

Title: Tiger Primary School
Author: Department for Education (DfE)

Impact Assessment – Section 9 Academies Act Duty

Background

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 is likely to be on maintained schools, Academies and institutions within the further education sector in the area in which the additional schools is (or is proposed to be) situated.”*
2. The Tiger School is a 420 place primary Free School aiming to open in September 2012 in Maidstone, Kent. It will open with 77 pupils on roll (60 in Reception and 17 in Year 1). It is being established by the Future Schools Trust (FST), an existing Academy sponsor that operates two secondary Academies in Maidstone – Cornwallis Academy and New Line Learning Academy.
3. The Tiger School will be a non-denominational school and will be established on the New Line Learning Academy site. For the first two years of the Free School’s operation it will be located in two spare classrooms in the main Academy building. The intention is for the school then to move to new, permanent premises built on spare land within the Academy site boundary for use from September 2014 onwards.
4. *For the first year of operation, FST is managing the admissions for The Tiger School. From 2013 onwards, the Free School will join up with the Kent admissions process.*
5. The oversubscription criteria will see places will be allocated in the following order:
 - a. Looked after children
 - b. Current family association with The Tiger School
 - c. Proximity to the school as measured in a straight line from the front door of the applicants’ home to the main entrance of the Free School.
6. Applicants with SEN will be admitted where The Tiger School is named in the statement.

Consultation

7. FST ran a public consultation between 24th October and 16th December 2011. As part of the consultation, FST:
 - a. Held a number of public meetings where they set out the ethos and vision of the Free School
 - b. Sent leaflets to over 23,000 homes in Maidstone
 - c. Set up an online survey to encourage the public to submit their thoughts on the proposal
 - d. Contacted Kent County Council to gain their opinion

- e. Wrote to all local primary and secondary head teachers inviting them to comment
 - f. Placed advertisements in local newspaper to highlight the consultation and encourage comments.
8. FST received 131 responses from the public. Of this figure, 114 were received from the online questionnaire and 17 were letters.
 9. When asked if they support the proposal to open a new primary school in South Maidstone, 93% of correspondents (122 out of 131) responded positively. The main reasons given were that more parental choice was needed in an expanding residential area where good schools were already oversubscribed. 7% (nine out of 131) opposed the proposals, commenting that more money should go to existing primary schools.
 10. When asked if FST should enter into a Funding Agreement with the Secretary of State, again 93% of correspondents (122 out of 131) agreed. 7% (nine out of 131) respondents disagreed.
 11. All local primary and secondary head teachers received letters from the FST Chief Executive, Gigi Luscombe, inviting them to participate in the consultation and submit their views. No head teachers responded to the consultation and the only contact FST received was from two head teachers who simply acknowledged the letter.
 12. Comments from members of the public responding to the consultation included:
 - a. *"We welcome an increased choice of schools for our children which may present different opportunities."*
 - b. *"The school is both innovative in a meaningful way (Chinese and music) and yet part of an already successful organisation – the Future Schools Trust."*
 - c. *"Falling rolls and existing primary schools that need more funding and support should be a concern for the current council and government, not starting new schools."*
 - d. *"A school like this is much needed in this area as there are a few that are oversubscribed or not run correctly."*

Local authority opinion

13. Patrick Leeson, Corporate Director of Education, Learning and Skills at Kent County Council wrote to Lord Hill in December 2011 following a formal letter from the Minister asking for Kent's opinion on the Free School. Kent opted to provide their opinions directly to the Department rather than through the FST consultation.
14. Kent stated that they support choice and diversity and are embracing the Free Schools policy as it helps to support the provision and raise standards whilst increasing choice for parents.
15. However, Kent suggested that FST are not capable of operating a successful primary Free School as they previously failed in an attempt to sponsor Bell Wood and Oak Trees Primary Schools (known as the South Maidstone Federation) in 2011. FST presented to Kent and Education Advisors from the Department who were tasked in 2011 with finding a sponsor for these two failing schools. FST failed as a result of a poor presentation and a lack of primary expertise.

16. Kent highlighted their concerns about the 2011 GCSE results at New Line Learning Academy (31% A*-C including English and maths) and suggested that FST should be focusing on improving the Academy rather than setting up another school.
17. Kent also raised their concern that the arrival of The Tiger School would make it harder for them to find suitable sponsors for Molehill Copse and Greenfields Primary Schools. The Free School would take pupils from these schools and this would discourage potential organisations from coming forward.
18. Despite these concerns, Kent stated that they were happy to work with FST and would welcome them into the family of schools in the area if a Funding Agreement was signed.

