

**Title: The Rural Enterprise Academy**  
**Author: 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 entering into the Academy arrangements (i.e. a Funding Agreement) would be likely to be on maintained schools, Academies, institutions within the further education sector and alternative provision in the area in which the Free School is (or is proposed to be) situated.

**Background**

2. The Rural Enterprise Academy is a 14-19 land-based Technical Academy which is due to open in September 2012. It will be situated on grounds of the Rodbaston campus of the South Staffordshire College. The main sponsor is the South Staffordshire College. In the first year the target was for 120 pupils (90 Year 10 and 30 Year 12) rising to capacity of 300 pupils (180 KS4 and 120 Post-16) by 2015. It is clear that this will not be achieved – there are only 40 confirmed applications for Year 10 and 7 for Year 12 (38% of target). In order to ensure viability it has been agreed that the Free School will open with Year 10 pupils only and that post 16 provision will not start until 2014/15. Full capacity will not be reached until 2016. All secondary schools in the area have sixth form provision but none offer the range of technical subjects which will be available at the REA or would be able to use the existing specialist facilities on the Rodbaston campus including a zoo (with almost 1000 animals), a fish hatchery, working farm, as well as excellent floristry and horticultural departments which all provide real hands-on experience for students.

3. At Key Stage 4, students will be able to choose from programme of GCSEs that facilitates the delivery of the English Baccalaureate or have the option to study a vocational qualification to replace selected GCSEs. All students will study English Language, Maths, Science, ICT and Business Enterprise. All learners will undertake relevant vocational study around the core themes of the rural environment, sustainability and enterprise. This will facilitate progression at age 16 to choice of a programme of A Levels, or a programme of A levels combined with appropriate vocational study at level 3, or entry into apprenticeship, or full time vocational study according to the needs of the individual learners. All learning routes will offer learning contextualised to the Rural Enterprise and Environmental sustainability sectors of employment, whilst developing essential skills, and affording clear progression routes.

4. The core of the sixth form curriculum offer is centred around A Levels in relevant subjects contextualised to develop skills and knowledge relating to the rural enterprise and sustainability sectors, whilst creating a rounded curriculum experience which will develop the skills vital to a wide range of employment opportunities.

## **Catchment Area, its Characteristics and Admissions**

5. South Staffordshire is an area which lies to the north and west of Wolverhampton and the West Midlands, bordering Shropshire to the west and Worcestershire to the south. It contains no towns of major size but is dotted with dormitory villages for Stafford, Wolverhampton, Birmingham and Telford and has large surrounding tracts of countryside.

6. The new school does not have a self-defined catchment area, so we have created a proxy catchment area based on the distance travelled to school by a significant majority (80%) of pupils in Staffordshire. However, in some rural areas this can mean very few schools are included and, in such cases, we define the proxy catchment area as that which includes the five closest schools. In the case of the Rural Enterprise Academy, we have included seven schools within a 4.5 mile radius.

7. Based on school census figures for 2011 the existing secondary schools in the South Staffordshire district (the location of the Free School) have a capacity of 7,394 and currently there are 6,970 pupils on roll. This means that there is a small surplus of places of around 6% of total capacity. The LA projections show that the secondary school population pupils in this area will decrease slightly to 6,497 by academic year 2015/16. As the new Free School is expected to draw in pupils from a wide area, we have looked at the picture in neighbouring districts. With the exception of Tamworth (where there is expected to be an increase of 22%), all other districts in the county of Staffordshire are also projected to see a decline in their secondary school population over the next few years. It is therefore unlikely that any potential negative impact on local secondary schools will be mitigated by increased demand for secondary places in the short term.

8. The school's admissions policy is fully compliant with the School Admissions Code and follows the Staffordshire County Council's admissions criteria. All children applying to the Rural Enterprise Academy will be required to take a verbal and non-verbal reasoning test. Applicants will be placed in one of five bands, based on their performance in the non-verbal reasoning test so that each band represents 20% of the applicants. This process is to ensure that the Rural Enterprise Academy admits an intake that is representative of the national ability range and is comprehensive in its intake. This is not a tool to give priority to more able students. Where fewer applications than the published admission number for the relevant year are received, places will be offered to all those who have applied.

9. If the Rural Enterprise Academy is oversubscribed, after the admission of students with statements of Special Educational Needs, where the Academy is named on the statement, looked after children will be given priority of admission; after that applications will be considered within each band for students whose siblings currently attend the Academy and then any other students based on the proximity of their home address (permanent residence) to the main entrance of the Academy, which is measured in a straight line by using a GIS system.

10. In the event of equal levels of eligibility under these criteria, the Academy will use an independently managed and supervised random allocation method.

