

Title: Perry Beeches II The Free School
Author: The Department for Education (DfE)

Impact Assessment – Section 9 Academies Act Duty

1. Section 9 of the Academies Act places a duty upon the Secretary of State to take into account what the impact of establishing an 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. Perry Beeches II The Free School (PBII) is a secondary school due to open in Ladywood, Birmingham in September 2012. The sponsor is the Perry Beeches Academy Trust. In its first year there will be 115 pupils in Year 7 and 60 in Year 12. The school is expected to grow each year and will reach a capacity of 575 11-16 students and 120 post 16 students in 2016. It will offer a traditional curriculum, mirroring that of the very successful sponsor school. Ladywood is the most deprived constituency in the city. It includes both inner-city estates and most of the city centre. Ethnic minorities make up 49% of Ladywood population, compared with 29.6% for Birmingham. 47.2% of households are rented from either the local authority, housing association or other registered social landlord.

Catchment Area: characteristics and admissions

3. Due to significant year on year increases in the birth rate in Birmingham since 2001, Birmingham City Council (BCC) recognises that it is now necessary to begin planning for additional secondary places in the city. One of the steps the local authority has taken to date has been to publish an 'Additional Secondary Places' consultation document in May 2012. That document expressed a view that it is likely to be difficult, in up to five constituencies, for BCC to meet increased pupil numbers solely through expansion of existing school sites; one of these constituencies is Ladywood where PBII will be based. BCC is planning to model potential expansions once it has an understanding of the impact potential Free School and Academy developments will have.

4. The school's admissions policy is fully compliant with the School Admissions Code and follows the BCC's admissions criteria. Where fewer applications than the published admission number for the relevant year are received, places will be offered to all those who have applied.

5. When Perry Beeches II The Free School is oversubscribed, after the admission of Looked After Children and students with Statements of Special Educational Needs where the school is named in the Statement, the remaining places will be allocated on basis of proximity to the school using straight line measurement from the main entrance of the Free School to the

main entrance of the child's home. If there are more applicants than there are places remaining within a particular category and where there is no difference in distance from home to school for two or more children, random allocation will be used to allocate the final available place(s) and to establish priority on the waiting list.

6. There is no defined catchment area for the new school so we have created a proxy area of two and a half miles from the PBII site. This is the maximum distance travelled to secondary school by a significant majority (80%) of pupils in Birmingham. There are nineteen secondary schools within a two and a half mile radius of PBII.

7. While there is currently a small surplus of secondary places in Birmingham the local authority projections show that the number of the secondary pupils will increase by 5.6% (an additional 3,906 pupils) by 2017/2018 as the current increase in primary school pupil numbers moves through the system. PBII will therefore be able to meet part of the expected increase in the demand for places.

Local authority view

8. The authority has not responded to our invitation to express their views on the proposed Free School. Two follow up calls were made to confirm that the letter inviting comments was received and the LA confirmed the receipt of correspondence. The chair of PB Academy Trust fed back from a meeting he had with the new Director for Children's Services (DCS) that the DCS was supportive of the application; however, no written correspondence to the Department expressing that support has been received. We believe that the lack of response is due to personnel changes within BCC.

Representations

9 No direct representations have been received by the Department but the applicants have carried out a public consultation with local stakeholders. We are satisfied that the consultation was carried out in the correct manor.

- A consultation letter, including an invitation to an open evening and a link to the PBII website, was distributed among educational networks in Birmingham and to the local authority. An advertisement was placed in local press to invite the public to the consultation event and informing them of the website. This attracted little interest; only one parent interested in the sixth form provision attended the consultation event. The website created for the consultation also attracted few responses; only one comment (from an ICT supplier congratulating the group) was received.
- The group also met with the local authority's Director of Children's Services to discuss the proposed Free School and the high number of additional secondary places required in the city (please see point 3). The Director was fully supportive of PBII.

- Prior to the formal consultation, 38 primary schools in a 5 mile radius of the proposed Free School were visited and a letter was sent to all Year 6 parents inviting them to an information evening. This was followed by two public meetings which were attended by 150 people.
- The group also kept all parents at Perry Beeches The Academy informed and organised an information evening which 100 parents attended.
- The group met with local MPs to discuss the proposed Free School who responded supportively.

10. The formal statutory consultation was carried out by the applicants between 2 April and 21 May 2012. No responses to this were received. The parents of 147 pupils have already shown their support by accepting a place for September.

Impact ratings for individual secondary schools in Birmingham

11. There are nineteen existing secondary schools within the 2.5 mile radius of PBII; seventeen of them have a sixth form. The impact on the majority of these will be minimal, for reasons set out in detail below. However the impact on three schools will be moderate and this is described below.

Schools where the impact is moderate

12. **Heartlands Academy - Moderate impact** (2.7 miles from proposed site)

School type: Co-educational 11-18 Sponsored Academy (E-ACT).

Capacity: The school became a sponsored Academy in 2009 and in May 2012 had 713 pupils on roll in Y7 and 48 in sixth form. The Academy is expected to reach its full capacity of 750 11-16 and 200 16-18 by 2013/2014. The published admissions number is 150 and the school has been oversubscribed in the last three years with 439 applications in 2012.

Ofsted: The school was rated as outstanding by Ofsted in its last inspection in 2012

11 – 16 attainment: The school has Key Stage 4 attainment below the national average – 44% of pupils achieved 5+ A*-C grades including English and maths GCSE in 2010/11 compared with 58% nationally. However, as recognised in the Ofsted inspection, the school is making exceptional progress and the quality of teaching and leadership is high.

