



Department  
for Education

# **Free schools applications: criteria for assessment**

**Special schools**

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## Introduction

We have taken steps to make the application process for opening a free school as clear and simple as possible.

Details of everything you need to include in your application are set out here. However, you should also refer to the [How To Apply Guide](#), which provides background to the free schools policy and what is involved in establishing a new free school. We also recommend that you seek support from [New Schools Network](#), a charity which provides free advice to free school applicants.

### What type of applicant are you?

The information you need to provide depends on the type of applicant you are and the type of free school you want to open. All applicants must provide some details, but the issues we are most interested in testing through the application process will vary depending on your proposal and experience. In some cases, we also hold information about you already, in which case, you will not need to provide it again.

Throughout this guidance we refer to seven different types of applicant.

1. An applicant group that does not currently run any special schools. For example, a group of parents or teachers, a community group or a business.
2. A state-funded special school or group of schools, with a strong track record that wants to replicate its existing special school for children with similar needs.
3. A state-funded non-special school group of schools, with a strong track record that wants to open a special free school. For example, a group of “good” secondary academies that wants to open a special free school.
4. A multi-academy trust (MAT) or approved academy sponsor with a strong track record and with one or more existing special schools that wants to replicate one of its existing special schools.
5. A MAT or approved academy sponsor with a strong track record but without special schools, that wants to open a special school. For example, a MAT made-up of mainstream secondary schools that wants to open a special free school.
6. An independent special school that wants to join the state sector.
7. An independent special school that wants to replicate its provision in the state sector.

Please refer to the table below to see what information you need to provide us with in each section of the application form.

Information needed	Applicant type:						
	1	2	3	4	5	6	7
Section A: Applicant details	Complete details in spreadsheet						
Section B: Outline of school	Complete details in spreadsheet						
Section C: Vision	An overarching vision for your school (1-3 pages)						
Section D: Education plan	An education plan that shows how your vision will be delivered (35-60 pages)	How you will adapt your existing model to replicate its success (10-20 pages)	An education plan that shows how your vision will be delivered (35-60 pages)	How you will adapt your existing model to replicate its success (10-20 pages)	An education plan that shows how your vision will be delivered (35-60 pages)	An education plan that shows how your vision will be delivered (35-60 pages)	An education plan that shows how your vision will be delivered (35-60 pages)
Section E: Evidence of need	Evidence of need or demand for your school (5-10 pages)						
Section F: Capacity and capability	Your capacity to open and run a new school successfully (10-20)			The capacity of your trust to expand and written confirmation of this from your RSC (5-10 pages)		Your capacity to become a state funded school (10-20)	Your capacity to open and run a new school successfully (10-20)
Section G: Financial plans	Plans that demonstrate your school's viability (1-5 pages and financial plans)	No information required	Financial plans that demonstrate your school's viability (1-5 pages and financial plans)	No information required	Plans that demonstrate your school's viability (1-5 pages and financial plans)	Financial plans that demonstrate your school's viability (1-5 pages and financial plans)	Plans that demonstrate your school's viability (1-5 pages and financial plans)
Section H: Premises	Complete details in spreadsheet						
Total application length	45-75 pages	25-45 pages	45-75 pages	20-35 pages	35-60 pages	45-75 pages	45-75 pages

If you are uncertain about which type of applicant you are or what information you need to provide, please contact New Schools Network.

When considering the information above, please note the points below – which are relevant to certain types of applicant.

### Confirming capacity and capability: applicant types 4 and 5

Where possible, **applicant types 4 and 5** should discuss their expansion plans with their regional schools commissioner (RSC) and include the RSC’s written confirmation that they have the capacity to open one (or more) free schools. RSC contact details are below. Cross-regional trusts should start by contacting their ‘lead’ RSC, but *may* also need to contact the RSC covering the location of the proposed school.

Region	RSC	How to contact
East of England and NE London	Tim Coulson	<a href="mailto:rsc.eastnelondon@education.gsi.gov.uk">rsc.eastnelondon@education.gsi.gov.uk</a>
Lancashire and West Yorkshire	Vicky Beer	<a href="mailto:lwy.rsc@education.gsi.gov.uk">lwy.rsc@education.gsi.gov.uk</a>
South Central and NW London	Martin Post	<a href="mailto:rsc.scnwl@education.gsi.gov.uk">rsc.scnwl@education.gsi.gov.uk</a>
North	Jan Renou	<a href="mailto:rsc.north@education.gsi.gov.uk">rsc.north@education.gsi.gov.uk</a>
East Midlands and Humber	Jenny Bexon-Smith	<a href="mailto:emh.rsc@education.gsi.gov.uk">emh.rsc@education.gsi.gov.uk</a>
South West	Rebecca Clark	<a href="mailto:rsc.sw@education.gsi.gov.uk">rsc.sw@education.gsi.gov.uk</a>
West Midlands	Christine Quinn	<a href="mailto:rsc.wm@education.gsi.gov.uk">rsc.wm@education.gsi.gov.uk</a>
South East and S London	Dominic Herrington	<a href="mailto:rsc.sesl@education.gsi.gov.uk">rsc.sesl@education.gsi.gov.uk</a>

### ‘A strong track record’

**Applicant types 2, 3, 4 and 5** need to have a ‘strong track record’ in order to apply.

When we use this phrase, we mean:

- You have a ‘good’ or ‘outstanding’ judgement from Ofsted;
- Your externally moderated data on achievement, with particular reference to rates of progress, is at least in line with where it was at the last Ofsted inspection, and should show that pupils’ rates of progress are above average for comparable cohorts in other settings.

Where **applicant types 4 and 5** run more than one school, not all of them need to meet this definition. We will, however, be interested to know why any schools are weaker (if they are) and what plans you have to improve them.

**All applicant types** – should keep this definition in mind when explaining the track record of the individuals in their group.

