

Free school presumption: Annex A

Model specification for local authorities seeking proposals to establish a new primary free school with early years provision at the St John's Grange site in Lichfield to open by the earliest date of September 2025

**Applications must be submitted by 5.00pm on
Friday 26 April 2024**

NB Other than the timetable this is a re-publication of the free school presumption. Academy trusts that applied previously are welcome to apply

Andrew Marsden

Head of Access to Learning, Inclusion and Improvement

March 2024

NB Applicants should check the county council's [website](#) regularly for additional information provided to support this process

Potential sponsors must follow the Department for Education's [free school presumption guidance](#). To promote consistency and simplify the process, the county council is following the model template and forms in the guidance.

Section A – Introduction

Under section 6A of the Education and Inspections Act 2006 (the 'free school presumption') where a local authority identifies the need to establish a new school it must, in the first instance, seek proposals to establish an academy.

Evidence of need

The county council has the statutory duty to secure sufficient school places and childcare for children in its area. Where a shortfall in capacity has been identified the county council will work with schools, trusts and partners, including district and borough councils, the Department for Education and diocesan bodies, to expand existing schools and to open new free schools, as necessary.

Staffordshire County Council has identified the need to establish a new mainstream primary school to open by the earliest date of September 2025.

The new primary free school will have early years provision and be located on the St John's Grange housing development in the south of Lichfield.

The new school is required, principally, to mitigate the impact of the St John's Grange and Cricket Lane developments totalling around 1,020 dwellings.

Construction of the 500 dwellings on the St John's Grange site commenced in 2021 and the first phase of 169 dwellings is complete. The district council's current 5-year housing land supply document indicates that development of 520 homes on Cricket Lane will not commence until 2025 or 2026.

Over time, it is estimated that these developments will yield approximately 320 primary school-aged children and there are other smaller developments in the vicinity of the proposed new school that will generate additional children.

The county council will keep under review the data on the need for school places, and if the development grows more slowly than expected, would consider delaying the opening of the school.

Use the postcode WS14 9GA, to find information on local schools at

- [Get Information about Schools - GOV.UK \(get-information-schools.service.gov.uk\)](https://www.gov.uk/get-information-schools)
- [Find and check the performance of schools](#)
- [School Search - Staffordshire County Council](#)

The new school will be located in the St John's ward. See the

- city ward map at <https://www.lichfielddc.gov.uk/downloads/file/907/lichfield-city-warded-parishes>
- individual [Ward maps \(lichfielddc.gov.uk\)](#)
- local data sets at [Area data - Staffordshire Observatory](#)

The school will be within the secondary school catchment area of King Edward VI School.

The authority is therefore seeking proposals from appropriate academy trusts open this new school. This school would be deemed a free school.

Free school presumption process

In accordance with the timeline, proposers must complete and return to school.organisation@staffordshire.gov.uk

1. [Annex B: model application form for proposers \(Word\)](#)
2. county council's information spreadsheet for primary phase schools in your trust
3. DfE spreadsheet with a 3-year budget plan that models expenditure and income to demonstrate that "as the school grows" there are "affordable staffing structures and sensible phasing plans". Please refer to the guidance in [Mainstream free school revenue funding - GOV.UK \(www.gov.uk\)](#), which advises trusts to email RevenueFunding.FREESCHOOLS@education.gov.uk for the latest financial template spreadsheet.

Process	Timeline
1. Publication of new school proposal	
2. Potential sponsors are encouraged to advise school.organisation@staffordshire.gov.uk of their interest/intention to apply	Friday 22 March
3. Closing date for return of your application and both completed spreadsheets	By 5.00 pm on Friday 26 April
4. Assessment of applications; notification to trusts of shortlisted proposer/s and invitation to attend an assessment panel	By Friday 3 May
5. Assessment panel of shortlisted proposer/s	Tuesday 21 May
6. County council's assessment and preferred proposer referred to DfE	By Friday 24 May
7. DfE Regional Director to make final decision	July 2024
8. Successful proposer notified by DfE Unsuccessful sponsors notified by county council	July 2024

Applications will be assessed using [Annex C: model criteria for local authorities and proposers](#).

If shortlisted, the trust CEO should be available to present in person to an assessment panel in Stafford with up to 5 others, including the trust chair, ideally.

The assessment, shortlisting and assessment panels will include county council officers and Department for Education officials.

The Regional Director (RD) for the West Midlands, on behalf of the Secretary of State, will consider the local authority assessments and recommendations before deciding which proposer is in the best position to take forward the new school. The Regional Director will inform the local authority and the successful proposer of its decision, and the local authority will inform any unsuccessful proposers.

