

Title: Hartsbrook E-ACT Free School
Author: Department of 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. HEFS (formerly known as Haringey E-ACT Free School) will be a 4 - 11, co-educational non-faith primary school. It plans to open in 2012 with 120 pupils in reception and Year 1, building up to a full capacity of 420 by 2018 (it is currently proposed that they have three classes - 90 places - in reception and one class - 30 places - in Year 1 on opening and two reception classes - 60 places - will be added each year after that leading to a peak size of 450 before the school reduces to its steady state number of 420). The school will open on a temporary site at the College of Haringey, Enfield and North East London and will move to its permanent site, a site as part of the redevelopment of Tottenham Hotspur Football Club, in January 2015.

3. The proposers, E-ACT Free Schools Trust, are experienced Academy sponsors with almost 20 open Academies and more in development. E-ACT has experience in delivering primary education through Aldborough E-ACT Free School Trust, which opened in September 2011. E-ACT Free Schools Trust is setting up the school in collaboration with Highgate School, a leading independent school.

4. The local authority are supportive of the Free School, and in light of the current and projected deficit of places in the area (up to 11 FE by 2014), they view it as a good way of addressing their basic need problem.

Admissions

5. The school's admissions arrangements are compliant with the School Admissions Code. Pupils will be admitted at reception and Year 1 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 HEFS, priority will be given in the following order:

- a. **Children in Care:** Children who are looked after by a local authority.
- b. **Social/Medical:** Children who the Authority accepts have an exceptional medical or social need for a place at one specific school. Applications will only be considered under this category if they are supported by a written statement from a doctor, social worker or other relevant independent professional. The information must confirm the

exceptional medical or social need and demonstrate how the specified school is the only school that can meet the defined needs of the child.

c. **Brother or Sister (applies for Year 1 admissions only):** children with a brother or sister who has been offered a reception year place. This includes foster brothers and sisters, half brothers and sisters or stepbrothers and sisters.

d. **Distance:** Children living closest to the school.

6. The **tie breaker** for all criteria is: children living closest to the school measured in a straight line from the post office address point for the child's home, to the post office address point of the school, supplied by the Royal Mail using a computerised mapping system. The tie break for two or more applications that live exactly the same distance from the school will be random allocation using a computerised system.

7. If only one place is available at the school and the next child who qualifies for a place is one of **multiple birth** siblings, only one child can be offered a place. This is because at Key Stage 1 it is against the law to admit more than 30 children into one class. In this instance the tiebreak will be random allocation using a computerised system. The LA will support any family in this situation and help them to look for an alternative school, if requested, where all children can attend together.

8. If parents/carers are not offered a place at HEFS, the child's name will automatically be added to the waiting list.

9. HEFS will operate a waiting list for each year group. Waiting lists will be kept in the same order as the admission criteria. 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.

10. The school has shown that it can operate within the available budget with 70 pupils in its first year. At this point Haringey Council has allocated 80 pupils to the school who do not otherwise have a place and – based on previous experience – expect almost all of these pupils to attend. The number of formal acceptances is currently 26 and this has been rising quickly over the past couple of weeks. The Local Authority also anticipates there will be a large number of in-year admissions which may bring the school up to its capacity of 120 in the first year. We therefore believe the school will be viable in its first year.

Site

11. The permanent site of HEFS will be based in the Northumberland Park Ward, within the previous Cannon Rubber site redevelopment on the High Road, Tottenham. The Free School will form part of a new mixed residential development by Tottenham Hotspur Football Club and Newlon Housing

Association. It is located within an area identified by Haringey Council as requiring a significant number of new primary places over the next few years. It is also in close proximity to Tottenham Hotspur Football Club's new stadium scheme and associated developments.

12. On the 30 September 2010, planning permission was given for the redevelopment of the current Tottenham Hotspur stadium involving the relocation of the stadium, provision of retail units, a hotel and development to provide residential units. The residential element of the proposal was scaled down as part of negotiations, but a mix of 200 residential units are still being proposed providing 56 one-bed flats, 56 two-bed flats, 49 three-bed properties and 39 four-bed houses, with 50 per cent affordable housing. Tottenham Hotspur Football Club, along with West Ham Football Club, also made a bid for the 2012 Olympic stadium in Stratford. In February 2011 the Olympic Park Legacy Company voted unanimously in favour of West Ham's bid for the Olympic Stadium.