## Section A – Tell us who you are

### Things you need to know:

In this section we ask you for basic information about your applicant group and your company limited by guarantee (where this exists).

- There are no assessment criteria for this section.
- If you are applying to establish more than one free school under the same multi-academy trust, you need only complete this section once.
- If you are applying for more than one free school, but with each free school managed by a different trust, you must complete a separate version of this section for each school and make clear the connection between your applications.
- For studio schools applicants, list the names of the other schools within your multi-academy trust.

### Notes on this section:

All applicants will need to provide details of their company limited by guarantee. If you have not done this, you will need to set one up using the [department's model articles](#). Please do so before you apply.

As companies limited by guarantee, certain details will be publicly available on the Companies House website. However, the personal information you provide in **Section A** will be treated in accordance with the Data Protection Act 1998.

Personal data is collected on the Word and Excel templates in order to consider an application to set up a free school and will not be used for other purposes. For the purposes of the Data Protection Act, the Department for Education is the data controller for this personal information and for ensuring that it is processed in accordance with the terms of the Act.

The department will hold all personal information you supply securely and will only make it available to those who need to see it as part of the free school application process.



## **Section B – Your chosen school**

In this section we want you to tell us the important details of the type of free school you are proposing.

- There are no assessment criteria for this section.
- If you are applying for more than one free school, you must complete Section B and Section H for each free school for which you are applying.

## Section C – Vision

This is your opportunity to tell us about the overarching vision for your school and how it informs your education plan. You will need to demonstrate in later sections that the vision is both deliverable and affordable within the funding allocated to free schools. Your application should be coherent and consistent throughout and work together as a cohesive whole.

Please note that alternative provision free schools cannot be designated as having a religious character. Applicants may seek to register as having a distinct religious ethos which is reflected within the vision and values of the school but will not normally be able to appoint teachers on the basis of faith and will not be able to have faith-based admissions arrangements for pupils.

### Things you need to know:

All applicants should complete this section in full; you must:

- Describe the rationale for your school: why you want to set up a special free school in the area you have identified and for the pupils you intend to educate;
- Include a brief explanation of the school's key features, including the proposed age range, any particular ethos you wish the school to have (eg any religious or other beliefs) and a rationale for nursery or sixth form provision (where applicable);
- Ensure your vision is consistent with the rest of your application.

*You do not need to provide details of your intended enrichment programme at this stage, however, if an enrichment programme is crucial to achieving your vision you should mention it in this section and provide more details in the education plan (D1).*

### Information required of different applicants:

**Applicant types 2, 3, 4 and 5** should also provide:

- A brief overarching vision for your trust/chain, including: the number and types of open schools you already manage and have in pre-opening (including free schools, academies, voluntary aided schools and independent schools); and your planned expansion strategy (including how many schools you hope to have in total, your planned geographical spread and timescales).
- How the new school(s) you are proposing form(s) part of that vision, and any changes you want to make to it.

### How much you should write

We would normally expect the vision section to be no more than three pages long for a single school and longer where you are applying for two or more schools.

## Section D – Education plan

This is the heart of your application. Your education plan must explain how your school will achieve its education vision.

### Things you need to know:

Section D of the application form is made up of two different parts:

**Part A** asks you to complete a table showing how your school will grow over time to full capacity. The numbers included in this table must be consistent with the pupil numbers used in the budget planning spreadsheet (where we have asked you to complete one).

**All applicants** must complete this table. Applicants bidding to open multiple schools must complete a separate table for **each school you are proposing**.

**Part B** is where you should provide the information relevant to the criteria below.

- D1 - the curriculum;
- D2 – measuring pupil performance;
- D3 - the staffing structure;
- D4 - ensuring inclusivity;
- D5 – ensuring the particular needs of the children coming to your school have been carefully considered and will be met appropriately.

These sections must demonstrate how you will deliver your vision. As well as being achievable, your education plan must be affordable within the funding allocated to free schools and consistent with your financial plans.

### D1 – An ambitious and deliverable curriculum plan which is consistent with the vision and pupil intake

#### Things you need to know:

Within this section, all applicants will be assessed on the quality of their plans and the extent to which they meet the criteria.

All applicant types should include within this section the tables that are in the application form. These should show:

- A list of subjects to be offered with the number of hours spent per week on each. You do not need to provide sample timetables;
- The length of the school day, including any enrichment time, making a distinction between compulsory and voluntary activities.

#### Information required of different applicants:

### **Applicant types 1, 3, 5, 6 and 7 must:**

- **Demonstrate that your proposed curriculum will be deliverable**
- **Demonstrate that your curriculum is broad, balanced, and appropriate for the types of need for which you intend to cater.** We will look at how you intend to develop literacy and numeracy skills and science skills. We will also look at how you prepare pupils for adulthood – including how your curriculum will improve pupils' skills and outcomes in independence, employability, healthy living and participation in society. If your curriculum plans rely on wrap-around facilities (eg independent living practice placement flats), you should mention that here.
- **Offer appropriate qualifications;**
- **Demonstrate an understanding of the expected pupil intake and their needs;**
- **Provide a rationale for the type of curriculum proposed which is consistent with the vision.** *Please explain how it meets the needs of the expected intake, whilst having an ambitious approach to meeting those needs. If you are proposing to teach something other than the national curriculum, please reference (but do not copy and paste) evidence (where it is available) which demonstrates that it is a good and successful model (eg results of academic research);*
- **Include a strategy to assess and meet the needs of all pupils** including looked after children, those requiring literacy recovery/intervention (including English as an additional language), the most able (gifted and talented), those with differing degrees of SEN and disabilities, and pupil premium;
- **Include the strategies you will put in place to support pupils to be successful when they enter and leave the school;**

