

# FREEDOM OF INFORMATION REDACTION SHEET

Eden Primary

## IMPACT ASSESSMENT

<b>Exemptions in full</b> n/a	
<b>Partial exemptions</b> Personal information has been redacted from this document under Section 40 of the Freedom of Information (FOI) Act.  Section 40 of the FOI Act concerns personal data within the meaning of the Data Protection Act 1998.	
Factors for disclosure	Factors for withholding
<ul style="list-style-type: none"><li>▪ to further the understanding of and increase participation in the public debate of issues concerning Free Schools.</li><li>▪ to ensure transparency in the accountability of public funds</li></ul>	<ul style="list-style-type: none"><li>▪ to comply with obligations under the Data Protection Act</li></ul>
<u>Reasons why public interest favours withholding information</u> Whilst releasing the majority of Eden Primary's Impact Assessment will further the public understanding of Free Schools, the whole of Eden Primary's Impact Assessment cannot be revealed. If the personal information redacted was to be revealed under the FOI Act, personal data would be prejudiced.	

## **Annex B**

### **Impact Assessment – Section 9 Academies Act Duty**

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 and institutions within the further education sector in the area in which the additional school is (or is proposed to be) situated. Any adverse impact will need to be balanced against the benefits of establishing the new school. This impact assessment looks at where children who might attend the proposed school may otherwise have gone to school.

#### **Background**

There are several maintained schools, Academies and FE institutions close to the planned permanent site of Eden Primary School, both within Haringey LA and in other boroughs. As discussed below, Officials do not believe that this proposal, for a primary school admitting children aged 4-11, would be likely to impact any secondary schools or post-16 institutions, including Academies. However, there are many local primary schools, which may be impacted by the establishment of the proposed schools.

As part of their consultation, Muswell Hill Jewish Primary School Trust have been seeking the views of primary, secondary and faith schools local to the proposed site. They have also written to nursery schools, children's centres, special schools, libraries, synagogues, Barnet and Haringey councils and councillors and residents local to the permanent site. As discussed above, the Muswell Hill Jewish Primary School Trust conducted its own formal consultation.

#### **Catchment area**

The school received a total of 85 applications for places in September 2011. The furthest applicant lives approximately 3.8 miles from the school. 30 children will be offered places. The proposers have done some analysis of which pupils are likely to be offered places according to the school's oversubscription criteria. Of the 30 applicants who will be offered places, the furthest lives approximately 1.05 miles from the school. Officials know from conversations with the Local Authority that the schools most local to the proposed site are very popular, and tend to offer places to children living only within 0.3 miles of the school. The Local Authority is not able to judge how far children in the borough travel on average. This depends on parental preference in combination with the admissions criteria for individual schools. Haringey say that parents tend to be willing to travel further in order for their children to attend a Jewish school.

Below is a discussion of the likely impact of the proposed school on local schools. Officials have not received any representations from any schools except Simon Marks, as discussed below. Our analysis suggests that no

single school is likely to suffer uniquely or significantly, and we have not therefore undertaken a detailed assessment of each individual school or sought views directly from individual local schools.

### Nearby maintained primary schools

The permanent site for the proposed Eden Primary School is at 79 Creighton Avenue, N10 1NR in Muswell Hill. This site is adjacent to the existing Fortismere secondary school. Eden Primary will be accommodated in part of Fortismere's buildings for the year 2011-12 as a temporary measure, whilst their permanent building is being developed. As such, the area affected by the school will be the same in either the temporary or permanent sites. Muswell Hill is well-known for its excellent primary schools; there are 10 schools in a one mile radius of Eden Primary. These are detailed in Table 1 below, and shown in the map in Annex D. All of these schools are rated at least Good by Ofsted and, from the information available to us, we know that 8 have more pupils on roll than their place planning would allow, and the remaining two are completely full. As mentioned above, many of these schools have very small cut-off distances when offering places.

As mentioned above, Officials understand that of the 30 children who will be offered places for Eden Primary, the furthest will live approximately 1.05 miles away. It is reasonable to assume that this furthest child might consider attending a non-faith school 1 mile in any direction. Therefore, we have gathered information about the primary schools situated in a 1-2 mile radius of the Eden Primary site. Officials understand that parents are minded to travel a much further distance in order to attend Jewish schools, and so Jewish schools within a much wider radius have been considered in the discussion below. Information about all of the 42 maintained primary schools in this radius is shown in Table 2. The table shows that 25 schools have more pupils on roll than their planned pupil number provides for.

