

**Title: London Academy of Excellence**  
**Author: Department for Education (DfE)**

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

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

**Background**

2. The London Academy of Excellence Free School proposal is for a 16-19, co-educational, non-denominational, selective school to be based in Stratford, Newham. The school will open in 2012 with an intake of 200 pupils in the first year, building up to full capacity of 400 in 2015/16.

3. The Academy is being set up by Brighton College, an independent school, with the backing of a consortium of eight independent schools including Eton, Highgate and the City of London School. The vision is to establish an independently-governed Sixth Form provision for the brightest children in London from under-privileged backgrounds with a view to preparing them for entry to the best universities.

**Catchment Area and its Characteristics**

4. It is proposed to establish the Free School in the Stratford & New Town ward within the London Borough of Newham. The proposed site for the school is Broadway House, 322 High Street, Stratford, E15 1AJ. The site, currently an office building, has been secured for a 10 year period and this impact analysis is based on this location.

5. In order to fulfil the vision the school ideally needs to be situated in an area combining low achievement and high levels of child poverty. The London Borough of Newham is the second most deprived borough in England and has one of the highest ethnic minority populations of all the districts in the country with no particular ethnic group dominating.

6. At 39.1%, the average Free School Meal rate for the LA is significantly higher than the national average (14.6%) and the Indices of multiple deprivation (IMD) place the area in the top 20% of most deprived lower level super output areas (LSOAs) in the country. When combined with neighbouring LSOAs this ranking rises to within the top 10% of deprived areas. Unemployment is exceptionally high in Newham, affecting 14.2% of the economically active working age population compared with 8.6% across London. For deprivation affecting children, Newham was ranked third nationally in 2007. The Borough also has the third lowest percentage of pupils

obtaining 5 or more GCSEs at grades A\*-C (64.8%) among London Boroughs.

7. Newham has an exceptionally large youth population, with around a third under the age of 25 years with one of the highest birth-rates in the country. The borough's population is set to grow by approximately 50% over the next 20 years. Our analysis shows that Newham will experience a severe pressure on school places at both primary and secondary ages. By 2017/18 the secondary population in Newham and the neighbouring borough of Tower Hamlets is expected to increase by 10.4% and 17.4% respectively. At secondary level, the basic need pressures start to bite from 2014/15, with an estimated additional 25FE being required in Year 7 by 2017. Further large-scale housing developments following the 2012 Olympics could add to this pressure (11,000 homes are planned for the Olympic site in Stratford).

**Table 1: Capacity within Secondary Schools in Newham and Tower Hamlets**

Basic need statistics	Newham	Tower Hamlets
Total school capacity	19,198	15,410
% of surplus places	1.6%	3.4%
% increase in number of secondary places needed by 2013/14 (basic need)	None	2.1%
Secondary pupil population increase between 2011/12 and 2017/18	12.3%	17.4%

Source: LA Level data from the School Census SCAP 2011, School Level Census Jan 2011, DSD

8. Stratford is located in the north western extremity of the borough and borders to the west with Hackney Wick in the London Borough of Hackney and Bow in London Borough of Tower Hamlets, and to the north with Leyton in London Borough of Waltham Forest. See Table 2 for projected secondary growth rates of these neighbouring boroughs. The Department does not collect capacity data for specific year groups or 16-19 in particular. The capacity data is at whole school level only.

**Table 2: Secondary school population and projections in neighbouring boroughs 2010/11 – 2015/16**

LA	Capacity			Number of pupils on roll		
	Capacity May 2011 (negative value = deficit of places)	Surplus capacity 2010/11 (negative value = deficit of places)	Projected surplus capacity 2015/16 (negative value = deficit of places)	Actual 2010/11	Forecast 2015/16	% increase in pupil numbers, 2010/11 - 2017/18
Hackney	11792	28.3%	15.5%	8450	9963	17.9
Newham	19198	7.7%	3.4%	17726	18550	4.6
Tower Hamlets	15410	17.0%	8.8%	12784	14048	9.9
Waltham Forest	13885	7.5%	-2.4%	12841	14217	10.7

9. The school does not have a self-defined catchment area – although

their admissions policy is aimed at achieving a 50% intake from residents of Newham. For the purposes of the impact assessment, we have considered the likely impact of the London Academy of Excellence on all secondary schools with sixth form within a 5 mile radius (up to a maximum of 15) and all sixth form and FE Colleges within a 5 mile radius of the proposed Free School. Primary schools, Alternative Provision and Special schools are unlikely to be more than minimally impacted due to the difference in the LAE offer.