Pupil place demand

13. Since the early 1990s, there has been a rising trend in births in Haringey. The birth rate in Haringey has risen since 1993 from 3,462 to 4,193 in 2009. This has mainly been driven by an increase in births to mothers born outside of the UK. The Greater London Authority is predicting a 6% increase (15,177) in Haringey's population between 2011 and 2020. The growth in population is seen predominately from the ages of 10 to early 30s and late 30s to early 60s.

14. This population increase is reflected in the increasing demand for reception places across the borough. Since September 2008 the supply of and demand for reception places has been very tight across the borough with reception on-time applications up from 2662 applications in September 2007 to 2952 applications for September 2011 entry. The number of applications rose again for September 2012 reception entry with 3163 on-time applications for reception places for September 2012. This demand is set against a backdrop of a total of 3170 reception places currently available across all primary schools in Haringey.

| Intake Year | Projection for reception age pupils | PAN figure | % of reception surplus/deficit |
|-------------|-------------------------------------|------------|--------------------------------|
| 2012/13 | 3210 | 3101 | -3.51% |
| 2013/14 | 3183 | 3101 | -2.64% |
| 2014/15 | 3218 | 3101 | -3.77% |
| 2015/16 | 3246 | 3101 | -4.68% |
| 2016/17 | 3274 | 3101 | -5.58% |
| 2017/18 | 3310 | 3101 | -6.74% |
| 2018/19 | 3344 | 3101 | -7.84% |
| 2019/20 | 3337 | 3101 | -7.61% |

15. In Haringey, the demand for reception places in the academic year 2011/12 is high and there is currently close to 0% surplus capacity in 2011/12 reception classes across the borough. Demand for places is not evenly distributed across the borough and there are some areas where Haringey Council admit that if they do not plan for additional reception places they will not have enough places to meet projected future demand.

16. Demand for, and supply of, school places in Northumberland Park Ward (where the proposed Free School will be located) is almost at capacity. In September 2011, 298 first places reception applications were received for the 268 available places in local schools (Lancasterian Primary, Lea Valley Primary, St Paul's & All Hallows CE Infants and Junior schools and St Francis de Sales RC Infants and Junior schools). In January 2011 these four schools had a combined overall surplus capacity of 1.8% (33 spare places out of an overall capacity of 1876), indicating that the schools in this ward were near full capacity across all year groups from reception through to year 6. For the 2010 reception there was 1 spare place out of a total 268 places.

17. Because of the predicted shortfall of primary places the LA is planning to expand Lancasterian Primary School (plus two other primary schools in other areas within the borough), which is about half a mile of the proposed Free School. From September 2013 the school would increase its current two forms of entry to three forms per year. In the interim period, the local authority have placed some bulge classes in schools across the borough with further bulges potentially planned for September 2012.

18. In response to the high demand for school places in the area and the expected increase in demand as a result of development at Tottenham Hotspur, Haringey Council are currently exploring options as to how additional capacity can be provided in the local area. There are physical on-site constraints at almost all of the existing schools in the area meaning expansion at an existing school would prove to be very challenging.

Local Authority View

19. Haringey Council was invited to provide its views on the Free School proposal. The Director of Children's Services responded to that invitation on 28th March 2012 saying that the provision of an additional 90 places in reception will help meet the rising demand that they expect over the coming years. However concern was expressed about the provision of Year 1 places and the impact on surrounding schools or the Free School itself. The Council felt that E-ACT Free Schools Trust would have difficulty accommodating older siblings who would want to be placed at the same school. At the time E-ACT were working on the assumption that they needed to fill 60 places in Year 1 but they have subsequently increased reception intake to 90 places and reduced the Year 1 intake to 30 places. This adjustment should allay the Council's concern about filling Year 1 places.

Representations

20. 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.

