

Title: Stone Soup Academy
Author: Department for Education (DfE)

Impact Assessment – Section 9 Academies Act Duty

1. Section 9 of the Academies Act 2010 places a duty upon the Secretary of State to take into account the likely impact of establishing the institution 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. Stone Soup Academy is an 11-19 alternative provision Free School in Nottingham City designed specifically to provide high quality accredited learning tailored to the individual needs of young people who, for a variety of reasons, are not able to access full-time mainstream education. It intends to have a maximum capacity of up to 100 full-time equivalent students divided between 10 in Key Stage 3, 40 at Key Stage 4 and 50 at post 16. The school plans on opening with 40 pupils (30 in KS4 and 10 in KS5) in September 2012.

3. Nottingham City is in the top 25% of deprived local authorities, ranked as 36 on the 100 most deprived SOA (2007) with an IMD score of 38.37 out of 100 on the English Indices of Deprivation 2007.

Admissions and Catchment Area

4. As an alternative provision Free School all admissions to the Stone Soup Academy are made via a referrals process, Stone Soup will not accept applications for admissions from parents. The school expects to receive referrals from local schools and Nottingham City Council, Nottinghamshire County Council and Derbyshire County Council. The group already work closely with Nottingham City's 14-19 Quality Assurance Team, and a number of City schools and academies.

5. The Stone Soup Academy is an equal opportunities non-discriminatory school and referral applications for admission of young people from diverse backgrounds and with varying needs is welcomed. Each referral is considered on an individual basis. The school is fully committed to policies of non-discrimination as defined in legislation.

6. There is no defined catchment area due to the nature of the school, but a proxy area was created for the purpose of this assessment of 10 miles. This radius has been used with the majority of Free School impact assessments and reflects that as an AP school Stone Soup can be expected to draw from a relatively wide catchment area. There are 15 schools, 5 Pupil Referral Units and 3 colleges within this ten mile radius.

Local Authority View

7. Located in Nottingham City, but close to the borders with Derbyshire and Nottinghamshire, the views of all three authorities were sought.

Nottingham City Council

8. The local authority manages a 40 place KS2/3 PRU and a 70 place KS4 Alternative Provision PRU. The PRU commissions the majority of the provision from a range of providers and have used Stone Soup in the past. The LA did not provide us with a list of the provision they currently use so we are unable to assess the impact on AP providers other than PRUs. The LA confirmed that Stone's Soup's target of 40 places in the first year is achievable and realistic without impacting other providers or schools.

9. However, the authority considered the site for the proposed school challenging with limited space for recreational and extra-curricular sports activities. Whilst it thinks the site can accommodate the initial intake of 40 pupils, it has concerns about the site's capacity to accommodate the full proposed intake of 100 pupils. Based on their previous experience, the local authority also wishes to see further detail on how the Stone Soup Academy will support pupils with social, emotional and behavioural difficulties and will continue discussions with the lead applicant on this point. We do not consider that these queries are indicative of any negative impact on other provision or pupils.

Nottinghamshire County Council

10. This neighbouring LA welcomed the development of new provision and has agreed to add the Free School to its list of specialist SEBD providers. It considered that the Free School did not duplicate or put at risk any of their provision but provided enhanced opportunities for young people. The LA did not provide us with a list of the provision they currently use so we are unable to assess the impact on AP providers other than PRUs.

Derbyshire County Council

11. This neighbouring LA reviewed the impact of the Free School on those schools closest to the proposed site and confirmed that the Stone Soup Free School 'is unlikely to have a significant impact on its own provision' and was broadly positive about any proposals to extend provision. The LA did not provide us with a list of the provision they currently use so we are unable to assess the impact on AP providers other than PRUs.

Representations

12. No form of representation has been received by the Department but the applicants have carried out a public consultation with local stakeholders.

13. The formal statutory consultation was carried out by the applicants between 2 March and 23 May asking whether, based on the information already published, Stone Soup Academy should enter into a Funding Agreement with the Department.

14. In total 1800 leaflets mail shots were sent to stakeholders including primary schools, parents and carers, faith groups, health providers and community/social groups. Online surveys were provided, open consultation events were also held. In the 11 responses to the survey, 9 confirmed their view that Stone Soup should enter into a Funding Agreement, with one respondent abstaining and 9 people agreeing that young people would benefit from the new provision. Respondents posed two questions: "what currently happens to children who do not access mainstream education?", "How does the finance work - Will it take money

away from other schools?” The group will correspond directly with those stakeholders to alleviate any concerns they have.

Ratings for individual secondary schools within 10 miles of the AP Free school site

15. Analysis of the impact of the Free School has been undertaken on 14 local secondary schools, 3 colleges and 5 Pupil Referral Units (PRUs), all within 10 miles of the proposed school.

16. In general, a small AP school drawing students from across the city will have minimal impact on any individual secondary schools or colleges. This is for 2 main reasons: first, their offer is sufficiently different and indeed complementary to the more traditional secondary school and post-16 provision available locally; and, secondly, the small size of the school limits any impact it will have on much larger secondary schools and colleges. In any case, the local LAs, as commissioners, cannot be expected to remove so many pupils from one school and place them into Stone Soup as to make those other schools unviable. Overall, therefore, no significant impact is considered likely on secondary schools and colleges. There will be no impact on primary schools as Stone Soup does not take referrals from children of primary age.

17. The Table in Annex B.1 provides further details of the impact on local Secondary Schools, 16-19 provision and PRUs.

Section 9 Conclusion

18. Taking into account the small size of the school, the fact that this is alternative provision and the current Stone Soup organisation already has working relationships with local schools, there is unlikely to be a negative impact of the proposed Free School on existing mainstream schools in the local area. The Free School may, however, have a greater impact on one lower performing PRU, but the added competition should incentivise that PRU to seek quicker improvements. Overall, the impact on local education institutions will be minimal, as reflected in the comments from the local authorities concerned. There will also be positive benefits from new AP provision in a LA with relatively low standards, a history of poor behaviour in schools and a high NEET rate.

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 Stone Soup Learns Free School.