The table also shows 16 schools to have surplus places at the time the information was gathered. Of these, we know that Akiva's ongoing expansion from 1 to 2 Form Entry explains the current apparent surplus. Of the other 15, 9 have a surplus of <10%, and therefore are less likely to be vulnerable in terms of their viability. If the new school were to draw a few potential pupils away from these schools their overall viability is unlikely to be affected.

Of the other 6 schools that show surplus places, 2 are Christian faith schools and, as such, Eden Primary is unlikely to draw a large number of potential pupils away from these schools given that they would be likely to appeal to those parents seeking a Christian ethos school.

Three non-denominational primary schools in this radius have a surplus >10%. Ofsted describe both Campsbourne Junior and Garfield Primary as having an above average rate of children entering or leaving the school at other than usual times. If this is the reason behind these schools' surpluses, then it is unlikely that a new school will significantly impact on the schools' popularity or pupil numbers and so their viability is unlikely to school.

Ashmount Primary is noted for its diverse ethnic makeup but Ofsted do not make any similar comments about the unusual movement of children. As such, it is unclear why the school is experiencing a surplus of places. It is possible that Eden Primary may draw a few potential pupils away from this school, but it is unlikely the number of pupils drawn away would be enough to impact on the school's viability, given Eden's small size.

One Jewish school, Pardes House Primary has a surplus of 44 places, or 21%. Whilst it could be argued that the new Jewish Eden Primary could draw more pupils away from Pardes House, it could be argued that the Orthodox ethos of the school means that it is unlikely that Jewish pupils to whom this ethos would be attractive would be similarly or more attracted to the more liberal non-denominational Jewish ethos envisaged at Eden Primary. In addition, it should be noted that Pardes House is a boys' school, and so Eden's mixed intake will have an even smaller impact on this school's potential to attract applicants.

#### Nearby maintained Jewish primary schools

Officials believe, from discussions with Haringey LA, that parents are inclined to travel further in order for their child(ren) to attend a Jewish-ethos school. As such, we have collected information about Jewish maintained primary schools within 10 miles of N10 1NR. These schools are detailed in Table 3 below and shown in the map at Annex E.

It can be seen that of these 16, 8 have a surplus of places. As noted above, Akiva is expanding, and so the surplus is not likely to indicate a lack of applicants for Reception places. 6 of those with surpluses are Orthodox Jewish schools. As such, their ethos is likely to be rather distinct from Eden's non-denominational Jewish ethos, which actively seeks to include those from all Jewish backgrounds and also those not Jewish at all.

The remaining Jewish school with a surplus is Simon Marks, located in the London Borough of Hackney. Simon Marks has an Orthodox Jewish ethos but has pupils from a variety of backgrounds. Information publically available at the time of writing indicates that there is a surplus of 15 places, or 8%. The school is 5.2 miles from Eden Primary. [REDACTED], a parent whose child attends the school, recently threatened legal action against the Secretary of State regarding the proposed Haringey Jewish Primary School, as it was then called. [REDACTED] lawyers, Leigh Day and & Co, wrote to the Department explaining that [REDACTED] believes that the proposed Free School would affect Simon Marks and potentially lead to its closure. As detailed in my submission to the Permanent Secretary of 15 March, this legal action has now been dropped. However, in order to understand the potential impact on Simon Marks, Officials wrote to the Head and Chair of Governors seeking their opinion. They responded positively, stating in a joint letter that

*"The School does not condone, encourage, or actively support the position adopted by [REDACTED]. The School does not object to the creation of the Haringey Jewish Primary School and looks forward to normal co-operation between Jewish schools. Simon Marks is going from strength to strength and we do not expect that the creation of Haringey Jewish*

*Primary School will adversely affect our school roll.”*

In light of this response, Officials do not believe that Eden Primary would be a threat to the viability of Simon Marks Jewish Primary. It is possible that Simon Marks may lose a very small number of potential pupils to the proposed Eden Primary, but on balance Officials do not believe Eden Primary would have a negative impact on Simon Marks.

#### Nearby maintained secondary schools and post-16 institutions

Eden Primary will be a school admitting children of primary aged children. It will begin with a single Reception class in September 2011, and will build up over the next seven years by admitting a new Reception class each year. As such, Eden Primary is unlikely to have any impact on local secondary schools, and even less likely to impact post-16 and FE institutions.