### **Applicant types 2 and 4 must provide:**

- Details about the pupil population at the existing school(s) (eg levels of EAL, FSM, etc) and how the pupil population at the new school(s) will be different;
- Information about what, if anything, you will need to change about your curriculum in response to those differences (eg if the new school will be in an area with much higher EAL, will that change your approach to literacy?);
- How the curriculum at the new school(s) will improve students' skills and outcomes in independent living, employability, healthy lives and participation in society. If your curriculum plans rely on wrap-around facilities (eg independent living practice placement flats), you should mention that here.
- Information about how the new school will be a different age range or for slightly different kinds of needs, explain how the curriculum will those needs, whilst having an ambitious approach to doing so,

- An overview of else that will need to be different about the curriculum at the new school (eg are there any changes to the subject choices you'll offer because the labour market near your new school will be different?);
- An explanation of how you will ensure the new school(s) and your current school(s) are consistent in their approach to teaching and learning, etc;

*If you have a number of strong schools of the same phase and type as the new school(s) you are proposing, you can either compare the intake at the new school(s) to one of your existing schools (and tell us which one), or compare the intake at the new school(s) with the cohorts at your trust's schools as a whole.*

We will assess the quality of your plans based on a combination of your track record and the evidence you provide against the criteria.

**How much you should write:**

**For applicant types 1, 3, 5, 6 and 7** - we would normally expect Section D1 to be 20 to 30 pages long.

**For applicant types 2 and 4** - we would normally expect Section D1 to be up to 5 pages long.

## **D2 – Measuring pupil performance effectively and setting challenging targets**

**Information required of different applicants:**

**Applicant types 1, 3, 5, 6 and 7 must:**

- Describe how you will establish a baseline of students' current level of attainment (including external validation of this) and put in place an assessment and data tracking system that will allow pupil performance to be monitored and continuously improved, ensuring this relates to the outcomes in an individual's EHC plan;
- Have ambitious and realistic targets for pupil performance, behaviour and attendance, explaining why they are suitable to measure the delivery of your education vision, and what your strategy will be to achieve them;
- Explain how you will review success measures and targets regularly to improve the school's performance, including non-academic targets for students' skills and outcomes in independence, employability, healthy living and participation in society. This could include benchmarking assessment data with other relevant schools. Explain how you will involve pupils themselves and their families in decisions about their support, ambitions, and progress.

We will also assess the **quality** of your plans to:

- Use appropriate data to inform teaching and drive progression and attainment for all pupils;
- Focus on measuring and improving quality of teaching in the classroom;
- Liaise with and report progress to parents, and involve pupils themselves and their families in decisions about their support, ambitions, and progress.

**Applicant types 2 and 4 must:**

- Explain anything that will be different in the new school compared to the existing school you are replicating;
- Demonstrate how you will ensure the new school and your current school(s) is consistent in their approach to assessment, target-setting, behaviour etc, including non-academic targets for students' skills and outcomes in independence, employability, healthy living and participation in society, and in how you involve pupils themselves and their families in decisions about their support, ambitions, and progress. If you compared with a single school in D1 please use the same school for comparison; if you compared to the whole cohort please do the same here.

We will assess the quality of your plans based on a combination of your track record and the evidence that you give against the criteria.

How much you should write:

**For applicant types 1, 3, 5, 6 and 7** – we would usually expect Section D2 to be five to 10 pages long.

**For applicant types 2 and 4** – we would usually expect Section D2 to be up to five pages long.

## **D3 – A staffing structure that will deliver the planned curriculum within the expected income levels**

**Things you need to know:**

All applicants will be assessed on the extent to which your staffing structure matches the curriculum proposed and your financial plans.

You do not need to include information about the affordability of your staffing plans in this section. This will be assessed in Section G.

**Information required of different applicants:**

**Applicant types 1, 3, 5, 6 and 7 must:**

- Demonstrate that as the school grows to full capacity, you will have an affordable staffing structure and sensible phasing plans that deliver a suitable (interim/developing) curriculum plan.

- Provide an organogram showing the proposed staffing structure each year until the school is at full capacity in line with planned pupil numbers (including for nursery and sixth form provision, where applicable). You can provide a table demonstrating the growth in staffing, as long as you have an organogram demonstrating lines of accountability for your school at steady state;
- Demonstrate that at full capacity, your staffing structure is sufficient to deliver the curriculum plan, consistent with the information provided in the budget plans;
- Demonstrate that at less than full capacity, your staffing structure is sufficiently flexible to respond to reductions in funding and can still deliver a sufficient curriculum, including an overview explanation of how you would approach making savings;
- To do this you should explain the actions you would take to reduce costs, the reasons for these actions and the reason you have prioritised the actions as you have. You should explain how your amended plans would continue to support delivery of your education vision and plan and any changes you would have to make to the education plan;
- If you have existing schools but are still completing this longer information (eg because your existing schools are for a type of provision), you should also tell us briefly whether you intend to use any of your existing staff in this school and if so how this will work in practice.

**Type 6 applicants** should also note that:

- You must ensure that the staffing structure is compliant with the statutory responsibilities of a state school (eg SEND and child protection) and will meet the requirements/expectations of Ofsted 'good' or better; and can be delivered with your expected income;
- You will want to consider the appropriateness of existing staffing structures and how they might change to live within the levels of per pupil income you anticipate.

We will also assess the **quality** of the staffing structure through the extent to which:

- It includes an appropriate balance of roles, experience and expertise across the senior leadership team, middle managers, SENCO, subject leaders, teachers, support staff, personal coaches etc;
- You have credible contingency plans to adapt your staffing structure and still deliver a sufficient curriculum if income were less than expected;
- The changes proposed, if there were a reduction in income, would result in an affordable, good quality education plan which would be consistent with the vision for the school; and reflective of its particular characteristics.