21. A wide range of consultation materials and channels were utilised and a comprehensive database of stakeholders was prepared. Stakeholders included the LA, local MP, parents, secondary and primary schools and nurseries. A range of response channels were offered, including online, offline and face to face meetings. A six page leaflet, summarising proposals for the Free School, including a questionnaire, was distributed. The Trust asked the following question on its website and allowed 6 weeks for responses:

“Do you agree that the proposed Hartsbrook E-ACT Free School should open in September 2012, which would involve E-ACT Free Schools Trust entering into a Funding Agreement with the Secretary of State for Education?”

22. The Trust received 9 responses, of which 3 were positive and 6 were against. The consultation demonstrated the difficulty in engaging parents and carers in this area of Haringey. This was compounded by the fact that the Trust had not been able to share details of the site as for much of the consultation site negotiations were not complete. Low rates of response are unlikely to demonstrate low levels of interest, but a difficulty in engagement with challenging communities. The Trust recognise that further marketing work, targeting local parents via Early Years, nurseries and local community groups is necessary.

23. 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

24. The school does not have a self-defined catchment area. For the purposes of the impact assessment, we have created a proxy catchment area. We have considered the impact the Free School may have on all schools within a 1 mile radius of the proposed Free School. It is officials' view that it will be unlikely that a school situated over 1 mile away from the Free School will be impacted or will be more than minimally impacted. The average distance pupils travel to primary school in Haringey is 0.7miles. 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 9 schools, a moderate impact on 8 schools and a high impact on none.

Schools where the impact has been assessed as being minimal or moderate from list of all nearest schools below

| School name | Distance from Free School | Impact rating | Capacity | Pupils on roll | Ofsted rating |
|--|---------------------------|---------------|----------|----------------|---------------|
| St Paul's and All Hallows CofE Junior School | 0.21 | Moderate | 240 | 231 | Satisfactory |
| St John and St James CofE Primary School | 0.23 | Moderate | 300 | 294 | Satisfactory |
| St Francis de Sales RC Infant School | 0.27 | Minimal | 270 | 269 | Good |
| St Francis de Sales RC Junior School | 0.31 | Moderate | 360 | 350 | Satisfactory |
| St Paul's and All Hallows CofE Infant School | 0.39 | Minimal | 180 | 178 | Satisfactory |
| Lea Valley Primary School | 0.42 | Minimal | 420 | 419 | Excellent |
| Lancasterian Primary School | 0.43 | Minimal | 406 | 384 | Good |
| Raynham Primary School | 0.5 | Moderate | 675 | 663 | Satisfactory |
| Devonshire Hill Primary School | 0.53 | Moderate | 420 | 401 | Satisfactory |
| Risley Avenue Primary School | 0.66 | Minimal | 630 | 601 | Satisfactory |
| Wilbury Primary School | 0.69 | Moderate | 840 | 821 | Satisfactory |
| Coleraine Park Primary School | 0.77 | Moderate | 420 | 389 | Inadequate |
| Mulberry Primary School | 0.78 | Minimal | 630 | 602 | Satisfactory |
| Brettenham Primary School | 0.83 | Minimal | 420 | 420 | Good |
| Fleecefield Primary School | 0.84 | Minimal | 431 | 419 | Good |
| The Willow Primary School | 0.97 | Moderate | 420 | 386 | Satisfactory |
| Bruce Grove Primary School | 0.98 | Minimal | 420 | 406 | Satisfactory |

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

25. There are 17 primary schools within a mile radius of Hartsbrook E-ACT Free School. It is expected that nine primary schools within this radius will feel a minimal impact from the school with the remaining eight schools having a moderate impact. Overall the primary school 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

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

(1) St Paul's and All Hallows CofE Junior School

This is an average-sized junior school serving the inner city area of Tottenham and is the nearest school to the site of the proposed Free school. The vast majority of pupils are of Black African or Black Caribbean heritage, with a small minority who are from White British and Eastern European backgrounds. Almost two thirds of pupils speak English as an additional language. The proportion of pupils known to be eligible for free school meals is above average (34.8%) and a quarter of pupils, slightly higher than is found nationally, have special educational needs and/or disabilities. The proportion of pupils with a statement of special educational needs is also above average (15.9%), and a small number have complex needs associated with speech and language and severe learning difficulties.