If you would like further information or to discuss your application please email Andrew Marsden, Head of Access to Learning, Inclusion and Improvement at andrew.marsden@staffordshire.gov.uk

NB: the local authority led free school presumption route is a different route to the DfE's free school programme. Further information about the DfE's central free school programme can be found at:

<https://www.gov.uk/government/collections/opening-a-free-school>

Section B - The School

School size/age range

The school will be a mainstream, co-educational primary school for Reception to Year 6 children (aged 5-11).

The school will be situated on the St John's Grange development in Lichfield and is proposed to open by the earliest date of September 2025. The new school will be established as a 1FE primary school with 210 places.

To meet future population need, the school will have 2FE capacity (or 420 places). The decision when to increase capacity will be taken in agreement with the academy trust, local authority and Department for Education at an appropriate time, in accordance with the local authority's statutory duty of securing sufficient school places.

Nursery and childcare provision

There is an assumption that local authorities planning a presumption project to establish a primary school should include early years provision in the specification unless there is a demonstrable reason not to.

The building design includes a room for early years children, equivalent to 26 part time places. However, early education and childcare must be offered flexibly in response to the childcare needs of families.

See the summary of local provision in Appendix 3.

Provision for children with Special Educational Needs and/or Disability (SEND):

In line with the 0-25 SEND Code of Practice (2014), schools must ensure all children and young people have access to a broad, balanced and appropriate curriculum that is inclusive of those with SEND. Additionally, as part of The Equality Act (2010) any reasonable adjustments to support children and young people with disabilities (whether of a physical, educational or mental health nature) to access the same provision as others should be made.

School location and design

Appendix 1 shows a map of Lichfield and the residential development site where the 2.3 hectare school site will be located.

The school location within the development is identified within the Amended Site Plan document 21 Feb 2023. The planning application can be viewed on the [Lichfield District Council - Planning Portal](#) search for application number 21/01956/OUT. The new free school will operate on a single site within the development.

The school will be easily accessible to all and the building project will, as a minimum, address [Part M](#) of the government's building regulations in order to meet the needs of pupils, visitors and staff. The accommodation will be provided in line with the current DfE building bulletins and guidance for primary provision and will be built by the county council.

The successful sponsor will have limited opportunity for involvement in the design of the school building, i.e., internal colours and FA&E (furniture, apparatus and equipment). The successful sponsor will work closely with the project management team and contractors, on a Project Board, to ensure that as far as possible the design supports their educational vision.

The planning application for the new school will be submitted imminently. A link to the planning application and associated documents will be provided on [Free school presumptions - Staffordshire County Council](#),

Admission to school

The school will open with a Published Admission Number of 30. In the first year of opening, children will be admitted into nursery and Reception only, in the second year of opening a further Reception intake will be admitted and the school will grow incrementally in this way until there are pupils in all age groups, 7 years after opening.

In exceptional circumstances, the county council would consider proposals from the successful sponsor to vary this to meet local need.

The new free school can expect to be undersubscribed in its opening years as admissions will be driven largely by the rate at which homes on the development(s) are built and occupied. See the notes on Minimum Viability Number in Section F below.

When the need to increase to 2FE has been approved, the Published Admission Number would increase to 60 for the Reception intake in the first year and the school will grow incrementally in this way.

Applicants will be expected to demonstrate how this will be managed as part of their application.

The oversubscription criteria must reflect the fact that the school will open, principally, to serve families on the St John's Grange and Cricket Lane development sites in Lichfield.

Information about the capacity and distance of existing local primary and secondary schools within a 2 and 3-mile radius of the development are set out in Appendix 2.

Home-to-School Travel

Whilst the normal statutory entitlement and the county council's home to school transport policies will apply, there is no expectation that the council would provide free transport to the free school as a matter of course. As usual, parental parking will not be provided at the school. To encourage safe travel to school, the new free school will develop a Travel to School Action Plan.

Community use

The school is expected to make its facilities available to support the needs of its wider community.

Section C – Vision

Applicants should take account of the relevant criteria in Annex C of the free school presumption guidance.

As a minimum, please ensure you include the following:

- A strong educational vision and a curriculum delivery plan based on high standards of attainment for each key stage
- Plans for appropriate engagement with the local community and parents during the pre-opening period and any on-going engagement
- Excellent support facilities to meet the needs of all children, including looked after children, those with Special Educational Needs, etc
- A commitment to excellent outcomes and high quality of teaching and learning

Applicants should also take account of the following:

Annex C invites proposers to “attach any letters from any partners you will be working with confirming the support they will provide before and after opening”

- **please note that letters of support should not be sought from county council officers or teams.** This is intended to avoid trusts feeling obliged to ask different officers and teams for support and to avoid officers having to decide how much support to give (or not).

