

Title: Bilingual Primary Brighton and Hove
Author: Department for Education (DfE)

Impact Assessment – Section 9 Academies Act Duty

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1. Section 9 of the Academies Act 2010 (as amended by the Education Act 2011) places a duty upon the Secretary of State to take into account the likely impact of establishing the additional school would be on maintained schools, Academies and institutions within the further education sector in the area in which the additional schools is (or is proposed to be) situated.

Background

2. The Bilingual Primary School for Brighton & Hove (BPSB&H) proposal is for 4-11 primary school opening in September 2012. There will be 2 Reception classes, 60 pupils in total and 30 pupils in Year 1. The key feature of this school is the bilingual uniqueness – an English-Spanish school with learning taking place in both languages to instil strong Spanish skills for all pupils.

3. The proposer group is made up of a combination of parents and teachers and the lead proposer is an experienced English and Spanish Bilingual teacher. The rest of the group consists of experienced teachers (many of whom are language teachers with experience of senior leadership at schools) and a selection of people with project management and financial management experience.

4. The BPSB&H will have an ethos as close to a family environment as possible, with a strong emphasis on the family as an effective unit with clear values and where members care for each other. The school will be inclusive of pupils from all backgrounds, faiths and nationalities. Prior experience or knowledge of Spanish or any other language will not be a requirement for admission to the school.

5. It is planned that the school will open in September 2012 in a temporary site, located within Brighton Aldridge Community Academy (BACA) in the North of Brighton. BACA has good facilities and a brand new building, where it will be possible to remodel for primary school use and allow for a distinct area to be dedicated to the BPSB&H, including its own entrance and reception. The open plan area will be enclosed to make six classrooms and six additional WCs will also be installed, parallel to the existing WCs. The School envisages operating from the temporary premises for a maximum of two years. They are also actively pursuing permanent premises and have three possible sites options.

Catchment area and admissions

6. The school's admissions policy is fully compliant with the School Admissions Code except for their request to derogate from the Admissions Code to prioritise Founders' children as part of their oversubscription criteria. Brighton & Hove City Council has worked closely with the proposers to advise them about their admissions process and how the BPSB&H can be represented in future admissions booklets for parents and be part of the City's primary school allocation process.

It is proposed that the BPSB&H will open w/c 3 September 2012 with a Published Admissions Number relating solely to pupils in Reception and Year 1 for the first year of operation only as follows:

- 60 pupils in Reception Year
- 60 pupils in Year 1

The Bilingual School will admit children from the whole of Brighton and Hove. In line with current legislation, the school will always admit children where the BPSB&H is named on the child's statement of Special Educational needs.

Oversubscription criteria: Where the number of applications is greater than the Published Admissions Number, applications will be considered against the criteria set out below.

After the admission of students with statements of Special Educational Needs where the BPSB&H is named on the statement, the criteria will be applied in the following order:

- Looked after children.
- Children whose parents have been given Founders status and are named in the Funding Agreement.
- Children with known compelling medical or other exceptional reasons for attending the school. Documentary evidence from a doctor, social worker, educational psychologist or other relevant professional should be submitted with the application.
- Sibling link – taken into account if the child is living in the same household as a child who is already attending/allocated a place at the Bilingual Primary School for Brighton & Hove, irrespective of their parents' legal relationship. Twins or multiple births do not qualify for the sibling link unless one child has already been allocated a place or they have an older sibling attending the school who lives at the same address.
- Other children - random allocation will apply thereafter as a tie-breaker. The Bilingual Primary School for Brighton & Hove will follow recommended procedures.

Being a Spanish speaker will not be a criterion for admission.

7. BPSB&H 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.

8. The school does not have a self-defined catchment area and will be operating City-wide admissions. We have therefore assessed the impact on all primary schools within Brighton & Hove City Council.