Post-16 attainment: Key Stage 5 attainment data is not available at this stage.

Impact: Likely to be moderate in the short term given that attainment is currently below national average. However, the school has been oversubscribed in the last 3 years and any loss of pupils may be mitigated by the increased demand for secondary places in the area over the next few years.

13. **Harborne Academy – Moderate impact** (3.3 miles from the proposed site)

School type: Co-educational 11-18 Sponsored Academy (Birmingham Metropolitan College).

Capacity: This school has a planned capacity of 800 (although it is awaiting completion of building works before it can operate at that capacity – the current building allows for only 600 pupils) and in May 2012 had 513 11-16 pupils on roll and 29 in the sixth form. The school became a sponsored Academy in 2010. In the last three years places were offered to all applicants.

Ofsted: The school had its monitoring inspection in January 2012; the main judgement was that the Academy has made satisfactory progress towards raising standards.

11-16 attainment: The school has Key Stage 4 attainment well below national average with only 38% of pupils achieving 5 A*-C GCSEs including English and maths in 2010/2011, compared with 58% nationally. The Ofsted monitoring inspection noted that the Academy met or exceeded its challenging Key Stage 4 targets, except in mathematics which fell well short.

Post-16 attainment: Key Stage 5 attainment data is not available at this stage.

Impact: Impact likely to be moderate. The school may lose some pupils to PBII as its attainment is below the national average. However, pupils from Harborne Academy's area would have to travel for a considerable amount of time on public transport to attend PBII. Also, the health and science specialism of this school is likely to attract a different cohort from PBII. Therefore even if it does lose some potential pupils to the Free School, the impact of PBII is not likely to be significant. Additionally, any loss of pupils may be mitigated by the increased demand for secondary places in the area over the next few years.

14. **George Dixon International School and Sixth Form Centre – Moderate impact** (2.7 miles from the proposed site)

School type: Co-educational 11–18 Foundation School.

Capacity: The school has capacity for 1,165 pupils and in May 2012 had 907 11-16 pupils on roll and 67 in the sixth form. In the last three years, places at the school were offered to all applicants.

Ofsted: The school was rated as satisfactory with good leadership and capacity for sustained improvement by Ofsted in May 2010.

11-16 attainment: The school has Key Stage 4 attainment below the national average – 50% of pupils achieved 5+ A*-C grades including English and maths GCSE in 2010/11 compared with 58% nationally.

Post-16 attainment: Similarly, Key Stage 5 attainment is below the national average. Average point score per student was 418.8 in 2010/11 compared with 728.2 nationally.

Impact: Likely to be moderate – Although it has below average attainment at Key Stage 4 and 5 it is an improving school with good leadership. It is in the process of converting to Academy status – due to complete in September 2012. Although it may lose some pupils to PBII the impact is likely to be only moderate due to the distance a child would have to travel to PBII and the different post sixteen offer compared to PBII. Additionally, any loss of pupils to the new Free School may be mitigated by the increased demand for secondary places in the area over the next few years.

Other secondary schools where the impact is minimal

15. Of the sixteen other secondary schools considered, all have been assessed as being minimally affected by the opening of the Free School. The actual distance a child would need to travel from any of these schools to reach the Free School ranges between 1.7 and 5.4 miles. The closest of the sixteen schools is King Edward VI Handsworth School which for September 2012 received 10 applications for every place in Y7. Birmingham Ormiston Academy (BOA) is based two miles away from the Free School. BOA is a new 14-19 sponsored Academy specialising in Creative, Digital and Performing Arts that only opened in September. We have been unable to fully assess BOA as there is no attainment or Ofsted data available for this school at present. However, the school has filled all of its Year 10 places for September 2012 and has a very different educational offer than that of PBII. Therefore we think the impact on this school is likely to be minimal. All remaining schools are also oversubscribed.

Impact on Primary Schools

16. There are six primary schools in close proximity to PBII but we do not think that there is likely to be any negative impact on these as there will be no primary provision at the Free School. The six primary schools are likely to be feeder schools for PBII.

Impact on Special Schools, Alternative provision and FE institutions

17. PBII 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. As such, it is unlikely to have any direct impact on local Special and Alternative Provision schools. A further education college is

situated in a close proximity to the proposed site for PBII, however its post sixteen offer is very different to that of PBII and will attract a different type of applicant. We therefore think that any potential impact on that college will be minimal.

Conclusion

18. Taking into account factors such as: distance from PBII, Ofsted grades, attainment, surplus places and whether a school was over or under subscribed we believe that in the short term there is likely to be a minimal impact on sixteen of the secondary schools within two and half miles of PBII and a moderate impact on three. All schools where the impact was rated as minimal received more applications than their admissions number in the last three years (with oversubscription ranging from 1.89 to 27 times the PAN). Of the three schools where the impact is likely to be moderate, one has been rated outstanding by Ofsted and was oversubscribed in the last three years. The remaining two were rated satisfactory in their latest inspections and in the last three years offered places to all pupils that applied. In the longer term, there should be a limited impact as there is expected to be a rising demand for places in Birmingham. We also believe any impact on Special Schools, Alternative Provision and FE institutions to be minimal due to lack of specialist SEN provision at PBII and different post sixteen offer at the FE College nearest to PBII.

Recommendation

19. Based on the information above we believe that it is appropriate for the Secretary of State to enter into a Supplemental Funding Agreement with the Perry Beeches Academy Trust.