to the Free School, they should still be able to fill most or all of their places. Additionally, the primary population is set to increase over the next few years so any loss of pupils to the Free School should also be mitigated by the increased demand in the area.

17. The Free School could even take the pressure off some schools which currently have bulge classes and potentially lead to improved circumstances for pupils elsewhere.

## Schools where the impact is moderate

School name	Distance from Free School (miles)	Impact rating	Capacity	Pupils on roll	Surplus places at entry group (Sept 2011)	% of Y6 pupils attaining Level 4 in English and maths in 2011 <sup>1</sup>	Ofsted rating
<b>Schools where the impact has been assessed as being moderate from list of all nearest schools listed below</b>							
Ben Jonson Primary School	0.11	Moderate	450	497	6	90%	Satisfactory
Malmesbury Primary School	0.49	Moderate	525	592	0	67%	Special Measures
St Paul with St Luke CofE Primary School	0.49	Moderate	243	261	0	59%	Special Measures
The Stepney Greencoat Church of England Primary School	0.66	Moderate	210	197	1	70%	Satisfactory
Stebon Primary School	0.67	Moderate	420	472	1	63%	Satisfactory

<sup>1</sup> National average for 2011 was 74% and for Tower Hamlets was 76%

### **Ben Jonson Primary School**

18. Ben Jonson is an average sized primary school located within half a mile of the proposed CETPS Tower Hamlets. Its pupils come from a wide range of ethnic background providing a broad range of different enrichment activities. There is a small surplus in the entry group, but overall the school has been growing, with the premises expanded to create extra capacity. This area of the borough continues with housing development.

19. The Ofsted inspection on 14 January 2010 judged the school to be satisfactory, and there has since been a monitoring report on 16 June 2011 to assess progress. Attainment in reading and writing remained broadly average. This improving trend in overall attainment was mirrored in the end of Year 6 tests in 2010. Pupils made good progress in English and satisfactory progress in mathematics. Pupils with special educational needs and/or disabilities make similar progress to their peers over time, although this is inconsistent at times. Pupils who are in danger of underachieving are signposted to various intervention programmes in literacy and numeracy.

20. The impact of free school opening within close proximity remains moderate however there is some possibility of pupil migration.

### **Malmesbury Primary School**

21. Malmesbury primary school is half a mile away from the permanent site and neighbours the proposed temporary site for the school. It is a larger than the average sized primary school and appears to be oversubscribed, with a full entry group.

22. The proportion of pupils from minority ethnic backgrounds is well above average, as is the proportions who speak English as an additional language. The main minority language spoken is Sylehti.

23. The school has recently been put into special measures and Ofsted inspections are regular. Pupils' achievement is inadequate. Children make satisfactory progress in the Early Years Foundation Stage, often from low starting points. By the time they start in Year 1, children's attainment remains below average, especially in their literacy and numeracy skills. Progress in Years 1 to 6 is inadequate in English and mathematics and so, by the end of Year 6, pupils' attainment is low.

24. Overall during the past three years, all groups of pupils have underachieved. Disabled pupils and those with special educational needs are above average, making inadequate progress overall. Some pupils whose circumstances may make them vulnerable do make good progress and there is some evidence of improvement by white British pupils. However, besides these examples, there is little other convincing evidence that gaps in performance have narrowed during the past three years. In general, the school does not take effective enough action to correct areas of identified underachievement. Teaching is inadequate.

25. Opening CETPS Tower Hamlets (albeit a temporary site) and as a neighbour, suggests an undeniable impact on Malmesbury primary. Malmesbury is

oversubscribed, which may limit some of the effects. Given CET's background in special needs and early identification and intervention of pupils individual needs it is possible that parents of pupils with SEN, who are struggling at Malmesbury, could seek to move them to the new Free School.

### **St Paul with St Luke CoE Primary School**

26. St Pauls with St Luke is located within half a mile of the proposed free school. The school filled its entry group, and so may be oversubscribed.

27. Ofsted inspections are regular. The most recent inspection on 21–22 March 2012, was the fourth monitoring inspection since the school became subject to special measures. The findings show progress since being subject to special measures is satisfactory.

28. Improvements in provision across Key Stage 1 have seen increased progress from pupils' starting points at the end of Reception class. The school's latest assessments show that a higher proportion of pupils are in line to reach the expected Level 2c in reading and writing by the end of the year. However, currently a smaller proportion of pupils are in line to gain higher Level 2a and Level 3 results in reading, writing and mathematics than in 2011.

29. The impact of a Free School is likely to be moderate.

### **The Stepney Greencoat Church of England Primary School**

30. This smaller than average inner-city school serves pupils from a wide area within the borough, and was rated satisfactory by Ofsted in 2009. The school achieves slightly below average attainment and currently has some surplus capacity in the school.

31. About a third of pupils come from Bangladeshi families and a further third are from White British backgrounds. Almost half of the pupils speak English as an additional language. More pupils than in most schools of this size have special educational needs and/or disabilities. Many of these pupils have difficulties with speech, language and communication. Ofsted found that parents of children with SEN were most concerned about the education their children were receiving at the school. The proportion of pupils entitled to free school meals is much higher than average.

32. Given CET's background in special needs and early identification and intervention of pupils individual needs it is possible that parents of pupils with SEN, who are struggling at Stepney Greencoat, could seek to move them to the new Free School.

33. The impact of a Free School is likely to be moderate.

## **Stebon Primary School**

34. Stebon Primary school received a satisfactory rating by Ofsted in 2010 and a subsequent monitoring visit in 2011 found it was making satisfactory progress. The school achieves slightly below average achievement and currently has some surplus capacity in the school.