**Applicant types 2 and 4 must:**

- Provide an organogram based on the school you are replicating (or on your trust-wide staffing model if you are comparing the new school to your whole cohort), showing the proposed staffing structure for teaching and support staff each year until the school is at full capacity in line with planned pupil numbers (including for nursery and sixth form provision, where applicable). You can provide a table demonstrating the growth in staffing, as long as you have an organogram demonstrating lines of accountability for your school at steady state;
- Tell us whether you intend to use any of your existing staff in the new school(s) and if so how will this work in practice. Please tell us how you would use staff from any of your existing schools, if you have more than one.
- Demonstrate that you have credible contingency plans to adapt your staffing structure and still deliver a sufficient curriculum if income were less than expected. In addition, show that the changes proposed, if there were a reduction in income, would result in an affordable, good quality education plan which would be consistent with the vision for the school; and reflective of its particular characteristics.

**How much you should write:**

**For applicant types 1, 3, 5, 6 and 7** – we would usually expect Section D2 to be five to 10 pages long.

**For applicant types 2 and 4** – we would usually expect Section D2 to be up to five pages long.

**D4 – The school will be welcoming to pupils of all faiths/world views and none, and will develop students’ skills in leading healthy lives and being active citizens**

**All applicants must demonstrate:**

- That the school will be welcoming to pupils of all faiths/world views and none; and show how the school will address the needs of all pupils and parents;
- How the curriculum will prepare children for life in modern Britain including through the teaching of spiritual, moral, social and cultural (SMSC) education. Consideration must be given to relevant issues, for example how the school will teach PHSE, adhere to the Prevent Duty and have appropriate policies on safeguarding and welfare;
- How the school will promote fundamental British values of democracy, the rule of law, individual liberty, and mutual respect and tolerance of those with different faiths and beliefs, and how it will develop in students the skills to participate in society and be active citizens in their communities;;



- How the school will aim to attract pupils from different backgrounds and different communities so that they all feel welcome and play a full and active role in the school;
- How the school will aim to encourage pupils from different communities, faiths and backgrounds to work together, learn about each other's customs, beliefs and ideas and respect each other's views.
- How the school will develop skills to lead healthy lives, for all its students

In order for us to assess your application for a school with a **religious ethos or a distinctive educational philosophy**, please also provide:

- A brief explanation of how the school's religious ethos will be reflected in the curriculum. This should include the proportion of the school's timetable devoted to religious education and other subjects that include some faith-based teachings or use faith-based materials. Please set out how the planned approach will help to prepare children for life in modern Britain. This should include elements of subjects that could overlap with faith teaching (for example, if a proportion of literacy teaching includes faith-based material). This section should also set out what time will be devoted to worship, reflection time and prayer and how this will be inclusive to pupils of different faiths or none.
- A brief summary of the alternatives to prayer and religious study that will be available for pupils of a different faith or of no faith.
- A brief summary of how school policies affect pupils of other faiths or of no faith. This must include consideration of the school's uniform and school meals policies, including the wearing of religious symbols; and any dietary requirements. It must also address the religious education curriculum, the arrangements for collective worship, and the criteria for staff appointments to the school.
- Information about engagement and consultation with diverse local community groups, faith authorities and parents demonstrating how you will seek to attract pupils of different faiths and backgrounds to the school.

In preparing your application it is important to note that we will not approve any free school application where we have any concerns about:

- Creationism being taught as a valid scientific theory or about schools failing to teach evolution adequately as part of their science curriculum.
- Any member of the applicant group holding extremist beliefs, as defined by the Government's counter-extremism strategy.
- A lack of genuine commitment to the inclusion of pupils of other faiths or no faith in the school.

**How much you should write:**

For all applicants, we would normally expect section D4 to be up to five pages long.

## **D5 – The particular needs of the children coming to the school have been carefully considered and will be met appropriately**

### **All applicants must:**

- Explain the types of need the school will cater for and how the school will cater for these needs;
- Include a strategy to assess and meet the needs of all pupils.

We will also assess the **quality** of your plan to meet the needs of the children through the extent to which:

- Your strategies to cater for identified types of need represent best practice and make use of the teaching specialisms and SEN expertise of members of staff;
- You will engage with other agencies, including health and social care, and they will be involved to support pupil development;
- You will ensure safeguarding, good behaviour and good attendance and that any health needs will be met.

### **How much you should write:**

We would normally expect section D4 to be 5 pages long.

## Section E – Evidence of need

We will assess whether there is **need** for your school by weighing up both local authority and parent demand (or student demand for 16 to 19 places), the need for additional places catering for the specific type of need you have identified and the standards of schools in the local area catering for the same needs. The assessment will consider evidence provided in your application, as well as data held by the department and information provided by local authorities.

We will look at the data you have provided to judge the level of need, and the extent to which you have engaged with local authorities and parents (and/or students for 16 to 19 places) for both students with EHC Plans and if applicable those without. Local authorities are responsible for making placement and funding decisions so all special schools need to respond to what their commissioning LAs want.

You will need to build a case for your free school by providing a brief description of the special school provision in the area that your school might receive its pupils from, and why your free school will offer something different and of higher quality. You should show whether there is a current or upcoming shortage of high quality places for pupils with those needs in the local authority or neighbouring authorities.

### E1 – Provide valid evidence of need for pupils with an education, health and care (EHC) plan

#### Things you need to know:

You will need to be able to demonstrate that you have a commitment from local authorities and interest from parents for places in each of the school's first two years of operation, and evidence that top-up funding will be paid. The assessment will consider evidence provided in your application, as well as data held by the department and information provided by local authorities. The department asks the local authorities you have named about your application as part of the assessment process. This means you need to ensure they are fully informed of the content of your plans and the credentials of your team, and **you need to send them a copy of your application**, so that the department can be assured they are committed to commissioning the places.

Underperforming schools will usually be classed as schools rated 'requires improvement' or 'inadequate' by Ofsted. However, we will also take into account pupil attainment and progression data. We may also take into account any plans in place to improve any such schools.

