

Title: Atherton Community School
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 to be situated.

Background

2. The Atherton Community School is in the south eastern corner of the Borough of Wigan in Lancashire. It is an 11-18 school and aims to reach a capacity of 650 pupils (450 11-16; 200 6th form) in 2016/17. It has a Christian faith ethos and is applying for religious designation prior to opening. It is planned to open in September 2012 with an intake of 90 pupils into Yr 7. The vision is for a local, “walk-to-school” offer, minimising impact on traffic levels in the town.

3. The school will open in a temporary site for the first year of operation, in the Atherton Town Hall building, a Local Authority site which is being vacated. Local Authority Cabinet approval for the school’s use of the site was received in March. The school plans to move to a permanent site in 2013: part of the now-closed Hesketh Fletcher High School, a former 1,000-place 11-16 school closed in 2011 by the Local Authority. This use of part of the site was approved at the same Cabinet meeting. The other half of the site was previously planned for use by Wigan and Leigh College for 14-19 vocational provision but we have just learned that the College is no longer going ahead with this.

4. The proposer group is Chapel St, a charity based in London, chaired by Baroness Sherlock (Labour). They work with disadvantaged people and communities across the country. This is their first Free School proposal. The proposal was submitted with support from a wide range of community groups, individuals and other interested parties. The Academy Trust formed to run the school is the Chapel St Community Schools Trust. The Trust has also bid in the 2012 round to set up a primary Free School in Oxfordshire.

Admissions, Catchment Area, and Characteristics

5. The school’s admissions policy is fully compliant with the School Admissions Code and will follow Wigan Council’s admissions criteria. Where fewer applications than the published admission number for the relevant year are received the Academy Trust will offer places at Atherton Community School to all those who have applied.

6. When the school is oversubscribed, after the admission of pupils with Special Educational Needs where the school is named in the Statement,

priority will be given to those children who meet the following criteria:

- a) 'Looked after Children' in public care
- b) Children with a sibling (the term "sibling" means a full, half, adopted or fostered brother or sister, or other child living permanently within the same household) on roll at Atherton Community School in Years 7 to 11 at the time of the proposed admission
- c) Children whose acute medical or social need justifies a place at the Atherton Community School
- d) Children living closest to the Free School, measured in a straight line from the home address to the front gates of the Free School

7. Where there are more children in one particular criterion than the number of places available, places will be allocated to the children who live nearest to the school. The distance will be measured in a straight line from the child's home address to the front gates of the school using a Geographical Information System (GIS) which is based on Ordnance Survey. If the last place available is for one of twins or triplets, the school will admit the other twin or triplets too. Occasionally the distance from home to school is the same for more than one child. For example, if more than one child lives in the same block of flats. In these cases, a system to randomly pick who will be offered a place will be used. Atherton Community School will use the same system used by the local authority for community and controlled schools.

8. Atherton Community School 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. The school will eventually have capacity for 200 students in the 6th Form with 100 places in Year 12. It will give priority to pupils from its own Year 11. It will apply the same academic entry requirements for applicants from outside the school as it does to pupils already on roll at the school. If a tie-break is necessary to determine who is admitted, it will apply the oversubscription criteria.

9. The school does not have a clear self-defined catchment area. For the purposes of the impact assessment, we have created a proxy catchment area based on the distance travelled to school by a significant majority (80%) of pupils in Wigan. The average distance travelled to secondary schools in Wigan is 1.5 miles. The maximum distance travelled to secondary schools by a significant majority (80%) of pupils in Wigan is 2.5 miles. We have therefore assessed the impact on all secondary schools within a 2.5 mile radius of the Free School. Due to the rationale, vision and admissions arrangements for the school, it is officials' view that it will be unlikely that schools situated over 2.5 miles away from the Free School will be more than minimally impacted. Of the 55 pupils who have so far selected the school as one of their choices the vast

majority live in the town of Atherton, seeking walk-to-school education provision.