Section D - Education Plan

Applicants should take account of the relevant criteria in Annex C of the free school presumption guidance.

As a minimum please ensure you include the following:

- An ambitious, broad and balanced, deliverable curriculum plan which is consistent with the vision and pupil intake. This could include a curriculum table and pupil build up chart
- Strategies for measuring pupil performance effectively and setting challenging targets
- A staffing structure that will deliver the planned curriculum within the expected income levels; with a focus on outstanding teaching (including strategies for effective performance management). This could also include an organogram and staff build up chart
- The needs of all children are fully provided for and how the school will be fully inclusive
- Details of enrichment and extended services, for example, breakfast clubs, sports clubs, homework clubs and music/art clubs
- The school's approach to: PHSE; the Prevent Duty; safeguarding and welfare; and promoting fundamental British values (democracy, the rule of law, individual liberty, mutual respect and tolerance of those with different faiths and beliefs)

D1 - the curriculum

In addition, your application form (Annex B) should include:

- how your "strategy to assess and meet the needs of all pupils" would support the vision and priorities in [Staffordshire's Special Educational Needs and Disabilities Strategy](#), co-produced by the county council and Staffordshire's Clinical Commissioning Groups;
- proposed nursery opening times and any provision that would be delivered over and above any funded entitlement, including during school holidays;

- what flexibility would be offered for funded childcare;
- your delivery model for nursery provision (whether it will be delivered directly by the school or in partnership with an external provider) and your rationale for this;
- proposals to provide wraparound care

Section E - Capacity and Capability

Applicants should take account of the relevant criteria in Annex C of the free school presumption guidance.

As a minimum please ensure you include the following:

- The resources you would draw on and/or deploy to support the development of the new free school by the opening date
- Clear evidence that you have the range of skills and abilities necessary to set up and then run a school effectively, including: managing school finances; leadership; project management; marketing; human resources; safeguarding; and health and safety
- How the school would be organised and what the governance arrangements would look like, including a diagram of the proposed structures

Section F - Funding and Costs

Capital Funding Sources/S106 Agreement

To accommodate the additional children generated by development in the area, developer contributions have been secured to provide a suitable site of 2.3 hectares and funding towards the new school on the St John's Grange development site. The capital costs of the new school will be fully funded, from a combination of developer contributions and county council capital funds.

Furniture, equipment and ICT

These will be procured by the county council through its framework contracts for the whole of the school up to a maximum amount. The details will be discussed with the successful sponsor.

School site

The site will be transferred from the developer to the county council under the Deed of Undertaking referred to in the Section 106 Agreement. Site tenure will depend on the outcome of the sponsor selection process and status of the school but will be either by way of an Academy Transfer, a lease based on the model 125-year DfE lease (without charge), or by the freehold interest of the site designated for the new school. The timing of the grant of any such interests will be directly dependent on transfer of ownership to the council.

Revenue Funding

Project Development Grant (PDG) The DfE provides a one-off grant of £25,000 to the successful proposer for legal expenses associated with establishing a new free school through the Free School Presumption route.

Pre-Opening Start-Up Costs: the county council provides a one-off allocation of £65,500 for any primary school, generally paid up to two terms before the opening of the new free school. New schools would be able to use the allocation as they consider appropriate.

Post-Opening Start-Up Costs

- a) Resources: calculated as £7,000 per 30 places created (excluding nursery). For example, a 1-FE, 210-place primary school would receive a total of £49,000 paid over the first three years, ie, £17,000 in the year of opening, £16,000 in the 2nd and in the 3rd year of opening.
- b) Diseconomies of Scale and Financial Viability: in the years after opening, an amount would be paid annually based on the number of "empty cohorts" due to year groups being admitted incrementally. The amount would depend on how many year groups with pupils aged 5-11 were empty, as set out below:

Empty Cohorts	6	5	4	3	2	1	Total
1FE Primary	£40,250	£33,750	£27,000	£20,250	£13,500	£6,750	£141,500

Minimum Viability Number

Your budget planning should reflect the fact that it takes time for local housing development(s) to be completed and occupied so the free school may be undersubscribed in its opening years.