### **The School's Admissions Policy**

10. The Admissions Policy for the London Academy of Excellence meets the Academy Trust's stated ambition of establishing an academically selective Post 16 college that supports the needs of ambitious pupils from the deprived communities of Newham and East London.

11. As a post 16 institution, LAE is not bound by the Admissions Code however its policy does have regard to the code to ensure fair and transparent access, within a competitive selection process.

12. The two main features of the admissions policy are a commitment to offering a minimum of 50% of places to pupils from schools in Newham, and that pupils must be predicted by their current schools to achieve at least five B or higher GCSE grades, including Mathematics and English Language (if the school proves successful LAE aim to raise the minimum bar for subsequent years). Pupils are then selected against the following points criteria:

- A **verbal reasoning test** to test Academic suitability for KS5 study
- A **15 minute interview** to test the calibre of the pupil and understanding of the LAE ethos
- **High GCSE results** to reward proven academic performance
- Personal circumstances, being whether the pupil is: (i) looked after; (ii) comes from a lower achieving school; (iii) is a young carer.

13. Category scores are combined to give each applicant a total score and a ranked list is created. This list is divided into two: with those currently studying in Newham schools on one, and those currently studying in other boroughs on the other. At least 75 places are offered to the highest-ranking applicants from Newham (the school will not have an intake in year 12). Both lists are then re-combined and places offered to the highest-ranking applicants, irrespective of location.

### **Local Authority Perspective**

14. The Department wrote to the local authority on 15<sup>th</sup> March requesting their view on the impact of the proposed Free School on other schools in the area. The authority responded on 27 March stating that Newham is a progressive authority that believes in the highest standards of education

choice for all young people and that they continue to raise academic standards across all phases and endeavour to offer the very best of teaching and learning for all.

15. The Local Authority has been supportive of the school (and School 21, a 4-18 all through Free School proposal in the same borough) and has offered a prime redevelopment site (close to Stratford Station and on the edge of the Olympic Park) to the school on a 10 year lease period.

### **Consultation and Representations**

16. A statutory consultation was carried out by the Trust over a six-week period between 20<sup>th</sup> January 2012 and 9<sup>th</sup> March 2012. The formal consultation was preceded by an awareness campaign and surveys at proposal stage in which the Trust sought to engage local pupils and parents in support of its vision. In addition there has been considerable ongoing local and national media coverage due to the nature of the proposer consortium.

17. The consultation sought views from pupils, parents/carers of students and head teachers – from within Newham and surrounding boroughs - community stakeholders, neighbouring secondary schools and colleges, Newham Council, and local MPs.

18. Consultation took place through a number of activities: a document summarising the proposals and a questionnaire was made available in both electronic and printed formats; letters were sent to Head teachers of local secondary schools (110) and colleges (14); print adverts were placed in local newspapers – Newham and Stratford Recorders; adverts appeared on the Newham Council website, as well as on the websites of the surrounding boroughs; visits were undertaken to local secondary schools; four public consultation meetings targeted at prospective students (with an introductory session in which the proposers explained the rationale and vision for the school and an open question and answer session) were held; and a meeting took place with NASH. For the purposes of the statutory consultation there were three main feedback mechanisms:

- The consultation questionnaire via the website (paper copies which was made available for those without access to a PC);
- A public consultation evening (held on 20 February 2012); and,
- Submission by email or telephone for specific comments or questions.