10. The closure of Hesketh Fletcher High School in 2011 in Atherton, generated strong and prolonged protests from the local community, and reduced the local secondary school offer by 1,000 places. Atherton pupils were forced to move to other schools, requiring additional transport arrangements, and extra costs, for local parents/pupils. The town is a mixed area economically, with some areas of extreme deprivation, but there is a strong local identity, and there is a substantial groundswell of local activism and purpose in bidding to open this Free School for the town.

11. In the Borough of Wigan there was a 9.9 % surplus of secondary places for 2010/11. The secondary school population is projected to drop by 2015/16 to leave a 15.4% surplus, though by 2017/18 this trend starts to reverse, with the percentage of surplus places falling to 13.1%. Table 1 sets out population growth in secondary schools between 2010/11 and 2015/16.

Table 1 – Forecast of demand

Forecast (places)	2011 actual (capacity = 20341)	2011/12	2012/13	2013/14	2014/15	2015/16
Demand	18336	18093	17873	17373	17268	17206
Surplus	2005	2248	2468	2968	3073	3135
% Surplus	9.9%	11.1%	12.1%	14.6%	15.1%	15.4%

It should be noted that the primary population across Wigan LA is set to rise within that period by 8.7% (2,060 pupils), and with the projection trend for secondary age pupils after 2015 being upward (over 200 per year) as the Free School reaches steady-state, demand for secondary places can be expected to increase.

Local Authority View

12. Despite their opposition to the plans for the Free School, Wigan Council gave Cabinet approval for the new school to use Atherton Town Hall premises as a temporary site for its first year of operation, and part of the former Hesketh Fletcher school site as its permanent home.

13. Wigan Council was formally invited to provide their views on the Free School proposal. They responded to that invitation on 30 March. Wigan Council reiterated their belief that the current surplus of places across the borough mitigates against the need for a Free School and that the Free School should not go ahead, based on the following objections (DfE officials' observations are noted in italics in the brackets after each point):

- Would have a “detrimental effect on existing maintained schools and Academies in the area” (*impact on these schools is judged to be minimal for 2 schools, and moderate for 3 schools*)
- The chances of success of the Free School are “not good”, and it has “no

real niche market” to provide an additional offer for the borough (*this is an opinion rather than fact, and can be countered by evidence of demand from the proposers, and the Atherton community*)

- If the 90 places per year group were filled, this could significantly affect other schools nearby, and their long-term viability (*the impact assessment does not support this; the nearest, Fred Longworth High School, is currently and regularly over-subscribed, and the Head of that school is pro-actively working with the Free School and sits on the Steering Group*)
- However, they believe admissions would be low, and pupil population in the area is already falling (*admissions in Year 1 may be low, and we recognise the population drop, but the proposers believe they can overcome that initial hindrance, to provide a viable, full local school, especially as in the mid-term the pupil population is expected to increase*)
- The local community of Atherton is not large enough to support a secondary school (*the previous school was 1000 places; this school is less than half that size - 450 11-16. The 200 6th Form will mainly be drawn from Year 11s at the school, and from outside the town where places allow*)
- A walk-to-school local Atherton school will dissuade parents from sending their children to other “more distant and yet still popular and successful schools” in the borough (*this is an opinion rather than fact; if the Free School does become a popular local choice, that supports the rationale for giving local parents and pupils that choice*)
- No robust evidence of viability of the new school (*viability of numbers and impact on finance has been assessed as satisfactory by EFA as part of Start-Up and the Education Adviser has confirmed that the quality of education will be good, and unaffected by the reduced starting numbers for year 1 of operation*)
- Waste of money refurbishing an old school instead of spending it on existing schools (*we are achieving best value-for-money on the chosen site through EFA and this school is being established in line with local parental demand*)
- Waste of money heavily subsidising revenue for a new school which, in their view, will become the highest per-pupil funded school in the borough (*funding per pupil for Free Schools is in line with funding for local maintained schools*)
- Already have good quality maintained schools and academies, with enough places, which serve the area (*there are enough places “in the area”, but Atherton children have been forced to go further afield for their education and are not always able to secure places at the better performing schools. This school would serve the town, with a walk-to-school range, and has aspirational achievement targets*)

