

**Title: Kingfisher Hall Primary Academy**  
**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 additional school 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. Kingfisher Hall Primary Academy will be a 3 – 11, non-faith primary school. It plans to open in 2012 with an intake of between 30 and 60 places in reception, with a subsequent intake of 60 places per year. There will also be a nursery class of 15 FTE places in 2012, with a subsequent intake of 30 FTE places per year. The school aims to reach full capacity in 2020 and will have 420 places (plus 30FTE in nursery). The school will be open on the site adjacent to the Enfield Centre which is owned by the College of Haringey, Enfield and North East London (CONEL) - 73 Hertford Road, Enfield, Middlesex EN3 5HA.

3. The proposers are an existing Academy Trust - Cuckoo Hall Academies Trust (CHAT) - which runs a successful primary Academy twice rated outstanding by Ofsted and the newly opened Woodpecker Hall Primary Academy, which opened in September 2011.

**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 and nursery 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 Kingfisher Hall Primary Academy, priority will be given in the following order:

(a) Looked after children (as defined by Section 22 of the Children Act 1989) and children who were looked after, but ceased to be so because they were adopted, or became subject to a residence order or special guardianship order.

(b) Children whose parents or carers can take up or retain a teaching post in Kingfisher Hall Primary School.

(c) Children with a sibling who is attending Kingfisher Hall Primary Academy at the time of admission and who will still be attending the Academy when the child is admitted. Long term foster children will be accepted as siblings of the foster carers own children and other children in foster care at the same address. The children concerned

must be living at the same address and evidence may be required to verify the sibling link.

Priority within this group will be given in the following order:

- (i) Children of twin/multiple births living at the same address.
- (ii) Other children

(d) Children living nearest to the Academy. Priority within this group will be given in the following order:

- (i) Children of twin/multiple births living at the same address.
- (ii) Other children

If a tie-break is needed to determine who is admitted, under criteria (a)-(d) priority will be given to children living nearest to the Academy measured as the crow flies, that is, in a straight line from the child's home to the entrance of the Kingfisher Hall site (Travel by private car or public transport is not taken into account). Random allocation will be used if the distance between two children's homes and the school is the same.

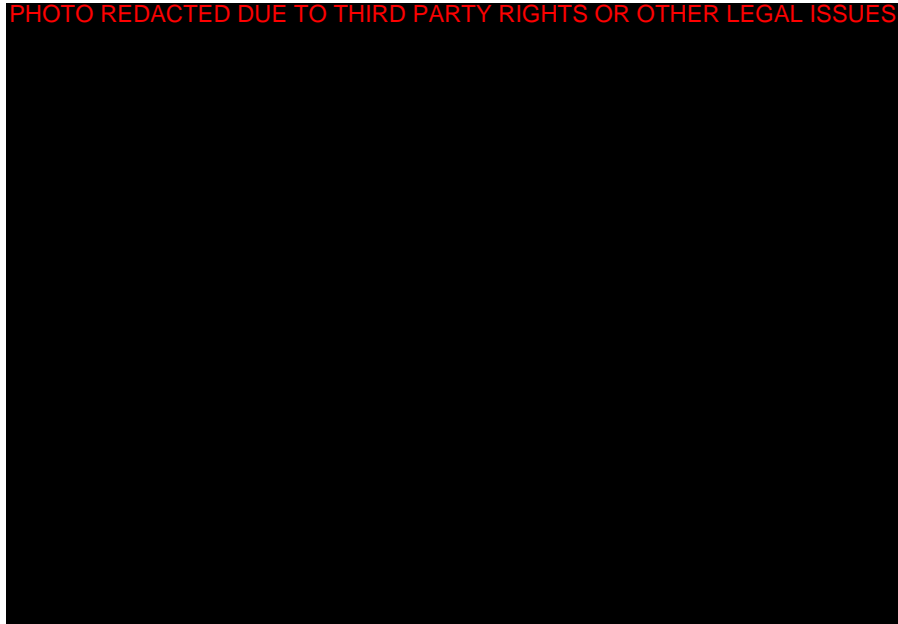
5. Ministers should note that the Free School's oversubscription criteria include the children of staff employed at the school. This is permitted in the new Admissions Code for admissions in 2013. Ministers agreed following Lindsey Henning's submission of 25 January that Kingfisher Hall Primary Academy could admit on this basis a year before the New Code permits.