To ensure a minimum level of per-pupil funding during the first three years of opening, the county council will fund the school based upon a minimum viability number (MVN) for each year group agreed with the successful sponsor. Typically, a MVN of 21 would be used (which is 70% of the admission number):

- Opening year: funding for a minimum of 21 Reception pupils;
- Second year of opening: funding for a minimum of 21 Reception and 21 Year 1 pupils;
- Third year: funding for a minimum of 21 Reception, 21 Year 1 and 21 Year 2 pupils.

Planned Growth Fund

When the increase to 2FE has been approved, the admission number will increase to 60 and the appropriate level of growth funding will be awarded to the school.

Section G - Impact and Equalities Assessments

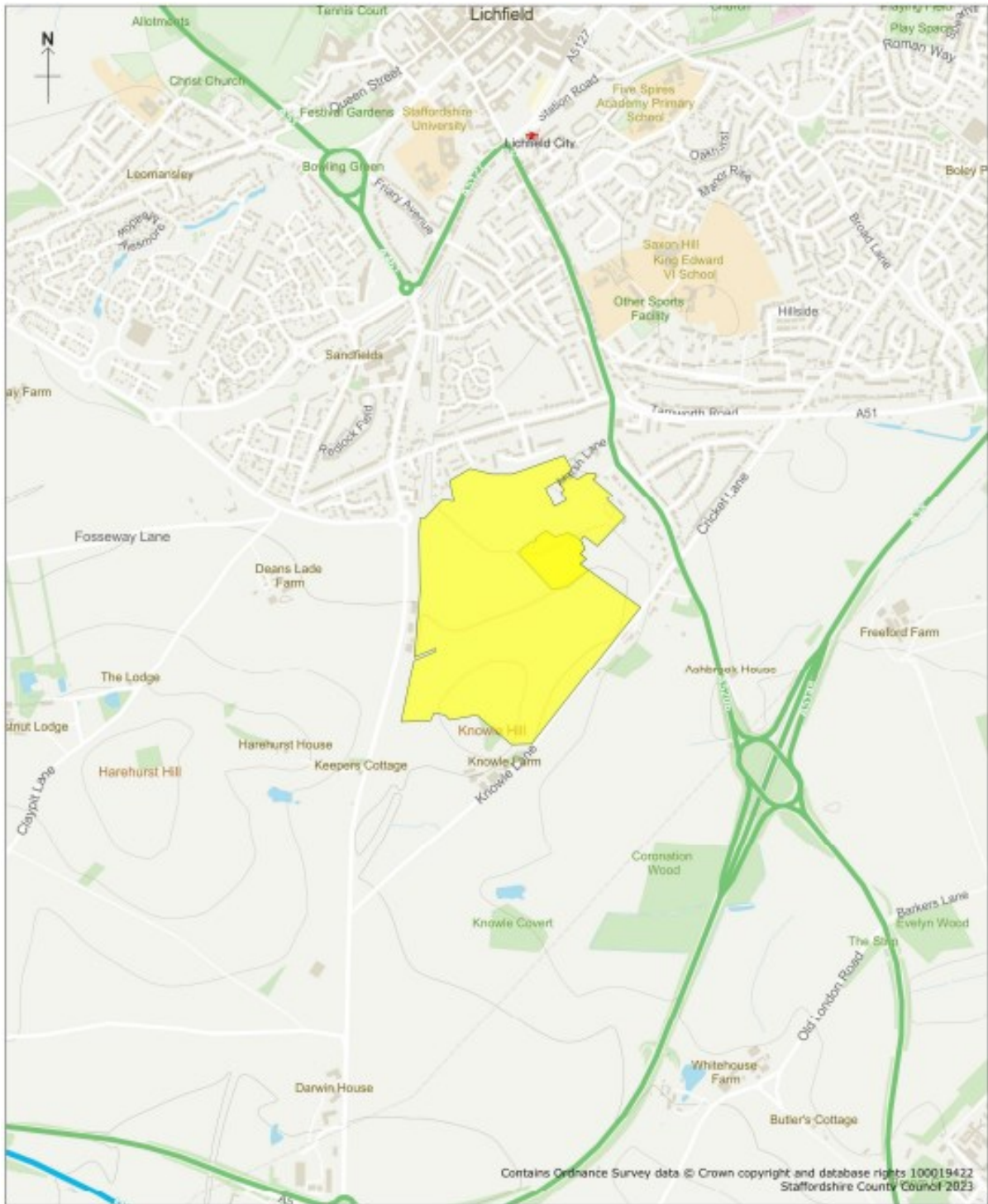
As prescribed by section 9 of the Academies Act 2010 and section 149 of the Equality Act 2010, the local authority must assess the potential impact of any new school on existing educational provision in the area. The local authority must also consider whether the new school would impact on any groups with protected characteristics.