#### Local Authority opinion

Officials have sought opinion from Haringey Local Authority, in which the school will be located. In addition, Officials wrote to Hackney Local Authority in order to understand the potential for Eden Primary to impact on Simon Marks school, in light of the threatened legal action mentioned above.

Haringey's response stated that:

*“We support this proposal for a number of reasons. Haringey has a large Jewish population within the West of the borough. If these families wished to receive a Jewish based education, they would have had to travel to a primary school outside of Haringey. We believe the Jewish aspect of the admission over subscription criteria will retain Haringey Jewish families in the borough for the future.*

*Out reception place demand is projected to rise, requiring the need to increase the number of reception primary school places from September 2011. we are now implementing plans to meet this expected surge in demand for September 2011 and beyond. This school will help us, in part, to meet the expected increase in demand for reception school place [sic.] in September 2011.*

*We welcome all proposals which will increase our diversity of schools, especially those which are driven by and responsive to parental needs and aspirations, and particularly those which will strengthen and enhance the educational opportunities for the children and young people of Haringey.*

*Finally, we have consulted our neighbouring boroughs of Enfield and Barnet on this Free School Proposal, as the proposed site for the school is in close proximity to both Local Authorities. Neither Local Authority feels this school will have an adverse impact on their own primary school and as such have no objections to this proposal.”*

Officials wrote to Hackney LA seeking their opinion in general and with specific regard to Simon Marks school. Their response stated only that:

*“There are currently 293 Haringey residents in Hackney schools. Simon Marks Primary school has 25 Haringey residents on its roll and Lubavitch Ruth Lunzer (Girls Primary school) has 12. This amounts to 13% and 8% of their respective rolls”.*

Two schools located in Islington Local Authority are within a 2 mile radius of the school and so could potentially attract applicants who may also apply to Eden Primary. Officials have not received any response to date. One of the two schools in question has a surplus of places, whilst the other has significantly more children on roll than their stated admissions number. We do not believe that the proposed school would be likely to have a significant impact on either school and so we have not contacted the schools directly.

### Haringey LA Place Planning Information

Haringey Local Authority's 2010 Place Planning Report<sup>1</sup> states that: "Reception place demand is projected to continue to rise, requiring urgent need for action to increase the number of reception primary school places from September 2011." The report indicates that Rhodes Avenue Primary will take an extra class in September 2011 but that a further four bulge classes would need to be created in addition to seeking to install another class in a local school whose PAN had been reduced in the past. Haringey LA expects to be short of 60-120 reception places for September 2011.

### Academy Trust's Section 10 Consultation

The proposers, as Muswell Hill Jewish Primary School Trust, carried out formative consultation throughout the development of their proposal. This enabled them to build good relationships with local primary, secondary and special schools and also Haringey Local Authority.

The Trust also carried out a formal summative consultation in accordance with their duty under s.10 of the Academies Act, which states that "*before entering into Academy arrangements in respect of an additional school...the person entering into those arrangements must consult those they think appropriate on the question of whether the arrangements should be entered into.*" The proposers wrote to residents local to the proposed permanent and temporary sites for the school, local primary and secondary schools, nearby Jewish schools, the local Jewish community and synagogues, local businesses and members of the wider community, and local councilors and councils.

The Trust's letter asked whether recipients "agree that we enter into a funding agreement with the Secretary of State", whether the recipient has any concerns about the proposed school's impact on equality of opportunity and good relations in the community, and invited comment on the school's specific proposals. It directed recipients to the school's website, for details about the school, and to the Department's website, where the model Funding Agreement for Free Schools is available. The formal period of consultation ran from 3<sup>rd</sup> March – 28<sup>th</sup> March 2011. The Trust received few responses. In the main, the responses were either positive or neutral about the proposal for the new school. Instead, respondents were more concerned about the impact of the new school on local traffic. Peter Kessler, the lead proposer, responded to people's concerns where appropriate.