- The primary school population in Brighton & Hove is projected to increase by 9.4% between 2011/12 and 2015/16. There is currently a surplus of 8.4% of primary school places in Brighton.
- The secondary school population in Brighton & Hove is projected to increase by 14.3% between 2011/12 and 2017/18. There is currently a surplus of 6.2% of secondary school places in Brighton.

Impact on other schools

9. BPSB&H will operate from the BACA temporary site and will have a City-wide admissions policy. We have considered the impact on each primary school in the City, and have looked in more detail at those identified as being most at risk of losing pupils. The tables below list the schools and shows that thirteen schools are likely to feel a moderate impact, with the remaining forty at minimal impact. The average distance travelled to primary school in Brighton & Hove is 0.7 miles and the maximum distance travelled by at least 80% of pupils in Brighton & Hove is 1 mile.

The impact rating has been determined using the following data:

- Distance from the temporary Free School site
- Capacity
- Pupils on roll
- Ofsted grade
- Attainment

Table 1: Summary of the primary schools located within Brighton & Hove City Council with potential impact

School name	Distance (miles)	Capacity	Pupils on roll	Ofsted	% of Y6 pupils attaining Level 4 in English and Maths in 2011	Impact
Moulsecoomb Primary School	0.85	607	309	3	46%	Moderate
Coombe Road Primary School	1.62	408	292	3	72%	Moderate

Hertford Junior School	1.52	240	157	2	40%	Moderate
Coldean Primary School	0.92	406	248	1	81%	Moderate
Benfield Junior School	5.24	360	272	3	71%	Moderate
West Blatchington Primary and Nursery School	4.27	532	391	3	53%	Moderate
Mile Oak Primary School	5.89	630	516	3	48%	Moderate
Bevendean Primary School	1.12	420	347	3	77%	Moderate
Rudyard Kipling Primary School	2.24	420	311	3	75%	Moderate
Fairlight Primary School	2.08	420	317	2	49%	Moderate
St Joseph's Catholic Primary School	1.77	210	149	3	76%	Moderate
Carden Primary School	1.57	420	347	3	83%	Moderate
Whitehawk Primary School	2.23	616	327	4	35%	Moderate

Schools where the impact is high or moderate

The impact of the Free School has been assessed as moderate for thirteen schools in the City. This is based on the fact that they all have surplus places and all but three schools have an Ofsted rating of 3 or 4.

(a) Moulsecoomb Primary School

10. Moulsecoomb Primary School is 0.85 miles from proposed site. It has capacity for 607 pupils and there was a large surplus capacity in this school of around 49% in 2010/11. The school was rated as satisfactory by Ofsted in its last inspection in 2010.

The school has low attainment at Key Stage 2, with 46% of pupils achieving the expected level in English and Maths in 2011 – below the national average of 74%.

The school is located less than a mile from the proposed Free School, but is rated only as satisfactory by Ofsted, so parents may be attracted to an alternative. However, parents will have no greater chance of attending the Free School than anyone from the City and the School will be moving location after two years, which is not attractive to some families. As the school is a community school, some parents may not be interested in sending their children to a specialist, bilingual Free School, which may have quite a different ethos.

Any loss of pupils to the new Free School may be mitigated by the increased demand for primary places in the area over the next few years. As a result, the opening of the Free School should not affect the long term financial viability of the school. The impact of the opening of the Free School has been assessed as moderate.

(b) Coombe Road Primary School

11. Coombe Road is a Community Primary School that is 1.62 miles ~~form~~from the proposed temporary site, which is over the maximum distance travelled by the majority of pupils in Brighton & Hove. The school has capacity for 408 pupils and had a surplus of capacity 28.4% in 2010/11. The school was rated as satisfactory by Ofsted in its last inspection in 2011.

At Key Stage 2, 72% of pupils achieved the expected level in English and Maths in 2011 – slightly below the national average of 74%. Given the distance of the school, and the predicted increase in primary school population, we would not expect the opening of the Free School to affect the long term financial viability of the school. The impact of the opening of the Free School has therefore been assessed as moderate.