The county council must, therefore, have due regard to the need to:

1. eliminate discrimination, harassment, victimisation and any other conduct prohibited under the Equality Act 2010.
2. advance equality of opportunity between persons who share a relevant protected characteristic and those who do not share it. This involves having due regard, in particular, to the need to:
 - a. remove or minimise disadvantage suffered by persons who share a relevant protected characteristic
 - b. take steps to meet the needs of persons who share relevant protected characteristic that are different from the needs of people who do not share it (in relation to disabled people, this includes, in particular, steps to take account of disabled persons' disabilities)
 - c. encourage persons who share a protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low
3. foster good relations between persons who share a relevant protected characteristic and those who do not share it. This involves having due regard, in particular, to the need to tackle prejudice and promote understanding.

The organisation of school places, and admissions to those places, are required to comply with relevant legislation and relevant Codes of Practice. Any change to school provision in an area would potentially affect all pupils in that area, including those from minority ethnic groups. The proposed new free school has been assessed as having no negative impact in regard to any protected characteristic groups set out within the Equality Act 2010. The county council will keep under review the data on the need for school places, and if the development grows more slowly than expected, would consider delaying the opening of the school.

Appendix 1 - St John's Grange, Lichfield and new school site (in darker yellow)



Scale: 1:10559


Staffordshire
 County Council
St John's, Lichfield and new school site

© Crown Copyright and database rights 2023. Ordnance Survey 100019422. You are not permitted to copy, sub license, distribute or sell any form of this data to third parties in any form. Use of this data is subject to the terms and conditions shown at www.staffordshire.gov.uk/maps Staffordshire County Council 13/11/2023. Aerial photography copyright Airbus 2023.

Appendix 2 - Information on the capacity of primary schools and secondary schools

The following tables provide information on local schools based on straight line distance from the centroid of the new school to the centroid of other schools.

Primary schools within a 2-mile radius of the new school	
School Name	2024/25 PAN
Anna Seward Primary School	30
Five Spires Academy	30
St Joseph's Catholic Primary School, Lichfield	30
St Michael's CofE Primary School, Lichfield	60
Christ Church CE(VC) Primary School, Lichfield	60
St Chad's CofE Primary School, Lichfield	30
SS Peter & Paul Catholic Primary School	20
Chadsmead Primary Academy	30
Charnwood Primary School	30
Willows Primary School	60
Streethay Primary School	30
Greysbrooke Primary School	30

Table 1: Primary schools within a 2-mile radius of development

High schools within a 3-mile radius of the new school	
King Edward VI School	250
Nether Stowe School	170
The Friary	210

Table 2: Secondary schools within a 3-mile radius of development

Appendix 3 - Nursery and childcare provision in the area

The site is in the St John's Grange Ward but also close to both the Leomansley Ward and the Boley Park Ward: see [Ward maps \(lichfielddc.gov.uk\)](http://lichfielddc.gov.uk).

Local Provision in St John's Grange Ward

There are currently 4 childminders and 1 private day nursery. There are also 3 schools which provide nursery provision.

St Johns is rated as amber currently for 2, 3- and 4-year-old provision meaning any increase in demand will require additional places.

The nursery provision which is being delivered as part of the new primary school will offer parents and carers further choice for 3-4-year-olds.

Local provision in Leomansley Ward and Boley Park Ward

There are currently 4 childminders and 2 day nurseries and 1 pre-school, which provide nursery places in the Leomansley Ward and a further 1 childminder and 1 pre-school which provide nursery places in Boley Park.

Boley Park is rated as amber for two-year-olds and red for three- and four-year-olds meaning additional capacity is likely to be needed. Leomansley is rated as red for two-, three- and four-year-olds meaning that additional capacity is needed.

Conclusion

The summer 2023 data for all three above wards together as a whole, suggests that there are currently insufficient places for both 3-4-year-olds and two-year olds. There is significant pressure on childcare provision across the whole area. The rising cost of living and shortages in staffing all contribute to pressure in the sector. The existing pressure plus the demand from the new housing indicate clearly a need to plan for good quality, flexible places for 3 and 4-year-olds at the new free school. It would make sense also for the successful sponsor to gauge the level of demand for 2-year-old provision.

April 2024 will see the beginning of the rollout of the extended hours for working families which by September 2025 all working families with a child aged 9 months plus able to access 30 hours of extended funded childcare per week. It is anticipated to put added pressure onto an already squeezed childcare market.

This provision will support the data in providing further 3- and 4-year-old places within the ward.