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<sup>1</sup> [http://www.haringey.gov.uk/school\\_place\\_planning\\_report\\_2010.pdf](http://www.haringey.gov.uk/school_place_planning_report_2010.pdf)

## Conclusion

Taking into account the projected shortage of primary places in the area and the relatively small size of Eden Primary, the impact of the proposed Free School on existing schools is likely to be negligible. Indeed in terms of Haringey's overall place planning picture, the new school would have a positive impact in terms of providing much-needed places, although it is difficult to judge how many of those who are offered and accept places at Eden Primary would otherwise have been offered and accepted places at Haringey schools. Haringey LA estimates that around 17 of the 30 pupils who will be offered places at Eden Primary would otherwise have been offered and accepted places at Haringey primary schools. Haringey believes the other 13 would otherwise go to Jewish schools in other Boroughs. It could be argued that there is a small chance that some of the nearest Jewish primary schools may thus lose applicants to the new Eden Primary, but no one school is likely to lose so many applicants as to threaten their long term viability.

**Are Ministers content to enter into a Funding Agreement on the basis that the impact of the proposed Free School on local maintained schools, Academies and FE institutions is likely to be negligible, and will offer much needed additional primary places in Haringey?**

**Table 1 – Maintained primary schools within 1 mile radius of N10 1NR**

School	Postcode	Distance (miles by car)	LA	Faith	Ofsted Rating	Total places	Pupils on Roll	Surplus places	% surplus	FSM (%)	Sex
Coldfall Primary	N10 1HS	0.16	Haringey	None	Outstanding (2010)	570	607	-37	-6	12	Mixed
Coppetts Wood Primary	N10 1JS	0.58	Barnet	None	Good (2010)	210	252	-42	-20	39	Mixed
Hollickwood Primary	N10 2NL	0.84	Barnet	None	Good (2008)	210	221	-11	-5	44	Mixed
Holy Trinity CofE Primary	N2 8GA	0.67	Barnet	CofE	Good (2009)	207	242	-35	-17	15	Mixed
Martin Primary	N2 9JP	0.62	Barnet	None	Good w/ Outstanding (2009)	420	493	-73	-17	35	Mixed
Muswell Hill Primary	N10 3ST	0.64	Haringey	None	Outstanding (2010)	420	419	1	0	8	Mixed
Our Lady of Muswell RC Primary	N10 1PS	0.22	Haringey	RC	Good w/ Outstanding (2007)	420	452	-32	-8	8	Mixed
Rhodes Avenue Primary	N22 7UT	1	Haringey	None	Outstanding (2007)	420	472	-52	-12	2	Mixed
St James' CofE Primary	N10 3JA	0.6	Haringey	CofE	Outstanding (2007)	210	234	-24	-11	0	Mixed
Tetherdown Primary	N10 3BP	0.46	Haringey	None	Outstanding (2009)	330	330	0	0	2	Mixed

**Table 2 – Maintained primary schools within 1-2 mile radius of N10 1NR**

School	Postcode	LA	Faith	Total Places	Pupils on Roll	Surplus Places	% surplus	Sex
Akiva School	N3 2SY	Barnet	Jewish	420	328	92	22	Mixed
Alexandra Primary	N22 6UH	Haringey	None	210	216	-6	-3	Mixed
Ashmount Primary	N19 3BH	Islington	None	382	311	71	19	Mixed
Bounds Green Infant School	N11 2QG	Haringey	None	180	233	-53	-29	Mixed
Bounds Green Junior School	N11 2QG	Haringey	None	240	225	15	6	Mixed
Bowes Primary	N11 2HL	Enfield	None	414	479	-65	-16	Mixed
Brookland Infant and Nursery School	NW11 6EJ	Barnet	None	270	320	-50	-19	Mixed
Brookland Junior School	NW11 6EJ	Barnet	None	360	358	2	1	Mixed
Campbourne Infant School	N8 7AF	Haringey	None	178	204	-26	-15	Mixed
Campbourne Junior School	N8 7AF	Haringey	None	240	208	32	13	Mixed