19. The consultation meetings attracted 218 students and parents/carers, 4 head teachers and 9 members of the community. 58 responses were received to the questionnaire. Analysis showed strong support for the proposal; 98% of respondents expressed full support and fewer than 2% - 1 respondent - were unsupportive, expressing a concern that excellent local schools with capacity already existed (see below for assessment of the quality of local provision). A full copy of the consultation report is available via the schools website. No other representations were received.

## **Impact on nearby schools and colleges in the local area**

### *Impact Ratings - Secondary schools with Sixth Forms*

20. A minimal rating implies that the school will either not lose pupils to the Free School or may lose some but will still be able to fill most or all of its places. It will have no appreciable impact on the school's overall attainment, viability and ability to improve.

21. A moderate rating implies that the school may lose some pupils but should still be able to fill most of its places. However there might be some impact on the school's overall attainment, viability and ability to improve.

22. A high rating implies that the school may lose some pupils and may exacerbate surplus capacity already in the school. There may be a significant impact on the school's overall attainment, viability and ability to improve.

### *Impact ratings - Impact on local colleges*

23. A minimal rating implies that the college will not lose potential learners to the Free School or may lose some but will still be able to fill most or all of its places. It will not significantly impact on the long term financial viability of the college or on a specific specialism of the college.

24. A moderate rating implies that the college may lose some potential learners to the Free School but should still be able to fill most of its places. It will not significantly impact on the long term financial viability of the college but there may be a moderate impact on a specific specialism of the college.

25. A high rating implies that the college may lose enough potential learners to the Free School that it risks not being able to fill some of its places. It may impact on the long term financial viability of the college or could threaten the continuation of a specific specialism of the college.

## **Impact Assessment**

26. As 16-19 institutions do not normally operate within a set catchment area the impact assessment was limited to all secondary schools with sixth form within a 5 mile radius (up to a maximum of 15) and all sixth form and FE Colleges within a 5 mile radius of the proposed Free School. Primary schools, Alternative Provision and Special schools are unlikely to be more than minimally impacted due to the difference in the LAE offer.

27. It is anticipated that opening the Free School will have a minimal impact on 13 schools with sixth forms and 7 sixth form colleges/FE colleges, and a moderate impact on 2 schools with sixth forms and 5 sixth form colleges/FE colleges. There are no schools with sixth forms or sixth form colleges/FE colleges on which the LAE will have a high impact.

**Table 3 Schools with sixth form in the local area with their impact ratings (5 mile radius)**

School name	Ofsted	School capacity	Surplus places as a % of total capacity	Average Point Score per Student (APS) 2011	Impact Rating
St Bonaventure's RC School	Outstanding	990	-32.6%	634.4	Minimal
St Angela's Ursuline School	Outstanding	1,344	-29.5%	688.2	Minimal
Central Foundation Girls' School	Good	1,406	1.1%	642.4	Moderate
Cardinal Pole Roman Catholic School	Satisfactory	1,033	4.0%	709.1	Minimal
Connaught School for Girls	Good	600	0.3%	n/a	Minimal
George Mitchell School	Good	841	2.6%	n/a	Minimal
Morpeth School*	Outstanding	1,200	-9.6%	n/a	Minimal
Sir John Cass Foundation and Redcoat Church of England Secondary School	Outstanding	1,233	-29.4%	709.0	Minimal
Clapton Girls' Academy	Outstanding	1,026	2.2%	n/a	Minimal
Raine's Foundation School	Good	911	8.9%	645.8	Moderate
Leytonstone Business and Enterprise Specialist School	Good	900	3.2%	n/a	Minimal
Oaklands School*	Outstanding	600	-8.7%	n/a	Minimal
Mossbourne Community Academy	Outstanding	1475	14%	734.8	Minimal
Bishop Challoner Catholic Collegiate Girls School	Good	1100	5.4%	669.3	Minimal
Mulberry School for Girls	Outstanding	1400	0.6%	721.4	Minimal

\*Morpeth School and Oaklands School both feed into Cambridge Heath Sixth Form and both schools have been rated as **outstanding** by Ofsted.