- Regarding 6th Form provision, the area already has some, and some local students also travel out of the area to access it (*there is 6th Form “in the area”, but Atherton pupils have to travel considerable distance within or outside the Borough to access it, and many potential students choose not to bother as a result or find it hard to secure places in the better colleges*)
- The Local Authority is also planning to introduce 14-19 provision in the area (*these plans are now in doubt as Wigan and Leigh College has pulled out. In any case, the 14-19 facility was intended to provide a very limited vocational offer, possibly only three subjects, which would have targeted a different client-group to the Free School’s 6th Form*)
- Negative effect of the withdrawal of the original 6th Form sponsor (Winstanley College) (*the withdrawal of Winstanley was surprising – the College had been part of the initial proposer group, and are a high-quality provider on the opposite side of the Borough, but this withdrawal was in part due to political and financial issues arising within the College. Subsequently the Free School has commissioned other high-quality providers to provide its 6th form*)

14. EFA is currently negotiating with the Local Authority regarding the leasing of the Town Hall for year 1, and the planning and commissioning arrangements for the Hesketh Fletcher site for year 2 onwards.

Representations and consultations

15. One local Trade Union representative wrote to the Secretary of State querying the nature of the demand evidence put forward by the proposers. No information was released, under FOI guidelines. No other direct representations have been received by the Department. The Trust held a number of public meetings prior to the formal consultation to inform their questionnaire formulation and to seek early views. A formal public consultation was then carried out by the Trust, from 17 December 2011 to 2 March 2012. The new model Free School Funding Agreement was published during that period, and the site options became clearer. Respondents to the consultation prior to that publication were contacted again to make them aware of the new model, and to seek their views on whether or not DfE should enter into the new Funding Agreement with the Trust. As part of the consultation, the Trust sent questionnaires to:

- Parents and carers across the Atherton community
- Primary Heads, Secondary Heads and staff
- FE Colleges and 6th Form providers
- Wigan and Bolton (which neighbours Atherton) Local Authorities
- Cabinet members

- Local councillors
- Local children's, family and community groups
- Local businesses, faith groups, and charities/voluntary groups
- Local health care providers
- Local residents, especially those near to the school sites
- Emergency services
- Atherton Community Education group
- SACRE (Standing Advisory Council for Religious Education)
- Trade Unions
- Local MPs, including former Education Secretary, Andy Burnham MP

16. The Trust also held a number of further public meetings in November 2011 and February 2012, with 247 attendees in all. The findings of the consultation showed there was strong support for the project across the range of stakeholders questioned; during the open days and liaison with interested parties the proposers encountered no significant or sustained criticism or opposition. Some opposition was voiced by one local Trade Union representative, some secondary teachers, and Wigan Council Labour councillors, in line with the Local Authority consultation response above.

17. Of the 390 responses to the consultation:

- 341 (87.4%) were in favour of the school entering into a Funding Agreement with DfE
- 12 (3.1%) were against
- 37 (9.5%) did not know

Of the 12 against, the main objections concerned whether there was a need for a local school, and the appropriateness of the sites (both temporary and permanent) for the school. The proposers are also carrying out a traffic survey to gauge the extent of the impact of opening a school and are developing a travel plan to address it: for the temporary site, traffic impact is likely to be minimal; for the permanent site this is likely to have substantially less impact than when the former school was open. There will be parking on or around the school site, but the vast majority of children will be likely to walk to school.

Impact on other schools

18. We have considered the impact the Free School may have on all schools within a 2.5 mile radius of the proposed Free School. Below is a discussion of the likely impact on the nearest secondary schools to the proposed site. Table 2 shows that opening the Free School will have a moderate impact on three schools and a minimal impact on two schools. One of the moderately impacted schools is in the neighbouring Local Authority area of Bolton, though geographically closer than some Wigan schools.