### **Local Authority View**

11. The new Free School is expected to draw pupils not only from within Staffordshire County Council area but also from surrounding local authorities. We have therefore sought the views of the following local authorities: Staffordshire County, Birmingham City, Dudley MBC, Sandwell MBC, Shropshire County, Stoke on Trent City, Telford & Wrekin, Walsall MBC, and Wolverhampton City. We received responses from five of these – Birmingham City, Dudley MBC, Sandwell MBC, Shropshire County and Staffordshire County. None of the local authorities raised any substantive objections against the establishment of the Free School and they all confirmed that it would not have a detrimental effect on local provision in their respective areas. In its response Staffordshire County Council endorsed the ambitions of the Rural Enterprise Academy in regard to promoting rural enterprise, environmental sustainability and land based subjects, which they said was an important sector of the local economy and a potential area for future growth.

### **Representations**

12. No direct representations have been received by the Department.

13. The applicants carried out a formal statutory consultation between Monday 12 March and Friday 27 April 2012. The consultation was aimed at local primary and secondary schools, community centres, MPs and local councillors, industry bodies, local businesses and immediate residents as well as HE and FE providers. The target geographical area for the consultation was a 20-mile radius of the site for the new Academy. 5000 copies of the consultation leaflet were distributed. In addition, an extensive email-out was undertaken comprising of a range of tailored letters, the consultation questionnaire, the printed leaflet and links to the consultation website and the DfE model Funding Agreement. The link to the website and online questionnaire was also included in a postcard mail out to prospective parents and students, which were distributed by South Staffordshire College.

14. In addition to the consultation website, the Trust also established a consultation area at two open evenings for the Academy held by the South Staffordshire College. Nearly 30 parents and students talked face to face with the consultation team over the two events but many more visited the consultation area and 70 consultation questionnaires were completed at these events. Secondary schools in the area were invited to arrange a one to one meeting with the chair of the Trust and one school took up this offer.

15. A total of 98 questionnaires were received of which 78 (80%) were in favour of the Trust entering into a Funding Agreement with the Secretary of State, with nine (9%) against. Those that were against were largely concerned that Free Schools in general are creating competition with and divert funding from other schools. Ongoing dialogue with stakeholders should help to alleviate these concerns. The Trust also received two letters – one of support from the Country Land & Business Association and one from Staffordshire County Council, which although seeking additional information, stated its continued support for The Rural Enterprise Academy and its ambitions.

### **Impact ratings for individual secondary schools in South Staffordshire**

16. There are four secondary schools in the local catchment area that would feel a **minimal impact** from the introduction of the Rural Enterprise Academy. Two of them are middle deemed secondary schools – Penkridge Middle School (1.92 miles away) and Brewood CofE (C) Middle School (3.13 miles away). The age range for a middle school is 9-13 so there is no overlap of provision with the age range of the new Free School (14-19). The other two secondary schools – Cardinal Griffin Catholic High School (3.44 miles away) and Cheslyn Hay Sport and Community High School (4.23 miles away) - have had above average attainment and good Ofsted ratings putting them at low risk of losing pupils to a new provider. Even if they did lose some pupils to the new Free School, both have no surplus places and had many more applicants than places available for entry in September 2011 so should be able to fill their places.

17. Three other secondary schools – Wolgarston High School, Cannock Chase High School and Staffordshire University Academy – may suffer a moderate to high impact as a result of the new Free School opening. The specific details are given immediately below:

18. **Wolgarston High School (WHS) – Moderate / high impact** (1.58 miles from proposed site)

**School type:** Community Secondary School

**Capacity:** The school has capacity for 869 pupils and there was a surplus of places equivalent to around 4% of total capacity in 2010/11. The school was slightly undersubscribed for entry in 2011/12, with 215 places allocated out of the 220 places available.

**Ofsted:** The school was given an overall effectiveness rating of Good by Ofsted in its last inspection in 2009. As part of their last report, Ofsted noted that the school was making good progress and had demonstrated capacity for sustained improvements. The introduction of the Free School could make it harder for Wolgarston to make further improvements if potential pupils chose instead to go to the new Free School (especially if they are pupils from the higher end of the ability range).

**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 2011 (provisional results) compared with 58% nationally. Attainment has been steadily falling since 2009.

**Impact: Moderate/high** – Wolgarston is the closest school to the proposed Free School site, less than the average distance travelled to secondary school in Staffordshire (1.7 miles). So, in principle, it is likely to lose more potential pupils to the Free School than schools further away. It has below average Key Stage 4 attainment so parents may be attracted to an alternative.

19. **Cannock Chase High School – Moderate / high impact** (3.98 miles from proposed site)

**School type:** Academy Convertor (in September 2011)

**Capacity:** The school has capacity for 1,845 pupils and there was a surplus of places of equivalent to 27% of total capacity in 2010/11. The school was undersubscribed for entry in 2011/12 with 208 places allocated out of the 250 places available.