35. The great majority of pupils come from Bangladeshi families living on the estate surrounding the school. The large majority of pupils speak English as an additional language and begin school with little or no English. More pupils than in most schools of this size have special educational needs and/or disabilities. The proportion of pupils entitled to free school meals is much higher than average.

36. The impact of a Free School is likely to be moderate.

## Other Schools where the impact is minimal

School name	Distance from Free School (miles)	Impact rating	Capacity	Pupils on roll	Surplus places at entry group (Sept 2011)	% of Y6 pupils attaining Level 4 in English and maths in 2011 <sup>2</sup>	Ofsted rating
<b>Schools where the impact has been assessed as being minimal from list of all nearest schools listed below</b>							
Guardian Angels Roman Catholic Primary School	0.14	Minimal	205	203	0	89%	Satisfactory
Halley Primary School	0.33	Minimal	210	240	0	63%	Outstanding
Cayley Primary School	0.45	Minimal	438 468	543	2	71%	Outstanding
John Scurr Primary School	0.56	Minimal	420	480	5	60%	Good
Olga Primary School	0.56	Minimal	210	242	0	77%	Good
Redlands Primary School	0.60	Minimal	402	467	1	63%	Good
Bangabandhu Primary School	0.61	Minimal	420	478	3	76%	Good
Wellington Primary School	0.62	Minimal	420	369	0	74%	Good
Sir William Burrough Primary School	0.65	Minimal	315	330	0	93%	Outstanding
Bonner Primary School	0.65	Minimal	420	444	-28	97%	Outstanding
Marion Richardson Primary School	0.66	Minimal	420	479	2	81%	Outstanding

<sup>2</sup> National average for 2011 was 74% and for Tower Hamlets was 76%

Smithy Street School	0.67	Minimal	417	408	2	61%	Outstanding
Our Lady Roman Catholic Primary School	0.72	Minimal	182	203	0	93%	Satisfactory
Chisenhale Primary School	0.73	Minimal	300	343	0	74%	Good
Globe Primary School	0.73	Minimal	315	362	-1	76%	Good
Old Ford Primary School	0.80	Minimal	618	729	0	74%	Outstanding
The Clara Grant Primary School	0.80	Minimal	420 -450	464	0	90%	Outstanding
St John's Church of England Primary School	0.86	Minimal	202	222	4	67%	Satisfactory
Cyril Jackson Primary School	0.87	Minimal	420	467	0	65%	Good
St Elizabeth Catholic Primary School	0.89	Minimal	420	446	-29	97%	Good
St Mary and St Michael Primary School	0.89	Minimal	416	469	0	73%	Good
St Agnes RC Primary School	0.90	Minimal	210	225	0	86%	Good
Hague Primary School	0.91	Minimal	210	220	1	74%	Good
Stewart Headlam Primary School	0.92	Minimal	413	441	6	73%	Good
St Saviour's Church of England Primary School	1.0	Minimal	199	231	0	80%	Satisfactory

37. Of the 25 other schools considered, all have been assessed as being minimally affected by the opening of the Free School. All are unlikely to lose a significant number of pupils to the Free School. Even if they did lose some pupils to the Free Schools, they should still be able to fill most, if not all, of their places. Nine of the 30 schools are also faith schools so are unlikely to lose pupils to the non-faith Free School.

38. Thirteen of the 30 schools have above national average attainment at Key Stage 2 in English and Maths in 2011 (with attainment ranging from 75% to 100%). Seventeen of the schools have below average Key Stage 2 attainment (with only 55% to 72% pupils achieving the expected levels at Key Stage 2 in Maths and English in 2011).

39. . Seven of the 30 schools have been rated as satisfactory. Three of the 17 schools that are below the national average have also been rated satisfactory by Ofsted. A new school in close proximity to underperforming schools may affect their ability to make progress in improvements.

### **Impact on Secondary Schools, Special Schools, Alternative Provision and FE institutions**

40. CETPS Tower Hamlets will be a school admitting children of primary age. It will begin with an intake of two reception classes of 25 pupils each (50 pupils) and one year 1 class of 25 pupils, then will build up over subsequent years admitting two new reception classes (50 pupils) each year. It will have no specialist SEN provision but will work to accommodate the needs of pupils where the school is named in their statement of SEN. As such, it is unlikely to have any direct impact on local secondary schools, alternative provision and even less likely to impact post-16 and FE institutions.

41. As the CET organisation has experience in the special schools sector with an existing independent special school and are likely in this Free Schools to have a focus on identifying the needs of pupils early, it is possible that CET Tower Hamlets could attract some pupils who might have otherwise been catered for in special schools.

42. The introduction of a new primary school may, however, have an indirect impact on local secondary schools in terms of the types of primary feeder schools in the area for local secondary schools.

43. Tower Hamlet's primary population projections show a sharp rise is expected between now and 2016/17 but because of the greater degree of predictability of secondary age pupil numbers five or more years in advance, the planning of expansions to meet demand is a more certain process. For these reasons the impact on secondary schools and FE institutions is assessed as being negligible.

## **Conclusion**

44. The impact on the majority of primary schools should be minimal as there is a significant deficit of primary school places in the area and any impact will be spread across a large number of schools. Many of these schools are most likely oversubscribed so even if they did lose pupils to the Free School, they should still be able to fill most or all of their places.
45. Additionally, the primary population is set to increase over the next few years in the district by approximately 10% so any loss of pupils to the Free School should also be mitigated by the increased demand in the area. The LA is supportive of the school for these reasons and plans to use the proposed school to help it manage this increase.
46. As a new provider, the Free School has the potential to have a positive impact on the local area by offering further choice for parents.

In light of the possible impacts officials consider it is appropriate for the Secretary of State to enter into a Funding Agreement with the Academy Trust.