(c) Hertford Junior School

12. Hertford Junior School is a Community Junior School, which is located 1.52 Miles from the proposed Free School site. The school has capacity for 240 pupils and had a rather large surplus capacity of 34.6% in 2010/11. The school was rated as inadequate by Ofsted in its last inspection in 2011 and in terms of attainment, 40% of pupils achieved the expected level in English and Maths in 2011, which is significantly below the national average of 74%. As the school is not located close to the proposed Free School, we would not expect the opening of the Free School to affect the long term financial viability of the school. The impact of the opening of the Free School has therefore been assessed as moderate.

(d) Coldean Primary School

13. Coldean is a Community Primary School that is 0.92 miles from proposed site. The school has capacity for 406 pupils and had a relatively large surplus capacity of around 38.9% in 2010/11. The school was rated as outstanding by Ofsted in its last inspection in 2010.

This is a good school which achieved above average attainment at Key Stage 2 in 2011 (81%). Given the Ofsted rating and high performance, the school is likely to be attractive to parents going forward. Any loss of pupils to the new Free School may be mitigated by the increased demand for primary places in the area over the next few years. We would therefore not expect the opening of the Free School to affect the long term financial viability of the school. The impact of the opening of the Free School has therefore been assessed as moderate.

(e) Benfield Junior School

14. Benfield School is a Community Junior School located 5.24 miles from the proposed Free School. The school has capacity for 360 pupils and had a surplus of 24.4% in 2010/11. Benfield school was rated as satisfactory by Ofsted in its last inspection in 2010. Given the distance, we would not expect the opening of the Free School to affect the long term financial viability of Benfield Junior School. The impact has therefore been assessed as moderate.

(f) West Blatchington Primary and Nursery School

15. West Blatchington is a Community Primary and Nursery School located 4.27 miles from the proposed Free School. The school has capacity for 532 pupils and had a surplus of 26.5% in 2010/11. West Blatchington was rated as satisfactory by Ofsted in its last inspection in 2010. As the school is not located in the vicinity of the Free School site, we would not expect the opening of the Free School to affect the long term financial viability of West Blatchington Community School. The impact of the opening of the Free School has therefore been assessed as moderate.

(g) Mile Oak Primary School

16. Mile Oak is a Community Primary school located 5.89 miles from the proposed Free School site. The school has capacity for 630 pupils and had a surplus of 18.1% in 2010/11. Mile Oak was rated as satisfactory by Ofsted in its last inspection in 2009. As the location of the school is over the maximum distance travelled by the majority of pupils in Brighton & Hove, we would not expect the opening of the Free School to have an effect on the long term financial viability of Mile Oak Primary School. The impact of the opening of the Free School has therefore been assessed as moderate.

(h) Bevendean Primary School

17. Bevendean Primary School is a Community Primary School and is 1.12 miles from proposed site. The school has capacity for 420 and had a surplus of around 17.4% in 2010/11.

The school was rated as good by Ofsted in its last inspection in 2012 and has an above average attainment at Key Stage 2, with 77% of pupils achieving the expected level in English and Maths in 2011 compared with 74% nationally.

Any loss of pupils to the new Free School may be mitigated by the increased demand for primary places over the next few years. The impact of the Free School on Bevendean Primary School has therefore been assessed as moderate.

(i) Rudyard Kipling Primary School

18. Rudyard Kipling is a Community Primary School, located 2.24 miles from the proposed Free School site. The school has capacity for 420 pupils and had a surplus of around 26.0% in 2010/11. The school was rated as satisfactory by Ofsted in its last inspection in 2011. At Key Stage 2, 75% of pupils achieved the expected level in English and Maths in 2011 – slightly above the national average of 74%. We would not expect the opening of the Free School to affect the long term financial viability of Rudyard Kipling Primary School. The impact has therefore been assessed as moderate.