#### All applicants must:

- Complete the demand table in the application form showing how many children local authorities would place at the school for the first two years of the school's operation;

- Complete the demand table in the application form showing how many parents (and/or students if post-16) would request that the local authority name your free school on EHC plans and explain how you have reached these figures;
- Provide commitments in writing from local authorities for a specific number of places in the first two years, including the top-up funding they will pay. A suggested wording is as follows: “[local authority] would expect to purchase a minimum of [x] places at [name of free school] at a top up cost of £[x]. The exact cost may differ depending on the specific needs of the child and this will be discussed with [free school trust] on a case-by-case basis”;
- Include the text you have used in leaflets or other promotional material for prospective local authorities and parents (and/or students if post-16) about the particular characteristics of your provision. You must make sure that this adequately describes the provision you are proposing; we will not consider generic expressions of interest in a new school to be sufficient evidence that there is local authority or parental demand for what you are proposing;
- Provide evidence that there is a shortage of high quality places for pupils with these needs in the local authority or neighbouring authorities.

You will be rated more highly if:

- Your school has commitments in writing from local authorities equal to the number of places in the first and second year of operation;
- Local authorities have committed to pay the required levels of top-up funding;
- You provide compelling evidence that there is a shortage of high quality places for pupils with these needs in the local authority or neighbouring authorities;
- You provide compelling evidence that you have engaged successfully with a high proportion of the local community and eg with the Parent Carer Forums in the areas where you intend to work, and adapted your proposal in response to feedback if necessary.

Independent schools must:

- Present evidence of demand from current and prospective pupils separately.

### **How much you should write**

We would normally expect Section E1 to be no more than five pages long.

## E2 – Valid evidence of need for pupils without an education, health and care (EHC) plan – if applicable

The Secretary of State can approve academy arrangements for individual special free schools that are innovative and increase access to specialist provision for children and young people without EHC plans. Those that the Secretary of State authorises will need to make clear through their Funding Agreement that a child or young person with SEN but no EHC plan should be placed there only at the request of their parents or at their own request and with the support of professional advice such as a report from an educational psychologist. A special free school with these arrangements will be able to admit only those children who have a type of SEN for which they are designated. They will have adopted fair practices and arrangements that are in accordance with the Schools Admission Code for the admission of children without an EHC plan.

### All applicants intending to admit these students must:

- Be clear about the intended balance of numbers between those with EHC plans and those without;
- Demonstrate that the intended admissions for pupils without an EHC plan are not merely short-term, catering for those who are going through the assessment process to determine whether an EHC plan is needed, but for a longer period<sup>1</sup>;
- Demonstrate how you would ensure that each admission had professional support.

You will be rated more highly if:

- You provide **compelling** evidence that there is a **shortage of high quality** places for students with these **needs** in the local authority or neighbouring authorities.

### How much you should write:

We would normally expect Section E2 to be about five pages long.

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<sup>1</sup> A special free school, like any other special school, may cater for pupils who are waiting for or going through an assessment. However, these children are not considered as 'children without an EHC plan' and therefore the evidence that you gather here should not be for these children.

## Section F – Capacity and capability

This is your opportunity to show us your trust includes people with the right skills to open your school. You need to demonstrate that your group has the capacity and capability to set up and run the school(s) you are proposing, and that you have access to appropriate educational, financial and other expertise, either within your group or externally.

### F1 – the necessary experience and credentials to deliver the school to opening

#### What you need to know:

**All applicant types** must complete all the columns in table F1 (a) in the application form and provide a short commentary of your plans:

- Name;
- Where they live (ie town/city);
- Role in pre-opening and once the school is open (if any). Please include whether the individual is part of the core applicant group, or someone whose support you are accessing. If the latter, please indicate whether you would expect this support to be provided on a paid, at cost, or voluntary basis;
- Summary of all relevant expertise (eg educational, financial, including any relevant educational results/achievements);
- Approximate time commitments for all the individuals named in pre-opening (in hours per week).

Please include CVs for all the individuals you name in this table. The CVs should include the information requested in annex A to this document, should be on the template provided and should be included as an annex to your application.

The second table, Table F1 (b), asks you to set out any skills gaps that you think exist within your group and how you intend to fill them.

#### Information required of different applicants:

##### Applicant types 1, 2, 3, 6 and 7 must:

- Complete table F1(a) with information, as outlined above, about each individual who is part of your group, including all company members of your academy trust, members of the preopening team, and anyone else providing a relevant contribution;
- Demonstrate that you have access to individuals with strong relevant education expertise (for example, strong school improvement experience, a head teacher of a school that meets the definition of a strong track record as outlined in the introduction) and finance expertise with specific and sufficient time commitments;

- Demonstrate that you have access to individuals with specific and sufficient time commitments and relevant experience in as many of the following as possible:
  - Special school education;
  - Managing school finances;
  - Leadership;
  - Project management;
  - Marketing;
  - Human resources;
  - Safeguarding and health and safety.
- Conduct a skills gap analysis of your pre-opening group (including your existing governors/trustees if you already run one or more schools, as they will be in place during pre-opening) and complete Table F1(b);
- Include the CV of your principal designate if you already know who this is and for your executive head if you will have one. If you do not yet have a principal designate (and likewise if you intend to have an executive head but they are not yet recruited), you should provide a short timeline (less than one page) for your planned recruitment exercise(s).

**Applicant type 6** must also include CPD strategy and transition plans which will deliver continuous improvement in the quality of leadership and management, teaching and learning, personal development and outcomes for children.

We will assess the quality of:

- Your skills gap analysis and your strategy to fill the gaps you have identified;
- The track record of the individuals you have listed as experts in the areas named above.