6. Kingfisher Hall Primary Academy 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.

7. The school received 39 applications for 30 places to date and parents will be made offers of places for their children on 18 May 2012 subject to the signing of the Supplemental Funding Agreement.

8. The permanent site of Kingfisher Hall Primary Academy will be based in the 'Enfield Highway' ward of Enfield. 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 primary school in Enfield is 0.7 miles. The furthest distance travelled to primary school by a significant majority (80%) of pupils in Enfield is 1.5 miles. Of the 30 pupils who have so far selected the school as one of their choices, the furthest lives 1.7 miles away from the site by straight line distance. We have therefore assessed the impact on all primary schools within a one and a half mile radius of the Free School. It is officials' view that it will be unlikely that schools situated over 1.5 miles away from the Free School will be impacted or will be more than minimally impacted.

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9. In Enfield, there is currently a slight 1.3% surplus of primary places however the primary school population is projected to grow significantly over the next five years (increase in pupil numbers, 2010/11 - 2015/16 is 11.1%). Any potential negative impact on local schools should be mitigated by the growing population (see table provided by the Local Authority below – SCAP 2011 LA forecast).

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 2011/12	Forecast 2012/13	Forecast 2013/14	Forecast 2014/15	Forecast 2015/16
			Primary	Primary	Primary	Primary	Primary	Primary
27661	1.3%	-9.6%	27297	28109	28969	29652	30077	30330

If no new primary school places were added there would be a 9.6% shortfall of places by 2015/16.

Enfield's population in 2009 was 291,400 - an increase of 5% since 2001; compared to a 6% growth rate for London for the same period. There has been significant change in population profile and growth in multicultural and younger communities, associated with high numbers of people moving in and out of the Borough.

## Projected number of 0-19 persons in Enfield 2011-2016

Age	Total 2011	Total 2016	% Change
0-4	22,781	22,112	-2.9%
5-9	19,143	21,172	10.6%
10-14	18,080	18,463	2.1%
15-19	17,478	17,099	-2.2%
<b>Total 0-19 Persons</b>	<b>77,482</b>	<b>78,846</b>	<b>1.8%</b>
<b>Total 0-19 Persons Greater London</b>	<b>1,941,581</b>	<b>2,066,779</b>	<b>6.4%</b>

New arrivals are predominantly of younger age and from ethnic minority communities. The ethnic profile of Enfield's population is becoming more diverse. In 2009, less than 45% of residents were classed as White British compared to 76% in 2001. The January 2010 census indicated that 148 languages were spoken in Enfield schools, predominantly: Turkish, Kurdish, Somali and East European languages: a reflection of in-migration trends. Enfield's inward migration includes families, and as a result there has been an increase in the number of children in the borough. In 2009 there were 62,900 children aged less than 16 years, 21.7% of the local population (the largest proportion of children in North London boroughs), compared to a London average of 19%. This increase is forecast to continue principally as a result of an increase in the birth rate. In addition, fewer families are moving away from the borough. This increases the demand for a range of services including health, housing, and education and childcare. The provision of sufficient school places is a particular challenge in this context.

### Local Authority View

10. Enfield Council was invited to provide its views on the Free School proposal. The Director of Schools and Children's Services responded to that invitation on the 2 April 2012 saying that their revised 10 year strategy for the provision of pupil places has identified the urgent need for additional school places and that as a local authority they are keen to develop a family of high performing schools and are committed to working in close partnership with all schools in Enfield for the benefit of the whole population.

### Representations

11. 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.

12. The Academy Trust has used various methods to carry out their consultation. This included in person (LA, local MP, 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 the following question on its website and allowed 6 weeks for responses:

“Do you agree that Cuckoo Hall Academies Trust should enter into a Funding Agreement with the Secretary of State to open a new Free Primary School in Enfield Highway?”

13. The Trust received 62 responses, of which 54 were positive (4 responded ‘don’t know’ and 4 were against). Only one respondent gave a reason for their objection: “Concerned about the lack of proper control of the money I pay in taxes”. We are confident that the Trust has appropriate accounting procedures and controls in place to handle public funding.

14. 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.