(j) Fairlight Primary School

19. Fairlight Primary is located 2.08 miles from the proposed Free School site. The school has capacity for 420 pupils and had a surplus of around 24.5% in 2010/11. At Key Stage 2, 49% of pupils achieved the expected level in English and Maths in 2011, which is below the national average of 74%. The school was rated as good by Ofsted in its last inspection in 2010. We would not expect the opening of the Free School to affect the long term financial viability of Fairlight Primary School. The impact has therefore been assessed as moderate.

(k) St Joseph's Catholic Primary School

20. St Joseph's Primary is located 1.77 miles from the proposed Free School site. The school has capacity for 210 pupils and had a surplus of around 29.0% in 2010/11. At Key Stage 2, 76% of pupils achieved the expected level in English and Maths in 2011 – slightly above the national average of 74%. The school was rated as satisfactory by Ofsted in its last inspection in 2011. We would not expect the opening of the Free School to affect the long term financial viability of St Joseph's School. The impact has therefore been assessed as moderate.

(l) Carden Primary School

21. Carden Primary School is located 1.57 miles from the proposed Free School. The school has capacity for 420 pupils and had a surplus of 17.4% in 2010/11. At Key Stage 2, 83% of pupils achieved the expected level in English and Maths in 2011, which is above the national average of 74%. The school was rated as satisfactory by Ofsted in its last inspection in 2011. We would not expect the opening of the Free School to affect the long term

financial viability of Carden Primary School. The impact has therefore been assessed as moderate.

(m) Whitehawk Primary School

22. Whitehawk Primary is located 2.23 miles from the proposed Free School. The school has capacity for 616 pupils and had a surplus of 46.9% in 2010/11. At Key Stage 2, 35% of pupils achieved the expected level in English and Maths in 2011, significantly below the national average of 74%. The school was rated as inadequate by Ofsted in its last inspection in 2011. We would not expect the opening of the Free School to affect the long term financial viability of Whitehawk Primary School. The impact has therefore been assessed as moderate.

Other Schools where the impact is minimal

Table 2: Summary of the primary schools located within Brighton & Hove City Council with minimal impact

School name	Distance (miles)	Capacity	Pupils on roll	Ofsted	% of Y6 pupils attaining Level 4 in English and Maths in 2011	Impact
Downs Junior School	2.18	480	507	1	86%	Minimal
Downs Infant School	2.2	360	359	1	NA	Minimal
Hertford Infant School	1.76	168	166	2	NA	Minimal
Middle Street Primary School	3.31	205	215	2	81%	Minimal
Patcham Junior School	2.2	345	371	2	85%	Minimal
Patcham Infant School	2.34	270	266	1	NA	Minimal
St Luke's Primary School	2.44	630	621	1	81%	Minimal
Stanford Junior School	2.79	354	368	2	86%	Minimal
Stanford Infant School	2.87	270	270	1	NA	Minimal
Westdene Primary School	3.01	420	458	1	90%	Minimal

Carlton Hill Primary School	2.83	210	211	1	71%	Minimal
Balfour Primary School	2.08	360	360	1	NA	Minimal
Davigdor Infant School	3.48	360	360	1	NA	Minimal
Goldstone Primary School	4.48	415	443	2	74%	Minimal
Hangleton Infant School	4.52	269	267	1	NA	Minimal
Hangleton Junior School	4.52	355	383	2	81%	Minimal
West Hove Junior School	4.56	480	495	3	84%	Minimal
St Peter's Community Infant and Nursery School	5.62	90	88	1	NA	Minimal
Portslade Infants' School	5.52	356	350	3	NA	Minimal
West Hove Infant School	4.56	360	358	1	NA	Minimal
Peter Gladwin Primary School	5.5	201	197	2	89%	Minimal
Somerhill Junior School	3.46	354	382	3	66%	Minimal
Elm Grove Primary School	2.17	420	433	2	66%	Minimal
Queen's Park Primary School	2.79	315	304	2	86%	Minimal
Saltdean Primary School	4.18	420	425	2	63%	Minimal
Woodingdean Primary School	1.74	420	414	1	68%	Minimal
St Margaret's CofE Primary School, Rottingdean	3.93	210	211	2	73%	Minimal
St Bartholomew's CofE Primary School	2.66	210	198	1	65%	Minimal
St Martin's CofE Primary School	2.02	210	197	3	85%	Minimal
St John the Baptist Catholic Primary School	2.61	204	206	2	83%	Minimal
St Mary Magdalen Catholic Primary School	3.3	210	217	2	44%	Minimal