**Note:** Schools anticipated to have a minimal impact generally have good or better Ofsted ratings and/or are faith schools.

**Table 4: Sixth form colleges and FE colleges in the local area with their impact ratings**

Table 4: Colleges within the local area (5 mile radius)					
College name	Ofsted	Number of learners aged 16-18	Proportion of learners aged 16-18	Average Point Score per student	Impact Rating
Newham Sixth Form College	Good	2,576	The majority	643.8	Moderate
Tower Hamlets College	Satisfactory	1,711	40%	571.8	Moderate
Newham College of Further Education	Outstanding	2,364	30%	293.3	Minimal
Leyton Sixth Form College	Good	1,935	The majority	670.6	Moderate
The Brooke House Sixth Form College	Satisfactory	1,319	The majority	665.7	Moderate
Hackney Community College	Good	1,280	41%	635.7	Minimal
Waltham Forest College	Satisfactory	1,547	30%	485.0	Minimal
Southwark College	Inadequate	844	24%	636.2	Minimal
Sir George Monoux College (Sixth Form College)	Satisfactory	1,894	The majority	692.7	Moderate
The College of Haringey, Enfield and North East London	Satisfactory	2,411	28%	562.2	Minimal
Greenwich Community College at Plumstead Centre	Satisfactory	1,012	Around 40%	575.2	Minimal
Lewisham College	Outstanding	2,373	40%	474.9	Minimal

**Summary:** Within the local area of the proposed Free School, it is expected that seven colleges will feel a minimal impact, five colleges will feel a moderate impact and no colleges will feel a high impact on the opening of the proposed Free School.

The colleges rated as moderate are all the sixth form colleges within five miles, with the exception of Tower Hamlets College. Tower Hamlets college is located around two miles from the Free School, has below average attainment and a satisfactory Ofsted rating, so pupils may be attracted to an alternative. However, the college is large (over 4,000 students) and only 40% of those attending are aged 16-18, so there should be no impact on the long term viability of the college.

The four sixth form colleges all have attainment below the national average, and the majority of pupils attending them are 16-18, so they could lose potential pupils.

Source: Achievement and Attainment Tables, DFE Website, Ofsted, YPLA

**Note:** generally in FE colleges the majority of the student population is older than 19 because of the wider course offer which includes part time, and evening subjects. The Department does not hold data on the number of over 19s in sixth form colleges although is considered to be very low, based on Ofsted reports,

**Note:** Sixth Form and FE Colleges anticipated to have a minimal impact generally have high Ofsted

ratings, have a low proportion of learners ages 16-18 and/or are relatively further away.

## **Detailed Analysis**

28. The following seven establishments have all been assigned an impact rating of moderate. In 2011 the national average of attaining two or more A-levels (or equivalent) was 94% and the local authority average was 82%. The national average for the Average Point Score (APS) per student was 728.2 and the local authority average was 582.8 in 2011. All establishments with a moderate impact rating in 2011 had below national average attainment. The distance travelled by over 90% of secondary pupils in Newham is 2.5 miles or less. However we expect that for sixth forms the distance travelled is closer to 5 miles; a radius all establishments fall within.

### Secondary Schools with a sixth form

#### *Central Foundation Girls' School*

29. Central Foundation Girls' School is a larger than average secondary school, with specialist status in Performing Arts, Citizenship and English. The proportion of pupils with special educational needs and/or disabilities and those with a statement of special educational needs is above average and a high proportion of pupils are eligible for free school meals.

30. The school is based 1.5 miles away from the proposed site of the Free School. The London Academy of Excellence (LAE) may well exacerbate the surplus situation (currently 1.1%) but we assess it as unlikely to have a negative effect on the long term financial viability of this school. This is because the Central Foundation Girls' School is an all-girls school specialising in performing arts, citizenship and English; whereas LAE is a co-educational academic-focused sixth form college. Furthermore, the percentage of pupils achieving two or more A-levels in 2011 was 95%; significantly higher than the local authority average (as was the Average Point Score (APS) of 642.4 per student).