### Impact on other schools

15. We have considered the impact the Free School may have on all schools within a 1.5 mile radius of the proposed Free School. Below is a discussion of the likely impact on the nearest primary schools to the proposed site. The table below shows that opening the Free School will have a minimal impact on 20 schools, a moderate impact on 3 schools and a high impact on none.

School name	Distance from Free School	Impact rating	Capacity	Pupils on roll	% 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 minimal or moderate from list of all nearest schools listed below</b>						
Southbury Primary School	0.24	Minimal	408	479	78%	Good
St James CofE Primary School	0.31	Minimal	210	210	80%	Good
St Mary's RC Primary School	0.46	Minimal	420	411	86%	Good
<b>Suffolks Primary School</b>	<b>0.5</b>	<b>Moderate</b>	<b>239</b>	<b>260</b>	<b>62%</b>	<b>Satisfactory</b>
Brimsdown Primary School	0.5	Minimal	595	674	57%	Satisfactory
St Matthew's CofE Primary School	0.66	Minimal	210	209	97%	Good
Carterhatch Junior School	0.69	Minimal	360	355	75%	Satisfactory
Carterhatch Infant School	0.69	Minimal	300	342	n/a	Good
Alma Primary School	0.74	Minimal	418	515	67%	Satisfactory
Bush Hill Park Primary School	0.89	Minimal	630	609	56%	Satisfactory
George Spicer Primary School	0.94	Minimal	444	450	88%	Good

<sup>1</sup> National average for 2011 was 74% and for Enfield was 74%

School name	Distance from Free School	Impact rating	Capacity	Pupils on roll	% of Y6 pupils attaining Level 4 in English and maths in 2011 <sup>1</sup>	Ofsted rating
Eastfield Primary School	0.94	Minimal	420	485	67%	Outstanding
<b>Oasis Academy Hadley</b>	<b>0.99</b>	<b>Moderate</b>	<b>1395</b>	<b>1153</b>	<b>n/a</b>	<b>n/a</b>
Woodpecker Hall Primary Academy	1.09	Minimal	420	60	n/a	n/a
Cuckoo Hall Academy	1.15	Minimal	564	714	100%	Outstanding
Galliard Primary School	1.17	Minimal	480	694	78%	Good
Worcesters Primary School	1.28	Minimal	420	474	72%	Satisfactory
Chesterfield School	1.31	Minimal	787	828	58%	Satisfactory
<b>Houndsfield Primary School</b>	<b>1.33</b>	<b>Moderate</b>	<b>460</b>	<b>504</b>	<b>65%</b>	<b>Satisfactory</b>
St Andrew's CofE Primary School	1.37	Minimal	420	477	88%	Outstanding
Forty Hill CofE Primary School	1.4	Minimal	209	209	90%	Outstanding
Prince of Wales Primary School	1.48	Minimal	425	467	55%	Satisfactory
Freezywater St George's CofE Primary School	1.49	Minimal	210	210	87%	Good

### **The impact on the majority of primary schools in the local area will be minimal**

16. It is expected that the majority of primary schools will feel a minimal impact from Kingfisher Hall Primary Academy. Many of these schools are 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.

### **Schools where the impact is moderate**

17. The impact of the Free School on the three schools below has been assessed as moderate:

(i) Suffolks Primary School

**Suffolks Primary School** is an averaged-sized school half a mile from KHPA's proposed permanent site. Pupils come from a wide range of ethnic backgrounds. A high proportion of pupils have English as an additional language and a higher than average number received free school meals. A high number of pupils have special educational needs and/or disabilities. The majority have specific learning or emotional and behavioural needs. There is a specialist Speech and Language Unit on site.

The school was judged **satisfactory** by Ofsted in 2009 and the percentage of

children achieving Level 4 in English and maths in 2011 was 62%. Attainment is below average at the end of Year 6 but average when allowance is made for pupils who are admitted late into the Speech and Language Unit in Year 3 to 6.

Although it was undersubscribed for entry in September 2011 (only 55 of the 60 reception places were filled), the school was over capacity by 21 pupils, so even if it did lose some pupils to the new Free School it should still be able to fill most, or all, of its places. Additionally the primary population in the local area is projected to increase over the next few years so any loss of potential pupils to the new Free School should also be mitigated by increased demand for primary school places in the local area. As a result, the opening of the Free School should not impact on the long-term financial viability of the school.