You will be rated more highly if:

- The individuals with education and finance expertise form part of your core applicant group;
- You have individuals with expertise in most of the additional areas listed under the heading above, that they form part of your core applicant group, and they have a strong track record in their areas of expertise;
- You already have individuals in your core applicant group who would make strong trustees once the school is open (or who are currently strong trustees/governors at your school(s)) and they have excellent school finance, leadership and/or other relevant experience;

- You illustrate a clear understanding of the required capacity and have secured sufficient time commitments from each individual.

**Applicant types 4 and 5 must:**

Complete the following information in Table F1 (a)

- Tell us who (a named individual) is in charge during pre-opening and provide their CV;
- Include information about individuals you have brought in to fill gaps as identified in Table F1 (b);
- Include information about your principal designate (if identified) and executive head teacher (if applicable).

Include the following information in Table F1 (b):

- Outline the missing skills and experience (if any) from your team, including both gaps at operational level and gaps in your board of trustees, and how you plan to fill those gaps. We expect you will probably have more gaps to fill if you are proposing a type/phase of school that does not already exist in your trust;
- Provide the CV of your principal designate, if you already know who this is, individuals named in section F1 (a) and for your executive head, if you will have one. If you do not yet have a principal designate (and likewise if you intend to have an executive head but they are not yet recruited), you should provide a short timeline (less than one page) for your planned recruitment exercise(s).

You will be assessed on the **quality** of your plans to fill the gaps identified and, where applicable, the track record of any individuals you have identified to fill the gaps.

You do not need to tell us how you will form/recruit the school's local governing body.

In Section C, you will have explained briefly [any other plans for your trust \(eg expansion plans, plans to take on a sponsored project\)](#) we will refer to those here to help us to assess your capacity to take on a new free school.

**How much you should write:**

**Applicant types 1, 2, 3 and 6** - we would normally expect section F1 to be about five to 10 pages long (not including the CVs in an annex).

**Applicant types 4 and 5** - we would normally expect section F1 to be up to five pages long.



## **F2 – A governance structure, and roles and responsibilities that will ensure accountability and effective decision making in this academy trust and drive improvement in the new free school**

### **Information required of different applicants:**

#### **Applicant types 1, 2, 3, 6 and 7 must:**

- Provide a diagram, in line with accepted academy trust models and in line with the Academies Financial Handbook, showing your proposed governance structure, including lines of accountability between the company members, the school's trustees, any local governing bodies or committees and the school's senior leadership team. The governance structure should cover all elements of the proposed school, including nursery, where applicable;
- Include a brief explanation of the roles and responsibilities of the company members, the trustees, any proposed committees and the principal;
- Include a strategy for avoiding and minimising conflicts of interest and for securing independent challenge to members and trustees;
- Include a brief description of any specific conflicts of interest and an explanation of how you intend to manage them. Declare any financial transactions that are likely to take place between any member/trustee (or a connected party/business) and the academy, the nature of the transaction(s) and that they will comply with the 'at cost' principles set out in the Academies Financial Handbook;
- Set out a plan to recruit and train any high-quality individuals you need, particularly those with education, school governance, and finance expertise (this will apply to your whole trust board if you do not yet have one. If you already have a trust board, you should set out how you plan to recruit and train high quality individuals for any skills gaps you may have);
- If you are a maintained school or a group of maintained schools, and you are proposing becoming a MAT with your new school, you should describe how the governance will work, but you do not need to have converted to academy status before applying.

We will also consider the proposed size and structure of your board of trustees and whether it will enable effective decision-making.

#### **Applicant types 4 and 5 should, if possible:**

- Discuss your capacity and capability to open one or more new free schools with your RSC and then include with the application written confirmation from the RSC of your capacity and capability. NB: this confirmation is not an endorsement of your overall application.

Alongside this letter, you should also:

- Explain what changes, if any, you need to make to your existing governance structure, roles, and responsibilities, or schemes, or delegation in order to ensure your trust continues to exercise strong accountability for your free school(s) both before and after they open, and for the rest of your trust. You may be more likely to be proposing changes if you are adding a school of a new type or phase to your trust, moving into a new part of the country, or if you are growing your trust in other ways too (you should have listed the trust's other growth plans in Section C);
- Include a brief description of any specific conflicts of interest and an explanation of how you intend to manage them. Declare any financial transactions that are likely to take place between any member/trustee (or a connected party/business) and the academy, the nature of the transaction(s) and that they will comply with the 'at cost' principles set out in the Academies Financial Handbook;

We will assess the quality of your plans to manage conflicts of interest (if any) and whether any changes you are proposing will help ensure your trust continues to exercise strong accountability.

If you are applying for more than one school you must provide:

- A diagram showing the governance structure which demonstrates clear accountability and scrutiny arrangements between the trust and each school;
- A brief explanation of the strategic remit of the board together with the remit of local governing bodies and their structure;
- A brief explanation as to how the trust would intervene quickly in a school should that be deemed necessary and how it would know to do so.

**How much you should write:**

**For all applicant types** - we would normally expect section F2 to be up to five pages long.

### **F3 – Independent schools (type 6) only, including special institutions that are privately run: a good educational track record and credible plans for meeting the standards of the state sector**

This section is only applicable to **type 6 applicants** – independent schools applying to become free schools.

**What you need to know:**

The background information and glossary document explains the minimum criteria you need to meet as an independent school wanting to become a free school and how we assess these applications. Please read this section carefully before deciding to apply.

### **Information you need to provide:**

You must:

- Provide the date and overall judgement of your latest inspection with the link to the full report;
- Complete a self-assessment against the Ofsted common inspection framework. A template is included in the application form;
- Provide details of attendance numbers at the school for the last five academic years and a copy of the standard parent contract with the school;
- Demonstrate in your plans your school's current position, how your school will transition to the state sector, risks, priorities and timescales;
- Complete a self-assessment of current governance arrangements and provide a clear strategy for setting priorities and creating accountability, including schemes of delegation and any continuous improvement plans. A template is included in the application form.