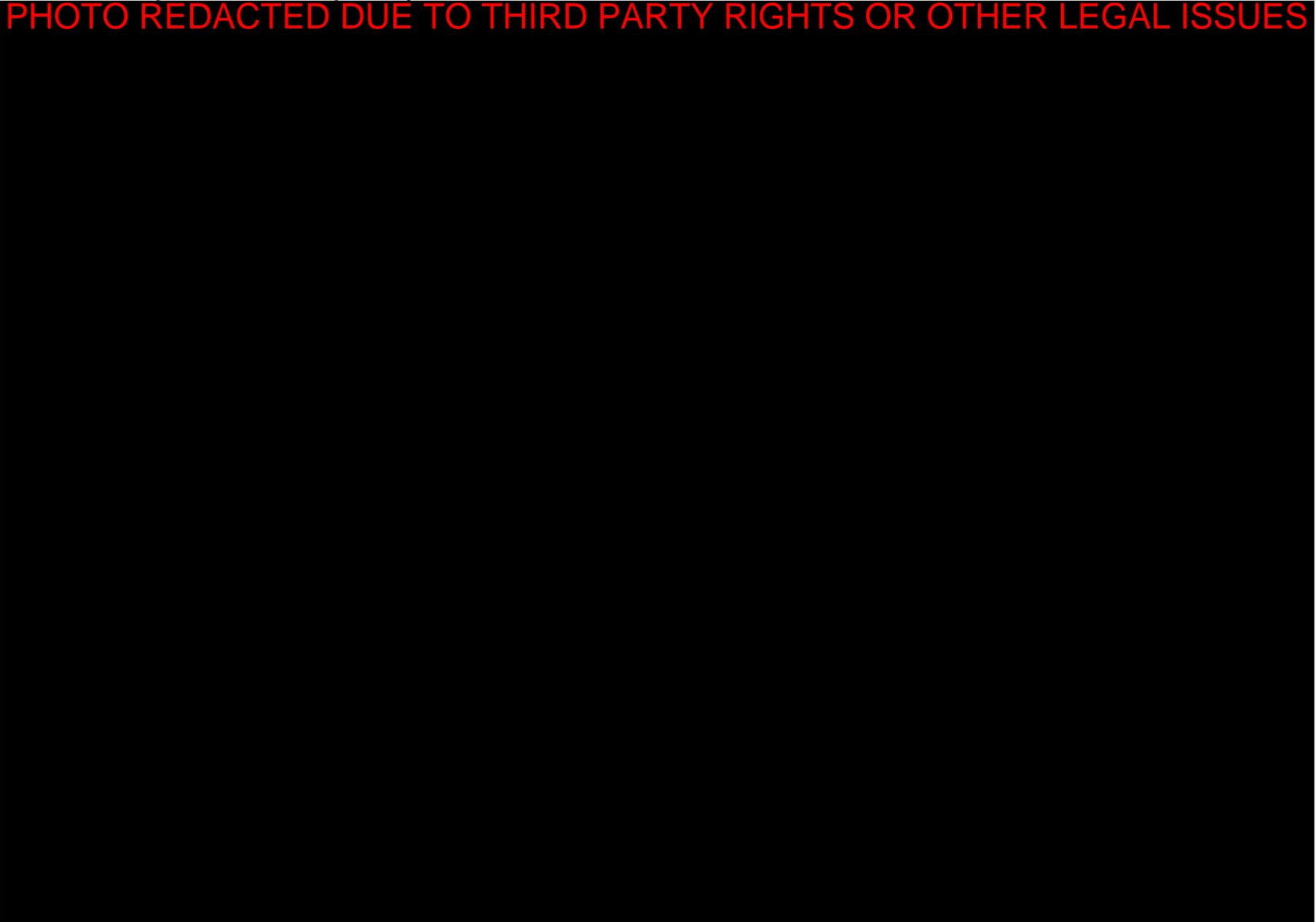
Coleridge Primary	N8 8DN	Haringey		600	664	-64	-11	Mixed
Earlham Primary	N22 5HJ	Haringey	None	409	418	-9	-2	Mixed
Garfield Primary	N11 1RR	Enfield	None	420	315	105	25	Mixed
Highgate Primary	N6 4ED	Haringey	None	392	416	-24	-6	Mixed
Holly Park Primary	N11 3HG	Barnet	None	404	504	-100	-25	Mixed
Manorside Primary	N3 2AB	Barnet	None	210	242	-32	-15	Mixed
Moss Hall Infant	N12 8PE	Barnet	None	270	300	-30	-11	Mixed
Moss Hall Junior	N3 1NR	Barnet	None	359	360	-1	0	Mixed
Nightingale Primary	N22 8ES	Haringey	None	420	399	21	5	Mixed
Northside Primary	N12 8JP	Barnet	None	210	249	-39	-19	Mixed
Our Lady of Lourdes Catholic Primary	N11 1RD	Enfield	RC	210	206	4	2	Mixed
Our Lady of Lourdes RC School	N12 0JP	Barnet	RC	210	240	-30	-14	Mixed
Pardes House Primary	N3 1SA	Barnet	Jewish	210	166	44	21	Boys
Rokesly Infant School	N8 8NH	Haringey	None	270	315	-45	-17	Mixed
Rokesly Junior School	N8 8NH	Haringey	None	360	340	20	6	Mixed
St Gildas' RC Junior	N8 9EP	Haringey	None	240	229	11	5	Mixed
St John's CofE Junior Mixed and Infant	N11 3LB	Barnet	CofE	210	246	-36	-17	Mixed
St Joseph's RC Primary	N19 5NE	Islington	RC	328	425	-97	-30	Mixed
St Martin of Porres RC Primary	N11 2AF	Haringey	RC	210	249	-39	-19	Mixed
St Mary's CofE Infant	N8 7BU	Haringey	CofE	180	231	-51	-28	Mixed
St Mary's CofE Junior	N8 7QN	Haringey	CofE	240	201	39	16	Mixed
St Michael's CofE Primary	N22 8HE	Haringey	CofE	210	179	31	15	Mixed
St Michael's CofE VA Primary	N6 4BG	Haringey	CofE	420	468	-48	-11	Mixed
St Paul's CofE Primary N11	N11 1NQ	Barnet	CofE	204	248	-44	-22	Mixed
St Paul's RC Primary	N22 7SZ	Haringey	RC	210	198	12	6	Mixed
St Peter-in-Chains RC Infant	N8 9AJ	Haringey	RC	180	174	6	3	Mixed
St Theresa's RC School	N3 2TD	Barnet	RC	210	202	8	4	Mixed
Summerside Primary	N12 0QU	Barnet	None	315	398	-83	-26	Mixed
Tudor Primary	N3 2AG	Barnet	None	210	222	-12	-6	Mixed
Weston Park Primary	N8 9WP	Haringey	None	210	257	-47	-22	Mixed