Impact on surrounding schools

19. We have assessed the impact that The Tiger School will have on surrounding schools should it open this September.
20. As The Tiger School is a primary school, the impact on secondary maintained schools, Academies and institutions within the further education sector will be minimal. The Tiger School could encourage parents of pupils to apply for their child to attend New Line Learning Academy when instead they would have opted for other secondary schools. However, The Tiger School is being seen as an opportunity for parents to send their children to an FST school at an even earlier age. We have therefore focused the majority of our efforts on assessing the impact of The Tiger School on nearby primary schools.
21. The average distance travelled to primary school by pupils in Kent is one mile. As this is an average figure, many pupils will travel beyond this distance. We have therefore considered the impact of the Free School on primary schools within a 1.5 mile radius.
22. We have compared the Key Stage 2 results of the assessed primary schools to the national average. Key Stage 2 results are measured by the percentage of pupils at each school achieving Level 4 and above in English and maths in the latest set of tests, in this case those taken in 2011. We have compared this figure to the 2011 national average which was 74%.
23. Any surplus places of the assessed primary schools are being measured as a percentage of the total capacity using the latest data, gained in May 2011. This data is unlikely to have changed significantly since it was collected.
24. It is important to note that the primary school population in Maidstone is projected to grow by 7.1% over the next five years. Any potential negative impact of the Free School on any local primary school could be mitigated by this population rise.
25. Within the 1.5 mile radius, the Free School is expected to have:
 - a. a minimal impact on four nearby primary schools
 - b. a moderate impact on six nearby primary schools

- c. a high impact on two nearby primary schools.
26. The four schools that the Free School will have a minimal impact on are (brackets indicate distance from The Tiger School):
- a. Loose Infant School (0.56 miles)
 - b. Loose Junior School (0.56 miles)
 - c. Senacre Wood Primary School (1.13 miles)
 - d. Boughton Monchelsea Primary School (1.41 miles).
27. All of these schools have good Ofsted ratings and were oversubscribed for entry in September 2011. Even if they did lose pupils to The Tiger School, they should still be able to fill all or most of their places.
28. The six schools that the Free School will have a moderate impact on are (brackets indicate distance from The Tiger School):
- a. Molehill Copse Primary School (0.56 miles)
 - b. Park Way Primary School (0.81 miles)
 - c. Greenfields Community Primary School (0.95 miles)
 - d. South Borough Primary School (1.02 miles)
 - e. Holy Family RC Primary School (1.30 miles)
 - f. Archbishop Courtenay Primary School (1.48 miles)
29. Molehill Copse Primary School has a capacity for 280 pupils and has a very small surplus, 1% of total capacity in 2010/11. All entry places were filled in 2011/12 but the school was technically undersubscribed as six children were placed here by Kent County Council as their preferred school choices could not be met. Ofsted rated the school as inadequate in 2010 and it was given a Notice to Improve. A monitoring inspection was carried out in May 2011 which found that satisfactory progress was being made. Key Stage 2 attainment in 2011 was low, with only 53% achieving Level 4 and above in English and maths compared to the national average of 74%. These factors suggest that parents will choose alternative schools for their children. This includes The Tiger School as it is only half a mile away and many primary school aged pupils will live within a reasonable distance of both schools. The Tiger School could therefore negatively impact on the long-term viability of Molehill Copse Primary School.
30. Park Way Primary School has a capacity of 315 pupils and had a surplus of 20% in 2010/11. All entry places were filled in 2011/12 but the school was technically undersubscribed as 16 children were placed here by Kent County Council as their preferred school choices could not be met. The school was rated as satisfactory by Ofsted in 2010 and had 63% of pupils gaining Level 4 and above in English and maths at Key Stage 2, below the national average of 74%. Parents may therefore be

attracted to sending their children to other schools. This includes The Tiger School which is only 0.82 miles away. Many pupils will therefore live within a reasonable distance of both schools. The Tiger School could therefore lead to Park Way struggling to fill places in future years.