Table 2 - Schools where the impact is moderate

School name	Distance from Free School	Ofsted ratings (2011)	Capacity	Pupils on roll	% of pupils attaining Level 2 (5+ GCSEs or equivalent at A*-C including English and Maths GCSEs or iGCSEs)
Schools where the impact has been assessed as being moderate (score of 5-8)					
Westleigh High – College of Technology	1.56 miles	Satisfactory	781	768	51%
Bedford High	1.95 miles	Good	1210	966	56%
Westthoughton High (Bolton)	2.09 miles	Good	1140	1189	53%

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

(a) Westleigh High – College of Technology

20. Westleigh High is 1.56 miles from proposed site. It has capacity for 781 pupils, 3% below full capacity in 2010/11. However, following the closure of the Hesketh Fletcher High School in 2011, it was oversubscribed for entry in 2011/12 with 534 preferences expressed for 162 places.

21. The school has below average GCSE results (5+ GCSEs or equivalent at A*-C including English and Maths GCSEs or iGCSEs) of 54% – against the Borough average of 57.1%, and the national average of 58.2%) and at its last Ofsted inspection in May 2011 was rated as only Satisfactory.

22. As the school that is closest to the location of the Free School, Westleigh is the most likely to be impacted by its opening, especially as its relatively low GCSE results may mean parents are looking for an alternative and are therefore attracted by the Free School. This impact is likely to be mitigated by the fact that some parents may not wish to send their children to a school with a faith ethos. In addition, any loss of pupils to the Free School

is unlikely to significantly affect the viability of the school, bearing in mind that it only has a small overall surplus, was heavily oversubscribed for year 7 entry in this academic year and over time secondary numbers are expected to increase in the area. Overall, therefore, we have assessed the impact of the opening of the Free School on Westleigh as moderate.

(b) Bedford High

23. Bedford High is 1.95 miles from proposed site and has capacity for 1210 pupils. 20% of places at the school were surplus in 2010/11 but it was oversubscribed for entry in 2011/12 with 603 preferences expressed for 173 places, following the closure of the Hesketh Fletcher High School.. The school has Level 2 attainment (5+ GCSEs or equivalent at A*-C including English and Maths GCSEs or iGCSEs) of 56% - below the Borough average of 57.1%, and below the national average of 58.2%. The school was inspected in January 2011 and rated as Good overall by Ofsted.

24. Bedford is likely to feel some impact if the Free School is established, given its relative proximity and the fact that it has below average GCSE results, which may lead parents to choose the Free School over it. This impact is likely to be mitigated by the fact that some parents may not wish to send their children to a school with a faith ethos and the fact that Bedford has a good Ofsted rating. Despite carrying a relatively high number of surplus places, any loss of pupils to the Free School is unlikely to significantly affect Bedford's long term viability for 3 reasons: Bedford is a relatively large school; the school was heavily oversubscribed for year 7 entry in this academic year; and in the medium term pupil numbers are set to rise in the area. Overall, therefore, we have assessed the impact of the opening of the Free School on Bedford as moderate.

(c) Westhoughton High (Bolton)

25. Westhoughton High is a Community School and is 2.09 miles from proposed site but is in the neighboring Borough of Bolton. The school has capacity for 1140 pupils and had a surplus of around 4.3% in 2010/11. It was oversubscribed for entry in 2011/12 with 321 applications for 230 places.

26. Westhoughton has Level 2 attainment (5+ GCSEs or equivalent at A*-C including English and Maths GCSEs or iGCSEs) of 53% - below the Borough average of 59.6%, and below the national average of 58.2%. The school was inspected in February 2011 and rated as good overall by Ofsted.