#### *Raine's Foundation School*

31. Raine's Foundation School is a smaller than average sized co-educational secondary school with a maximum capacity of 911, located 2.2 miles from LAE. It is a humanities specialist school, focusing on English, citizenship and religious studies which was awarded a rating of good by Ofsted in November 2011. The proportions of pupils with special educational needs and/or disabilities, from minority ethnic groups, and known to be eligible for free school meals are all well above the national averages. The proportion of pupils with a statement of special educational needs is above average as is the proportion speaking English as an additional language.

32. Raine's Foundation School had slightly below average Key Stage 5 attainment in 2011, with 93% of pupils achieving two or more A-levels compared to 94% nationally. The APS per student was 645.8 which was greater than the local authority average for 2011 but was a decrease



compared to 2009. In addition to this, the surplus of places is 8.9% which is relatively large. The opening of the proposed Free School might have an adverse impact, but as Raine's Foundation School is a faith school, it is not expected to have a sufficient impact on the future intake of pupils for LAE to threaten its longer term viability.

### Sixth Form and Further Education Colleges

The colleges that are assigned a moderate impact rating (with the exception of Sir George Monoux College) are all generally closer than those with a rating of minimal. The relatively shorter distance will most likely have a negative impact upon these colleges if the LAE is to open in September.

#### *Newham Sixth Form College*

33. Newham Sixth Form College is a large college located on three sites in Newham. It provides courses for pupils aged 14-16 and 16-18 as well as adult learners. The curriculum is very broad and provides courses from levels 1 to 3, including courses in most sector subject areas. Entry requirements for A-level courses are generally lower than for most other providers of post-16 provision. The college is involved in teaching new diplomas at levels 2 and 3 to pupils aged 14-19. It also provides entry to employment programmes. The college has a Centre of Vocational Excellence in digital and broadcast media.

34. This sixth form college was given a rating of good by Ofsted in February 2009 and in 2010/11 had above local authority average Key Stage 5 attainment with 97% of pupils achieving two or more A-levels. The APS per student in 2011 was also a marked improvement on the previous two years increasing from 611.7 in 2009 to 643.8 (greater than the local authority average). Given that the majority of learners are aged 16-18, Newham Sixth Form College may encounter some difficulty attracting new pupils with the opening of the LAE.

#### *Tower Hamlets College*

35. Tower Hamlets College is a general further education college in Tower Hamlets. Full-time qualifications are offered for learners aged 16-18 and adults at all levels up to A-level, with a limited provision of courses and professional qualifications at level 4. Nearly half of pupils are of Bangladeshi heritage, a minority are White British and the rest from a broad range of backgrounds.

36. The college was judged to be satisfactory by Ofsted in April 2012. It is 2.2 miles from the Free School and had a below local authority average APS per pupil of 571.8. Therefore pupils may be attracted to an alternative. However, the percentage of pupils achieving two or more A-levels in 2011 was 92%; being above average attainment at Key Stage 5 for the local authority. In addition to this, the college is relatively large with only 40% of those attending aged 16-18. This means that while there may be a moderate impact on the college's 16-19 recruitment (and therefore viability), the overall impact will be less because of its wider FE provision.

### *Leyton Sixth Form College*

37. This college is a larger than average sixth form college in the London Borough of Waltham Forest. The vast majority of pupils are from minority ethnic backgrounds, a significantly higher proportion than in the local population. Pupils can choose from around 35 AS- or A-level subjects, as well as vocational courses at foundation, intermediate and advanced levels. The largest numbers of enrolments are in science and mathematics, languages, literature and culture, business, administration and law and arts and media.

38. Ofsted has rated the college as good. It also has above average (National and local authority) attainment at Key Stage 5 with 98% of pupils achieving the expected two or more A-levels in 2011. Additionally the APS per student in 2011 is 670.6; significantly higher than the local authority average. However the college enrolls over 2000 pupils, in total, the vast majority who are full time, aged 16-18, and studying on advanced-level courses. Therefore the college could potentially lose pupils to LAE. Although the establishing of the Free School is likely to impact on numbers, it is not considered that this will be significant or reduce the school's long term financial viability.