**Ofsted:** The school was rated as good by Ofsted in its last inspection in 2009. As part of their last report, Ofsted noted that leaders and managers at all levels know their school well and work cohesively to develop its provision and standards. Therefore, the school has the capacity to improve further and its Academy status means that it will have support in doing this. The introduction of the Free School may make it harder for the school to carry on improving if potential pupils chose instead to go to the new Free School (especially if they are pupils from the higher end of the ability range.)

**Attainment:** The school has Key Stage 4 attainment below the national average – 47% of pupils achieved 5+ A\*-C grades including English and maths GCSE in 2011 (provisional results) compared with 58% nationally. Attainment has been improving steadily but remains below average and is only four percentage points higher than in 2007.

**Impact: Moderate/high** - This school is located just less than four miles from the proposed Free School site, well above the average distance travelled to secondary school in Staffordshire (1.7 miles). So, in principle, we would expect this school to lose fewer pupils to the Free School than schools closer by. However, the school has attainment below the national average so parents may be attracted to an alternative and may be willing to travel the extra distance. Any losses could be mitigated by the good Ofsted rating and the recent conversion of this school to Academy status.

20. **Staffordshire University Academy – Moderate/ high impact** (4.26 miles from the proposed site)

**School type:** Sponsored Academy which opened in September 2011. It replaced Blake Valley Technology College.

**Capacity:** The school has capacity for 833 pupils (around 156 pupils per year group) and it has inherited a small surplus of places from its predecessor school of around 2% of total capacity in 2010/11. The school was undersubscribed for entry in 2011/12 only managing to fill 88 of the 156 places on offer.

**Ofsted:** The school has not had a full inspection as an academy but the predecessor school received an overall effectiveness rating of Satisfactory by Ofsted in its last inspection in March 2011.

**Attainment:** The predecessor school had Key Stage 4 attainment below the national average – 50% of pupils achieved 5+ A\*-C grades including English and maths GCSE in 2011 compared with 58% nationally. Attainment has improved by over 30 percentage points between 2007 and 2011.

The predecessor school saw rapid improvements in attainment, and now as a sponsored Academy it is reasonable to expect that the school will further improve its attainment level. The introduction of the Free School could make it harder for this school to carry on improving if potential pupils chose instead to go to the new Free School (especially if they are pupils from the higher end of the ability range.)

**Impact: Moderate/high** – This school is located just over four miles from the proposed Free School site, well above the average distance travelled to secondary school in Staffordshire (1.7 miles). So, in principle, we would expect this school to lose fewer pupils to the Free School than schools further away. However, the school has attainment below the national average so parents may be attracted to an alternative and may be willing to travel the extra distance.

Although the school currently only has a small number of surplus places, it was significantly undersubscribed for entry in September 2011, only managing to fill 56% of places available. With the introduction of the Free School, this school may find it increasingly difficult to fill its places over the next few years and the surplus capacity may increase. It is unlikely that any loss of pupils will be mitigated by an increased demand in the area as the secondary school population is projected to decline. Therefore the opening of the Free School could have a negative impact on the long term viability of the school.

### **Impact on Special Schools, Alternative provision and FE institutions**

21. The Free School 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 schools. There is one alternative provision establishment (Chaseley PRU) in the proxy catchment area but any impact is expected to be low.

## **Impact on other education establishments in South Staffordshire**

22. The only sixth form college within the proxy catchment area of 4.5 miles is South Staffordshire College (ie. the lead proposer). The curriculum offered by the Free School will be distinct enough that the college do not anticipate any negative impact. Given the age range of the new Free School (14-19) and the fact that the LA run a three-tier system, the impact on any primary schools in the proxy catchment area is expected to be extremely low.

## **Conclusion**

23. There are a total of seven secondary schools within 4.5 miles of the proposed site. Two of these are middle schools with no age overlap and are therefore not likely to be affected by the opening of the new Free School. Of the remaining five secondary schools, three of them are expected to feel a moderate to high impact. As each of these schools tend to have low attainment and low Ofsted ratings, this will put them at a higher general risk of losing pupils to a more attractive new provider. All three have some surplus capacity and were undersubscribed for entry in 2011/12 -the loss of further pupils may exacerbate this. The secondary school population in the area is projected to decline over the next few years so it is unlikely that any loss of pupils to the new Free School will be mitigated by growing demand.

## **Recommendation**

23. Based on the information above we believe that any negative impact on local secondary schools is likely to be outweighed by the positive impact the Rural Enterprise Academy will have in increasing parental choice, addressing the increasing demand for secondary school places in the area and increasing competition to drive up standards. It is, therefore, appropriate for the Secretary of State to enter into a Funding Agreement with the Rural Enterprise Academy Trust.