**Table 3 – maintained Jewish primary schools within 10 mile radius of N10 1NR**

School	Address	Distance (miles, by car)	LA	Denomination	Ofsted Rating	Total Places	Pupils on roll	Surplus places	% Surplus	Sex
Akiva	N3 2SY	1.4	Barnet	Reform/Liberal	Good (2008)	420	328	92	22	Mixed
Avigdor Hirsch Torah Temimah Primary	NW2 6RJ	4.1	Brent	Orthodox	Good (2010)	204	177	27	13	Boys
Edgware Jewish Primary	EN5 2EQ	5.2	Barnet	Orthodox	Not available	210			0	Mixed
Hasmonean Primary	NW4 2PD	4.4	Barnet	Orthodox	Outstanding (2008)	210	243	-33	-16	Mixed
Kerem School	N2 0RE	1.8	Barnet	Orthodox	Good (2008)	200	188	12	6	Mixed
Lubavitch Ruth Lunzer Girls Primary	N16 5RP	4.8	Hackney	Orthodox	Satisfactory (2009)	195	156	39	20	Girls
Mathilda Marks Kennedy	NW7 3RT	6.2	Barnet	Orthodox	Outstanding (2010)	195	215	-20	-10	Mixed
Menorah Foundation	HA8 0QS	6.6	Barnet	Orthodox	Good (2008)	210	256	-46	-22	Mixed
Menorah Primary	NW11 9SP	4.1	Barnet	Orthodox	Good (2010)	367	435	-68	-19	Mixed
Michael Sobell Sinai School	HA3 9UD	7.9	Brent	Orthodox	Good (2010)	637	669	-32	-5	Mixed
North West Jewish London Day School	NW6 7PP	8.1	Brent	Orthodox	Satisfactory (2010)	229	264	-35	-15	Mixed
Pardes House	N3 1SA	2.7	Barnet	Orthodox	Good (2008)	210	166	44	21	Boys
Rosh Pinah	HA8 8TE	7.7	Barnet	Orthodox	Good (2009)	480	469	11	2	Mixed
Simon Marks	N16 6PD	5.2	Hackney	Orthodox	Satisfactory	191	176	15	8	Mixed
Wolfson Hillel Primary School	N14 4LG	3.9	Enfield	Orthodox	Good (2008)	434	472	-38	-9	Mixed
Yesodey Hatorah Primary	N16 5AE	4.8	Hackney	Orthodox	Good (2010)	920	641	279	30	Boys

**Annex D – Map of maintained primary schools in 2 mile radius**

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Annex E – map of maintained Jewish primary schools within 10 miles

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