### *Brooke House Sixth Form College*

39. BSix (Brooke House Sixth Form College) is a small sixth form college in the London Borough of Hackney. It opened in 2002 in response to the recommendations for more 16-18 provisions. Approximately 1,300 pupils enrol each year, mostly aged 16-18. The college is non-selective with the lowest GCSE points on entry to be found in the sixth form college sector. Its curriculum is adapted to its intake, offering both academic and vocational courses.

40. In 2011, the percentage of pupils achieving two or more A-levels was 95%; slightly higher than the national average. The APS per student of 665.7 was also significantly greater than the local authority average although it is a decrease of 23.7 (3.44%) from 2009. Furthermore, local competition from nearby further education and sixth form colleges is intense and nearly two thirds of Hackney's young people leave the borough for their post-16 education. It is likely that establishing the proposed Free School would impact on the number of pupils attending BSix however the long term financial viability of this school is not expected to be seriously jeopardized. Hence it has been assigned an impact rating of moderate.

### *Sir George Monoux College (Sixth Form College)*

41. Sir George Monoux is a sixth form college in Waltham Forest. The college enrolls approximately 2,000 pupils each year. The majority of the pupils are aged 16-18 and study full time. A high proportion take advanced courses such as GCE AS- and A-level and BTEC programmes and come from London Boroughs of significant social and economic deprivation where most of them are from minority ethnic backgrounds. At the previous Ofsted inspection in December 2009 the college was found to be satisfactory. The provision in science and mathematics, business and administration and law

were found to be inadequate. Inspectors at the re-inspection monitoring visit in September 2010 judged that in all these themes under consideration, the college had made reasonable progress.

42. By 2011, the college had made great strides towards improving standards which is evident in both the APS per student and the proportion of pupils achieving two or more A-levels or equivalent. Sir George Monoux had an APS per student of 692.7, the highest of the twelve sixth form and further education colleges initially considered and an attainment of 99% of two or more A-levels. This was greater than both the local authority and national averages. However since the majority of pupils who attend the college are aged 16-18, it will most likely be affected by the opening of the Free School although the impact is not expected to be detrimental to their future stability.

### **Summary**

43. Of the 2 schools with Sixth Forms assigned a moderate impact rating, both are classed as good by Ofsted, therefore parents/students should be less attracted to an alternative at years 16-19. However, where surplus places exist, as with Raines, any significant loss of pupils to the new Free School may exacerbate the situation.

44. Of the colleges assigned a moderate impact rating, four are sixth form colleges and one (Tower Hamlets College) is a general FE college. Although it has below average attainment and a satisfactory Ofsted rating and so may lose students to London Academy of Excellence, Tower Hamlets College is large, with a sizable adult population and therefore it is anticipated that the impact will be less than on the four sixth form colleges. This expectation is also supported by the fact that the sixth form colleges are also more likely than Tower Hamlets College to share the strong academic focus of the proposed Free School and therefore compete for the same pupils.

45. However, the secondary aged population, which includes 16-18 year olds, is projected to increase over the next few years so any negative impact on these schools and colleges as a result of the Free School opening is likely to be mitigated by an increased demand in the area. We therefore do not expect the opening of the Free School to negatively impact on the long-term viability of any of these schools or colleges

46. Indeed, London Academy of Excellence (and School 21 – another Free School providing for ages 4-18 and opening to sixth form pupils in 2014) will go some way to providing pupil places in a basic need area. Any impact on local schools and colleges also needs to be balanced with the positive impact that London Academy will have through improving pupil choice, introducing additional quality competition in the area, and driving up aspirations and standards for pupils from an area of high deprivation and low academic achievement. It is therefore considered appropriate for the Secretary of State to enter in to a Funding Agreement with the Academy Trust.