#### (ii) Oasis Academy Hadley

**Oasis Academy Hadley** opened in September 2009 in the same buildings as its predecessor secondary school just under a mile from the proposed site. The academy will transfer to new accommodation on a new site in Ponders End in 2013. In September 2010 the academy opened a primary section. The academy is larger than average. The number of students known to be eligible for free school meals is well above the national average. The proportion of students from minority ethnic groups or who speak English as an additional language is well above average. The proportion of disabled students and those who have special educational needs is also above average.

The impact was deemed moderate mainly due to the number of 'surplus places' (which looks at capacity across the whole school), and 'over/under-subscription for latest entry' (which looks at surplus in Reception). The school was undersubscribed by 242. Even taking account of the build up of pupils in the primary section, the school has a surplus of 13% for latest entry (having only filled 52 of 60 places at Reception).

However, as this school has a faith ethos, it is likely to be attractive to parents who wish to send their children to a faith school rather than a non faith school. It is therefore unlikely to lose pupils to the non-faith Free School. The school is also relocating further away in 2013 to a different ward of Enfield (outside of the notional catchment area) so the likely numbers of children that KHPA could divert from this school would not be sufficient to affect the continued viability of the school.

#### (iii) Houndsfield Primary School

**Houndsfield** is larger than average mixed primary school for pupils aged 3-11. Most pupils are from minority ethnic groups. The large majority speak English as an additional language. The number of pupils who are eligible for FSM is much higher than average. The proportion of pupils with SEN and/or disabilities, principally speech, language and communication, moderate learning or behavioural, emotional and social difficulties, is well above

average. The number of pupils joining or leaving the school other than the usual starting or leaving times is much higher than average. The school also has a speech and language unit which provides for pupils across the borough. The school became part of a hard federation with Churchfield Primary School in September 2008. The school is currently over capacity despite its Ofsted rating of 'satisfactory overall'. It is possible that, given its low Ofsted rating, KHPA will have an impact to draw pupils away from this school. However, given its Ofsted rating suggests that it is relatively weak, any impact of increased competition is likely to improve standards in the area, and the likely numbers of children that KHPA could divert from this school would not be sufficient to affect the continued viability of the school.

### **Other Schools where the impact is minimal**

18. Of the 20 other schools considered, all have been assessed as being minimally affected by the opening of the Free School. All but 6 currently have more pupils on their roll than their capacity, thus highlighting the basic need for primary school places in the Enfield area. All are unlikely to lose a significant number of pupils to the Free School. 7 of the 23 schools are also faith schools so are unlikely to lose pupils to the non-faith Free School.

19. 11 of the 23 schools have above national average attainment at Key Stage 2 in English and Maths in 2011 (with attainment ranging from 75% to 100%). 9 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). 3 schools do not have results as one is an infant school and the other two do not have age group at Key Stage 2.

20. 9 of the 23 schools have been rated as satisfactory. 8 of the 9 schools that are below the national average have also been rated satisfactory by Ofsted. 4 schools (Eastfield Primary School, Cuckoo Hall Academy, St Andrew's CofE Primary and Forty Hill Cof E Primary) have been rated outstanding by Ofsted. The establishment of the Free School is likely to improve standards in the area through increased competition.

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

21. Kingfisher Hall Primary Academy will be a school admitting children of primary age. It will begin with an intake of one reception class (30 pupils) and one nursery class of 15 FTE pupils, then will build up over subsequent years admitting two new Reception classes (60 pupils) and one nursery class (30 FTE 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, Special Schools, alternative provision and even less likely to impact post-16 and FE institutions.

22. 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. Enfield has already considered the increasing demand in the area for secondary places which the rising population in the area will create and are developing strategies to deal with these.

23. After a time-lag, rising rolls in primary schools translate to rising rolls in secondary school. Enfield's projections show 2014/15 as the start of a likely long period of sustained growth, 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**

24. 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 significantly 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. It should also be noted that as the school wishes to open with only a 2 form reception intake, while some schools may experience a moderate impact their long-term viability would not be affected.

25. 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 fully supportive of the school for these reasons and plans to use the proposed school to help it manage this increase.