In order to be rated **highly**, your plans should be:

- Validated by a head teacher of an 'outstanding' state school and/or a national leader of governance. Your school also needs to meet the definition of a strong track record given in the introduction, but referring to your inspectorate if it is not Ofsted;
- Your school's existing governance arrangements must be strong.

### **How much you should write:**

We would normally expect section F3 to be about five pages long.

## **F4 – Independent schools (type 6) only, including special institutions that are privately run: a good financial track record and credible plans for meeting the standards of the state sector**

This section is only applicable to **type 6 applicants** – independent schools applying to become free schools.

**You must:**

- Provide a succinct outline of the financial performance of your school during the last four years. Submit the school's audited financial statements and auditors'

management letter for the last two years with your completed application form. If the school has not been open long enough to have two years' worth of audited accounts, please supply alternative evidence of the school's current financial health, for example, bank statements, draft accounts, internal audit (or equivalent) reports;

- Tell us about any relevant financial issues relating to the potential conversion to free school status and explain how you will seek to address them. You should expect to discuss these in greater detail when asked during the later stages of the application process and if interviewed. Examples of financial issues which may impact on becoming a free school include running at an operating deficit or having outstanding loans and overdrafts, including mortgages;
- Tell us how you will manage the transition from an independent school's accounts to a free school's accounts and provide a cash forecast. This should detail how the income and expenditure will change from the time of possible approval to when the free school opens;
- Confirm in writing that you have disclosed all short and long term financial liabilities, including any tax disputes;
- Provide details of any pension scheme and details of any other investment or debt;
- Provide an explanation of your existing and planned internal and external financial management and governance arrangements, including for scrutiny and challenge. [The academy financial management and governance self-assessment](#) sets out the essential requirements for open academies and could be used to demonstrate where you are already compliant, and the areas where further work is required.

In order to be rated **highly**:

- Your existing school must have an outstanding track record of financial management and provide good value for money in terms of cost per pupil.

## **F5 – Independent schools (type 6) only, including special institutions that are privately run: an appropriate, well-maintained and secure site**

This section is only applicable to **type 6 applicants** – independent schools applying to become free schools.

**You must provide a site assessment carried out by a surveyor in the past year that:**

- Clarifies (if applicable) the capacity to expand pupil numbers and how the building will be fit to teach the proposed curriculum to the standards required;
- Fully discloses site dilapidation and capital investment requirements;

- Fully discloses site maintenance, policies and procedures.

**You must also provide:**

- A schedule of the school's leasehold and freehold properties, including detail of rent and service charges payable;
- A plan of each property which will be suitable for the purpose of making searches;
- Details of mortgages, charges and other security instruments or any option over any of the assets.

## Section G – Accurate financial plans that are consistent with the rest of the application, demonstrate financial viability, and are based on realistic assumptions about income and expenditure

Before you begin to develop and complete your plans, you should read:

- The overview of free school funding in Annex A of the how to apply to set up a free school document which explains how your school will be funded once open;
- The [financial templates, together with guidance](#) on how to complete them are [here](#).

We ask you to provide a financial plan showing your income and expenditure as your school grows to full capacity. We want to check that your financial plans will support delivery of your education vision and plan and that your school is viable within the funding provided.

**For applicant types 2-5**, we will use information we already know about the financial situation of your school(s) but please feel free to tell us anything that you believe will help us understand your financial health more fully.

You will need to include in your education plan (D3) an explanation of the changes you would make if you had to operate with less income. We want to make sure that your school is resilient to changes in income as a result of having fewer pupils than expected.

Row 93 on the 'budget' tab on the special Excel financial template will provide you with the 70% figure to give you an idea about the sort of savings you might need to make.

The special Excel financial template will calculate the baseline funding you will receive for pupils with an EHC plan and for any post-16 pupils without an EHC plan based on the pupil numbers you input. You must enter the top-up funding rate.

You will need to use the mainstream financial template to work out the per-pupil rate for pre-16 pupils without an EHC plan and add this additional income in the marked row in the 'other income' section on the budget tab of the special Excel template. Please provide a note explaining this in column P.

**Applicant types 1, 3, 5, 6 and 7** must:

- Complete the Excel financial template showing income and planned expenditure and the assumptions made about each line in the space provided. You should explain clearly what you have based your assumptions on and the evidence you have to show these are realistic and appropriate. If your curriculum plans include facilities with high running costs (eg hydrotherapy pools) that you do not have at your current school, or facilities that could involve both running costs and income generation (eg facilities that you rent out), you may want to provide a narrative

explanation here in addition. Your plans must not rely on any such income to be viable;

- Make sure that the information in your plan is consistent with the other parts of your application, for example the staffing structure and pupil numbers in the education plan should agree with the financial plan;
- Show that you have allowed for unforeseen problems and contingencies;
- Not show a cumulative deficit in any year. Any in-year deficits must be planned for by accumulating a surplus in (a) previous year(s);
- Not be dependent on borrowing or third-party income to break even in any year. You may feel that the third party income you have identified is reasonable. However, while we want you to include this, your plans must not rely on this additional funding to break even.

We will also assess the quality of your financial plan by the extent to which it is reasonable, represents good value for money and is prudent. In making this assessment we will consider:

- Core operating income/expenditure assumptions (it is vital that these are included in the plan);
- Benchmarking information for income and expenditure. These should also be entered in the assumptions/rationale column;
- Contingencies;
- Any centrally-provided services and their costs;
- Proportion of spend allocated to each budget area – and particularly to staffing;
- Staff to pupil ratios;
- The context of the local area (eg the percentage of FSM and SEN pupils);
- The school's particular education offer (eg specialist teachers, equipment).

**Type 6 applicants** must also:

- Set out clearly your assumptions as to how you will remain financially viable, with sufficient reserves, to operate as a successful state sector school;
- Set out your assumptions on the development costs of maintaining a 'good' or 'outstanding' school.