27. Westhoughton is likely to feel some impact if the Free School is established, given its relative proximity and the fact that it has below average GCSE results, which may lead parents to choose the Free School over it. This impact is likely to be mitigated by the fact that some parents may not wish to send their children to a school with a faith ethos and the fact that Westhoughton has a good Ofsted rating. Despite carrying a relatively high number of surplus places, any loss of pupils to the Free School is unlikely to significantly affect Westhoughton's long term viability for 3 reasons:

Westhoughton is a very large school; the school was oversubscribed for year 7 entry in this academic year; and in the medium term pupil numbers are set to rise in the area. Overall, therefore, we have assessed the impact of the opening of the Free School on Westhoughton as moderate.

Table 3 - Schools where the impact is minimal

School name	Distance from Free School	Last full Ofsted rating	Capacity	Pupils on roll	% of pupils attaining Level 2 (5+ GCSEs or equivalent at A*-C including English and Maths GCSEs or iGCSEs)
Schools where the impact has been assessed as being minimal (score of 0-4)					
Fred Longworth High (Academy Converter)	0.85 miles	Outstanding	1275	1291	62%
St Mary's Catholic High (Bolton)	2.21 miles	Outstanding	1599	1600	65%

28. Of the two other schools considered, both have been assessed as being minimally affected by the opening of the Free School. Both currently have more pupils on their roll than their capacity and are unlikely to lose many, if any, pupils to the Free School, bearing in mind their higher average attainment and outstanding Ofsted ratings. In addition, parents at St Mary are likely to have partly chosen on the school on the basis of its Catholic designation and may not wish to transfer their children to a school with a different ethos. Equally, some parents who choose Fred Longworth may prefer a non-faith school and hence will not be attracted by the Free School. The fact that Fred Longworth's Principal is working with Chapel St on the Atherton project indicates that the school does not see the Free School as a threat.

Impact on 6th Form provision and FE institutions

29. Atherton Community School will be admitting children of 6th Form age. It will begin with an intake of up to 100 Year 12 in 2013 and will build up over subsequent years to 100 Year 12 and 100 Year 13 each year. It is envisaged that the 6th Form will be mainly servicing the Free School population, but applications from outside will also be considered. The rationale for having a 6th Form is that many local students currently have to travel excessive distances to reach other 6th Forms, and many local students are said to not attend or even consider 6th Form at all because of distance and cost. For those Atherton pupils willing to travel it can be difficult to secure places at these colleges.

30. The 6th Form provision will be largely academic, with some vocational provision. It will initially be delivered at the Atherton site by two external institutions – Bolton St Catherine’s (academic offer) and Salford College (vocational offer). Both have very good reputations and results. The DfE Education Adviser has been heavily involved in the vetting and selection of these providers.

31. The Local Authority objections on 6th Form are largely due to there being existing provision in the Borough, and to the plans for Wigan and Leigh College’s 14-19 provision on the same permanent site making separate 6th Form provision unnecessary. Currently, Atherton students who seek good quality academic 6th Form provision have to travel across the width of the Borough to Winstanley College, a time-consuming and expensive journey which puts off many prospective students. Winstanley was originally a partner institution for the Free School bid, but withdrew because they believed it would ultimately provide insurmountable logistical and cost implications. The college had no objection in principle to the existence of this 6th Form, did not see it as a threat to them, and are still in contact with the Free School to offer support. The planned 14-19 provision adjacent to the Free School site is now in doubt and in any case was set to be a very limited (three vocational-subject) offer which would have little if any cross-over with the Free School 6th Form offer.

32. For these reasons the impact on other 6th Form and FE institutions in the area as set out above is assessed as being negligible.

Primary schools, and Alternative and Special provision

33. There is no known or likely impact on these types of school, and none raised by any parties to the consultation. However, the Free School will potentially have a positive impact in terms of providing additional choice for parents with children at local primary schools.

Conclusion

34. The overall impact on local schools and college in the area should be minimal. There is likely to be a moderate impact on 3 local secondary schools (Westleigh, Bedford and Westhoughton) but this impact is limited by the relatively large size of these schools and the expectation that pupil numbers will rise in the area over the medium term. The Free School will offer competition for places, which should have a positive impact on standards in the area, whilst improving parental choice by meeting demand for a local school with a Christian ethos in Atherton.