31. Greenfields Community Primary School has a capacity of 315 pupils and had a surplus of 16% in 2010/11. In addition, it was undersubscribed for entry in 2011/12. Ofsted rated the school as satisfactory in 2009 and it had a below average Key Stage 2 attainment in 2011, just 49% achieved Level 4 and above in English and maths compared to 74% nationally. These factors strongly suggest that parents will be attracted to other schools. As The Tiger School is just under a mile away, many families will live within reasonable distance of both schools. They could possibly choose to send their children to The Tiger School, negatively impacting upon Greenfields future viability.
32. South Borough Primary School has a capacity of 225 pupils and has a large surplus of places, 22% in 2010/11. It was rated as satisfactory by Ofsted in 2010 and had a below average attainment at Key Stage 2 in 2011 with 63% of pupils achieving Level 4 and above in English and maths compared to 74% nationally. These factors suggest that parents may be attracted to sending their children to other schools. This includes The Tiger School (just 1.02 miles away) as many primary school aged pupils will live within a reasonable distance of both schools. However, despite the overall surplus, South Borough was oversubscribed for entry in 2011/12 which indicates that it is currently popular with parents. This oversubscription will help South Borough fill places should some parents choose The Tiger School instead.
33. Holy Family RC Primary School has a capacity of 210 pupils and had a surplus of 20% in 2010/11. It was undersubscribed for entry in 2011/12. Ofsted rated the school as inadequate in 2011 and placed the school in special measures. The school had below average Key Stage 2 results in 2011, with 65% of pupils achieving Level 4 and above in English and maths compared to 74% nationally. These factors strongly suggest parents will be attracted to other schools. However, as the school is Roman Catholic, it is likely to remain popular with parents wanting their child to attend a school with this particular faith ethos. In addition, The Tiger School is 1.30 miles away and only a minority of families will live within reasonable distance of both schools.
34. Archbishop Courtenay Primary School has a capacity of 270 pupils and has a very large surplus of places, 43% in 2010/11. Also, the school was undersubscribed for entry in 2011/12. It was rated as satisfactory by Ofsted in 2010 and had a below average attainment at Key Stage 2 in 2011, with 43% of pupils achieving Level 4 and above in English and maths compared with 74% nationally. These factors suggest that parents may be attracted to sending their children to another school. However, Archbishop Courtenay is located 1.48 miles away from The Tiger School and only a small number of primary school aged pupils will live within reasonable distance of both schools. Should parents opt for other schools, only a few are likely to choose The Tiger School.
35. The two schools that the Free School will have a high impact on are (brackets indicate distance from The Tiger School):

- a. Oak Trees Community School (0.33 miles)
 - b. Bell Wood Community Primary School (1.15 miles).
36. Oak Trees Community School has a capacity of 189 pupils and has a huge surplus, 49% in 2010/11. It was massively undersubscribed in 2011/12 with just 27 applications for the 45 places on offer. Ofsted rated the school as satisfactory in 2011 but it had below average Key Stage 2 attainment in English and maths, with only 57% achieving the Level 4 or above compared to 74% nationally.
37. Bell Wood Community Primary School has a capacity of 315 pupils and had a surplus of 35% in 2010/11. All of entry places were filled in September 2011 but it was technically undersubscribed as six children were placed in this school by Kent County Council as their preferred school choices could not be met. Ofsted rated Bell Wood as inadequate in 2009 and placed it in special measures. It remains in special measures despite a fifth monitoring inspection taking place in November 2011. Bell Wood had a hugely below average attainment at Key Stage 2 in 2011 with just 23% of pupils achieving Level 4 or above in English and maths in 2011 compared to the national average of 74%.
38. The significant underperformance of both Oak Trees and Bell Wood has led to them becoming federated as the South Maidstone Learning Federation in January 2011. This Federation became an Academy sponsored by AET on 1 April 2012 with both schools being renamed as Oaks Academy and Tree Tops Academy respectively. As both schools are close to The Tiger School, many primary school aged pupils will live within a reasonable distance of all three schools. As a result of becoming a sponsored Academy, a turnaround in the fortunes of Oaks Trees and Bell Wood (under their new names) is expected. Improvement will not be instant however and parents may choose to send their children to the Free School over the Federation for the next couple of years. However, the expected improvement of Oak Trees and Bell Wood will lessen the initial impact of The Tiger School as they will be able to retain and attract pupils to their schools again.
39. Whilst it appears that some of the surrounding schools look set to lose pupils to The Tiger School, these schools should feel encouraged to raise their standards and the quality of the education they offer in order to retain current pupils and attract future applications. None of the existing primary schools have been deemed outstanding by Ofsted and many have below average pupil attainment at Key Stage 2 in 2011, some significantly so. Improvements can be made. Should these schools indeed rise to the challenge of a Free School being opened, the impact of The Tiger School could be seen as being positive.

Conclusion

40. Eight schools are likely to be negatively impacted by the arrival of the Free School. Data suggests that these schools are already struggling both academically and in attracting pupils, something the Free School could exacerbate. However, the fact that there are eight schools being negatively impacted is itself a moderating factor as the impact will be spread out amongst all of these schools. The impact will also be lessened by the expected increase in primary school aged pupils in Maidstone by 7.1% over the next five years. Those schools likely to be most impacted – Bell Wood

and Oak Trees – are expected to improve now that they are a sponsored Federation. This could in turn lead to parents selecting this school when they previously would have chosen elsewhere.

41. Kent County Council is broadly content despite some concerns on the proposer group. That said, Kent will welcome the Free School into their family of schools. The public consultation was successful with the vast majority of those surveyed agreeing that The Tiger School being established is positive for the town and local area.
42. Overall, the establishment of The Tiger School should be a positive development for this part of Maidstone. Any potential negative impact on existing schools could be offset by these schools feeling obliged to raise their standards in order to retain pupils that may have otherwise chosen to join the Free School. It is therefore appropriate for the Secretary of State to enter into a Funding Agreement with FST.