**Applicant types 2 and 4 proposing to open another special school(s) of the same age-range with the same range of top-up rates:**

You do not need to complete the Excel template at this stage. If you are invited to interview we may ask you to complete the plan at that stage, particularly if your existing

school or the one you are proposing is small. If you are looking to open a smaller school then we expect you to provide a clear rationale.

- If you are proposing a special school of a different age range and/or in a different local authority, you will need to complete the Excel template.
- with high running costs (eg hydrotherapy pools) that you do not have at your current school, you should provide a narrative explanation here of how these will be affordable. If your curriculum plans include facilities that could involve both running costs and income generation (eg facilities that you rent out), you should provide a narrative explanation here of how that will work. Your plans must not rely on any such income to be viable.



## Section H – Premises

Finding a suitable site is an essential part of opening a free school. As part of preparing your application you should investigate potential sites for your school and tell us about them in your application.

There are no criteria for this section of your application, although we make a value for money judgement on each free school application that includes likely site costs.

### **What you need to know:**

If you are applying for **more than one school**, you need to complete this section for each school.

### **All applicant types must:**

Complete the Excel application form with details of your preferred sites. For each site, you are asked for:

- The details of your preferred location;
- The full address and postcode;
- Details of how you found the site;
- The tenure and ownership plus purchase/lease cost if known;
- Confirmation of local authority support for use of a site, if applicable;
- Confirmation of availability;
- An outline of its current use;
- Your reasons for choosing it and its suitability;
- Size of site and building, if known;
- Comments on the condition of the building.
- Additionally, please provide any site plans, agent's particulars, photos, catchment/location maps or other associated technical information as annexes by sending to: [premises.freeschools@education.gsi.gov.uk](mailto:premises.freeschools@education.gsi.gov.uk) clearly marking the name and location of your free school in the subject line. All supporting text information on sites must be included in the Excel application form. Please note that any additional Word documents submitted will not be reviewed.

The form also asks you to calculate the required floor area for your school.

Please use the following formula to calculate this (we call this the gross internal area). As well as helping us, this will also help you search for suitably sized buildings.

## For special schools:

Age range and size	Size (m2)
Primary pupils only; ambulant	700m2 + 15m2 per pupil
Primary pupils only; non-ambulant	700m2 + 21m2 per pupil
Schools with any secondary age pupils; ambulant	700m2 + 15m2 per pupil
Schools with any secondary age pupils; non-ambulant	700m2 + 21m2 per pupil

(For all-through schools, please use the individual phase numbers and add together)

### Notes on this section:

You should make enquiries as to whether your preferred sites are available for acquisition or leasehold, but you must not enter into any negotiations at this or any other stage. If your application is approved, the Education Funding Agency will undertake negotiations to acquire a site for your school.

We will make an overall cost and value for money assessment of your preferred site. You should aim, therefore, for the lowest possible capital costs and be as flexible as possible in your site requirements. We may also ask you to share sites with other approved free schools and when open, you may be required to share surplus space in your permanent building with new free schools requiring a temporary home.

It is our very strong preference that local authority sites or government owned sites are used because often we are able to secure them on what is known as a peppercorn basis. This is a long lease, usually 125 years, with a token payment of a very minimal sum per annum. You may wish to contact the local authority to see if they have any appropriate sites available nearby.

We do not provide capital funding to independent schools that do not plan to create additional places. If you wish to expand provision as an independent school, we will consider whether capital funding may be made available. Decisions will be made on a case by case basis with strong supporting evidence required.

If, after approval of your application, it proves impossible to identify a viable site, we may have to delay the opening of your school or, in some cases, we may not be able to open your school at all.

## Annex A – CVs

Below we explain what should be included in CVs in Section F.

### **Educational expertise**

If an individual is or was a member of a school leadership team, head of department/faculty or a teacher, please provide their CV on the template provided, including:

- Details of their last three roles (this should cover the last four years. If not, please include additional roles) – the school(s) in which they were employed, their position(s) and how long they were in each position;
- The school's results for the years they were in post. Please bear in mind the definition of a strong track record provided in the introduction. For a senior leadership team member these should include, as appropriate compared to local authority and national averages or averages for similar cohorts in other settings, as applicable. If these results are not available, they should set out the track record of the school they led in terms of developing literacy and numeracy skills, qualifications achieved, and preparing pupils for adulthood. For a departmental head or teacher please include their subject/department's results for the years they were in post, compared to their school's averages, looking at the same types of results as for senior leaders;
- A brief commentary on why their previous experience is relevant to the role that they would have in pre-opening and/or once this proposed free school is open;
- Please also provide details of when they have supported other schools if applicable, and references to Ofsted judgements where they have been directly responsible for a positive transformation;
- At least one referee who is able to confirm their education credentials. We may make other enquiries as we see fit;
- Optionally: any other brief comments they wish to make on how their role(s) had an impact on raising standards.

### **Financial expertise**

For the group's nominated finance lead(s), please provide their CV on the template provided, including:

- Details of their last three roles (this should cover the last four years. If not, please include additional roles) – where they were employed, what their role was, how long they were in each role and what their financial responsibilities were;
- A brief commentary on why their previous financial experience is relevant to the role that they would have in pre-opening;

- Details of their professional financial qualifications;
- At least one referee who is able to confirm their finance credentials.
- We may make other enquiries as we see fit.

### **Other expertise**

Section F also asks you to provide information on individuals in your group who have other relevant skills and expertise that will ensure the success of your proposed free school. This may include communications, marketing, human resources and project management expertise. There are no specific requirements for these areas but please provide CVs on the template provided for these individuals including:

- A brief commentary outlining their previous experience, why this is relevant to the role that they would have in pre-opening and how they will add value;
- Details of any relevant professional qualifications.

Please note that CVs should be included in the appendices of the Word application form, and do not count within the page limit.



Department  
for Education

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