St Paul's CofE Primary School and Nursery	3.11	210	209	1	80%	Minimal
Our Lady of Lourdes RC School	3.9	210	216	2	78%	Minimal
St Mark's CofE Primary School	2.67	210	171	2	60%	Minimal
St Bernadette's Catholic Primary School	2.58	207	218	2	88%	Minimal
Aldrington CofE Primary School	3.85	210	217	2	97%	Minimal
St Andrew's CofE (Aided) Primary School	3.99	420	437	1	87%	Minimal
St Nicolas' CofE Junior School	5.48	240	249	3	63%	Minimal
Cottesmore St Mary's Catholic Primary School	3.24	420	436	3	89%	Minimal
St Mary's Catholic Primary School	5.52	209	214	3	66%	Minimal

23. Of the 40 other schools considered, all have been assessed as being minimally affected by the opening of the Free School. All but eight currently have more pupils on their roll than their capacity, thus highlighting the basic need for primary school places in Brighton & Hove. All are unlikely to lose a significant number of pupils to the Free School, due to their popularity and distance from the Free School. Fourteen of the 40 schools are also faith schools so are unlikely to lose pupils to the non-faith Free School.

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

24. The BPSB&H will be a school admitting children of primary age. It will begin with an intake of 2 reception classes (60 pupils in total) and 30 pupils in year 1. 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. Therefore, 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.

Local authority view

25. Brighton & Hove City Council is generally supportive of the Free Schools programme and this will be the first Free School to open in the City. They have advised that, as the City of Brighton & Hove continues to expand,

the Council is in need of new primary school places, particularly in the Hove and Brighton/Hove border areas.

They feel that the creation of a Free School in Portslade (which is the proposed permanent site area) with an open admissions criteria based on random allocation, will attract pupils from all areas of the City. Therefore this will reduce the overall pressure on places across the City as a whole.

The Council is keen to support the development of new schools in the City to cater for its increasing population. They are also eager to work with new providers to assist them in offering the best education for children in Brighton & Hove and believe that Brighton Bilingual School will contribute to the future provision of outstanding education across the City as a whole.

The Council has one concern, which is the inclusion of Yr 1 pupils into the school from September 2012. They are worried that this will destabilise existing numbers in other schools and may create vacant places in less popular schools. The proposers are of the view that they have had significant interest for places at the school from parents of children due to enter Yr 1 in September. As the intake will only be one form of 30 pupils in Yr 1, officials feel this will not have a negative impact on the overall project.

Consultation

26. The proposers carried out a consultation, as required under section 10 of the Academies Act. No direct representations have been received by the Department. The proposers extended the consultation period to carry out further consultation in relation to the temporary site and the possible changes to the proposed admission arrangements of three classes of 90 children to be admitted in Reception and 30 children in Year 1. The closing date for the consultation was 24 May 2012. Of the 93 responses to the consultation, 89 were in favour of the school, 2 were against and 2 were undecided. For those noted as not in favour, their main concern was the location of the school and the preference for the site to be more centrally located.

Conclusion

27. Overall, officials believe the uniqueness of BPSB&H, coupled with the rising school population in Brighton & Hove, means that no school or other educational establishment will feel a high impact from the opening of the new school. There is likely to be a moderate impact on several primary schools within the City, but long-term viability is not thought to be at risk in either case. In the light of the evidence there is no reason why the Secretary of State should not enter into a Funding Agreement.