The school was judged **satisfactory** by Ofsted in 2011 and the percentage of children achieving Level 4 or above in English and maths in 2011 was 79%.

Ofsted have stated that attainment in this school has risen sharply and shows a strong trend of improvement. Because of this it is likely to be popular with parents in the area and the opening of the Free School shouldn't adversely affect pupil numbers. Also, 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. Additionally, the primary population 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.

(2) St John and St James CofE Primary School

St John and St James CofE Primary School is an average-sized primary school with 294 pupils on roll. The proportion of pupils known to be eligible for free school meals is above average, at 26.4%. The proportion of pupils from minority ethnic groups is also above the national average, with those from Black Caribbean and Black African heritages being the largest groups. An above-average proportion of pupils are at the early stages of learning English as an additional language. The percentage of pupils achieving Level 4 in English and maths is 57% and the proportion of pupils who have special educational needs and/or disabilities is well above average. However the number of pupils with a statement of special educational needs is broadly average. The school was rated **satisfactory** by Ofsted in 2011.

The small surplus of pupil places at this school (6 places) raises the possibility that the opening of the Free School a quarter a mile away could draw pupils away from this school. However, given its low Ofsted rating of

“satisfactory”, any impact of increased competition is likely to improve standards in the area and the likely numbers of children that the Free School could divert from this school would not be sufficient to affect the continued viability of the school.

(3) **St Francis de Sales RC Junior School**

The school serves a diverse area and is larger than average, with 350 pupils on roll. The percentage of pupils eligible for free school meals is 32%. The proportion of pupils from minority ethnic backgrounds is very high and the percentage of pupils with English not as a first language is 64.9%. The proportion with special educational needs and/or disabilities is above average. The percentage of pupils achieving Level 4 in English and maths is 69%. The main feeder school is the neighbouring infant school. The school was rated **satisfactory** by Ofsted in 2010.

Although this school was undersubscribed for entry in September 2011 (only 87 of the 90 reception places were filled) it should be able to, based on local authority primary school demand projections, fill most or all of its places, even with the opening of the Free School. Also, as a faith school, this school is likely to be attractive to parents who wish to send their children to a faith school, rather than a non-faith one.

(4) **Raynham Primary School**

Raynham Primary is a large school with 663 pupils on roll. Around three quarters of the pupils, much higher than average, speak English as an additional language. Many of these pupils are at an early stage of learning English. About nine out of ten pupils come from a wide range of ethnic minority groups. The largest of these groups are Black African and White European. An above average of pupils have special educational needs and/or disabilities. Some of the pupils have complex needs but most have behavioural and emotional problems or experience particular learning difficulties with English. The proportion of pupils eligible for free school meals is double the national average at 42.3%. The percentage of pupils achieving Level 4 or above in English and maths is 72%, compared to 58% in 2009. The number of pupils who join or leave the school at other than the usual times is above average. The school was rated **satisfactory** by Ofsted in 2010.

The Free School shouldn't have a negative impact on pupil places at this school after opening as in the last year two additional classes have been created to accommodate demand at Key Stage 1 in the area. Raynham Primary School received an Ofsted rating of satisfactory suggesting that it is relatively weak and any impact of increased competition is likely to improve standards in the area.

(5) **Devonshire Hill Primary School**

This school is larger than the majority of primary schools with 420 pupils on roll. The percentage of pupils who come from minority ethnic groups and who

Speak English as an additional language is much higher than average. The largest groups are from any Other White, Black African, and Black Caribbean backgrounds. The percentage of pupils known to be eligible for free school meals is 45.2%, high in comparison to other schools nationally. The percentage of pupils identified as having special educational needs and/or disabilities is above the national average, although it is average for pupils with a statement of special educational needs. The Early Years Foundation Stage consists of a fifty full-time place nursery and two Reception classes. The proportion of pupils who join and leave the school at other than the usual time is above average. Some of these pupils are new to speaking English and new to education. There is a daily breakfast club run by the governing body. The school was rated **satisfactory** by Ofsted in 2012. The percentage of pupils achieving Level 4 or above in English and maths is 72%, compared to 46% in 2008.

The impact of this school was deemed moderate mainly due to the number of surplus places across all year groups (19 places). However the primary population in the local area is due 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 places in the local area. As a result, the opening of the free school should not impact on the long term viability of the financial viability of the school.

(6) Wilbury Primary School

Wilbury Primary is considerably larger than the average primary school with 840 pupils on roll. It is just over half a mile from the proposed Free Schools permanent site. The school serves an ethnically diverse community. The vast majority of pupils are from a wide range of different cultural heritages, the largest single groups coming from Other White, African and Caribbean backgrounds. The proportion of pupils who speak English as an additional language is high, at 67.4%. A very small minority are at an early stage of learning English, of whom a few are asylum seekers or refugees. While the proportion of pupils with a statement of special educational needs is below average, a high proportion have special educational needs and/or disabilities. An increasing proportion of pupils live in temporary accommodation and the number entering or leaving the school other than at the normal time is high. The school has a large ethnic minority achievement team that supports pupils learning English and raising standards across the curriculum. The percentage of pupils achieving Level 4 English and maths is 61% in 2011. The school was rated **satisfactory** by Ofsted in 2009.

We believe that the overall impact of the Free School on Wilbury Primary School will be marginal. The effect of the new school is likely to be offset by the overall increase in demand for places in the area. Wilbury Primary school received an Ofsted rating of satisfactory suggesting that it is relatively weak and any impact of increased competition is likely to improve standards in the area.

(7) Coleraine Park Primary School

Coleraine Park Primary School is larger than most primary schools with 420 pupils on roll. The school serves a very diverse community. Over one third of the pupils are from Eastern European heritages with an increasing number from Gypsy or Roma backgrounds. The second largest group is from Black or Black British Caribbean heritages. About two thirds of the pupils speak English as an additional language. The number of pupils known to be eligible for free school meals is well above average, as is the proportion of pupils with special educational needs and/or disabilities. The school makes specially resourced provision for special educational needs for eight pupils with speech, language and communication difficulties (rated outstanding by Ofsted).

A higher than average number of pupils join and leave the school at different times during the school year, which means the school's pupil population is not as stable as that for most primary schools. The school was rated **inadequate** by Ofsted and pupil attainment remains low, with 50% of pupils achieving Level 4 in English and maths.

This school has been rated inadequate by Ofsted in 2011 therefore the opening of the new Free School may prove attractive to parents. However we believe that any loss of places to the Free School will be offset by the increased demand for primary school places over the next few years.

(8) The Willow Primary School

The Willow Primary School serves a large local authority housing estate (Broadwater Farm). It is larger than average with 420 pupils on roll. Over 95% of pupils are from ethnic minority groups, more than half are of black heritage and nearly one in four are from a White background other than British, mainly Turkish. In total 25 nationalities and 34 languages are represented. Nearly three quarters of pupils speak English as an additional language, usually their first language Turkish or Somali. The percentage of pupils eligible for free school meals is 44.1%. The percentage of pupils achieving Level 4 or above in English and maths is 64%. The school was rated **satisfactory** by Ofsted in 2009.

The average distance pupils travel to primary school in Haringey is 0.7 miles. The Willow Primary School is located 0.9 miles from the proposed permanent site of the Free School therefore we consider the impact of the new Free School to be marginal. Also as the school serves a large local authority housing estate (Broadwater Farm Estate) it is unlikely that parents would move their children outside this community.

27. Conclusion

This assessment concludes that:

- There is an increasing demand for primary places across the local authority with a projected deficit of places in the area, up to 11FE by 2014.

- We do not believe that the school will have any impact on local secondary schools, further education colleges, special schools and pupil referral units which cater for pupils of a different age range or with specific needs that are unlikely to be attracted to the new school.

Overall our assessment is that the impact of the new school will not be significant on state-funded schools in the surrounding area.