

Free School Presumption

Wixams Primary (Town Centre)

Introduction

Bedford Borough Council (The Council), as the local children's services authority, has a statutory duty to provide a school place for every child living in its area of responsibility who is of school age and whose parents want their child educated in the state funded sector. To achieve this, the Council has to keep the number of school places under review and to take appropriate steps to manage the position where necessary.

The Education and Inspections Act 2006 (the 'free school presumption') also requires local authorities to adopt a strategic role, with a duty to promote choice, diversity and fair access to school provision. The 2011 Education Act changed the arrangements for establishing new schools. As a result, whenever a Local Authority identifies the need to establish a new school it must, in the first instance, seek proposals to establish an academy.

The Council has identified the need to establish a new 4 form entry (FE)/840 place, mainstream, Reception to Year 6 mixed primary school in Wixams, Bedfordshire to open in September 2024. The school is expected to initially open as a 2FE/420 place school and will be built with core facilities for it to expand to 4FE in line with housing growth and increased pupil numbers.

The Council welcomes proposals from all potential sponsors including for voluntary aided schools and academies with a faith designation.

Background

The Wixams development is situated to the south of Bedford Borough and is cross border with Central Bedfordshire.

Wixams is expected to become the third largest settlement in the Borough, after Bedford itself and Kempston. Due to the size and location of the development, it is essential that sufficient school places, at primary and secondary phase, be provided within Wixams itself.

The development has two existing primary schools and a secondary school, with demand growing as occupations within new housing increase.

The original Wixams development is expected to be fully built out by 2030. It will however remain an area of growth with surrounding land expected to bring further housing development through the 2040 Local Plan.

Further information can be found online at: <https://www.bedford.gov.uk/planning-and-building-control/planning-policy/local-plan-2040>.

Evidence of Need

The Wixams original development will comprise of:

- A new community, consisting of four villages and offering approximately 4,500 new homes, jobs and amenities.
- There will be three primary schools in total and one secondary school.
- Four landscaped greenways that provide a network of public open spaces, including 12 kilometres of footpath and cycle path/leisure routes.
- High quality transport links, including the provision of a future new railway station and transport interchange.

The new academy/free school will be in the Bedford Borough administrative area and will be the third primary school to open to serve the development. The first primary, Lakeview, opened in September 2009 and the second, Wixams Tree, opened in 2017. There is a secondary school, Wixams Academy, that also opened in 2017.

The new school will be in Village 3 (Town Centre) and is primarily intended to serve primary age children residing in Villages 3 and 4. Villages 3 and 4 are expected to have in the region of 2,200 homes, when fully developed.

This new school is part of a major development that requires its own infrastructure to serve the number of new homes to be provided. There is insufficient capacity in the existing schools in the area and therefore additional provision is required and will be funded through section 106 agreement, basic need funding and capital investment from both Bedford Borough Council and Central Bedfordshire Council.

Since 2017, the majority of Bedford Borough schools operate as two tiers: primary and secondary. The new school is proposed as a primary to be consistent with this.

The council believes that the opening of the new school, managed incrementally as described below, will not adversely impact on neighbouring schools.

The council is seeking proposals from appropriate sponsors to open this new school. This school will be deemed a free school.

Proposers should complete the Free School Presumption application form available online and return it electronically to: schools.consultation@bedford.gov.uk by midday on 5th June 2023.

Process for identifying a Preferred Sponsor for the New School

The Education Act (2011) states ‘... that when a Local Authority identifies the need for a new school, that this school should be promoted as either an Academy or a Free School. It is required to publish a notice inviting proposals to this effect and to specify a date for academy/free school proposals to be received.’

‘After that date, it must forward all proposals received to the Regional Director outlining the steps taken to secure applications from potential academy or free school sponsors or advise them of the fact that none have been received.’

An executive summary of all proposals received, with the exception of the financial plans, will be published on the Council’s website.

The Council’s established procedure is to invite the potential sponsors, whose proposals meet the Council’s shortlisting criteria (see application form), to attend a question-and-answer session with an assessment panel comprising of Bedford Borough and Central Bedfordshire Council Officers (including Education professionals) and a representative from the Department for Education (DfE).

Following detailed consideration of all the information available to them the assessment panel will reach a view on which, if any, of the applications received, they would prefer to see implemented. A report on the conclusions reached will then be presented to the Council’s School Places Board and Executive to agree the recommendation to be made to the Department for Education Regional Director on behalf of the Secretary of State for Education.

The Council's recommendation, together with all the applications received, will be forwarded to the Regional Director for East of England. The Regional Director, on behalf of the Secretary of State for Education, will consider the Council's assessments and recommendations before deciding which proposer, if any, is in the best position to establish and run the new school. The Regional Director will inform the Council and the successful proposer of its decision, and the Council will inform those who are unsuccessful.

The key milestones for establishing the new primary school for Wixams are set out below:

1	Identification of need for the school	Complete
2	Inform DfE of proposal and timeline	Complete
3	Pre-launch Consultation begins	23 February 2023
4	Pre-launch Consultation closes	5pm, 23 March 2023
5	Specification published and 7 week competition launched	24 April 2023
6	Competition period closes	Midday, 5 June 2023
7	Authority informs DfE of expressions of interest received	5 June 2023
8	Bids evaluated and Sponsors shortlisted	5 – 9 June 2023
9	Sponsors invited for interview/Q&A session with assessment panel	12 – 16 June 2023
10	Decision and Referral of named preferred Bidder to DfE	23 June 2023
11	Secretary of State through Regional Director and Headteachers' Panel sign-off	July 2023

There will be a need for further steps in the process once the sponsor has been selected relating to consultation under the Academies Act 2010 and entering into a funding agreement with the Secretary of State for Education

If you would like further information or wish to discuss your application, in the first instance please contact:

Gabby Moss, School Improvement Officer

Tel: 01234 276711

Email: schools.consultation@bedford.gov.uk

NB: the local authority led free school presumption is a different route to the DfE's free school programme. Further information about how to establish a new school via the DfE's free school programme route can be found at: <https://www.gov.uk/government/collections/opening-a-free-school>.

Applicant Groups

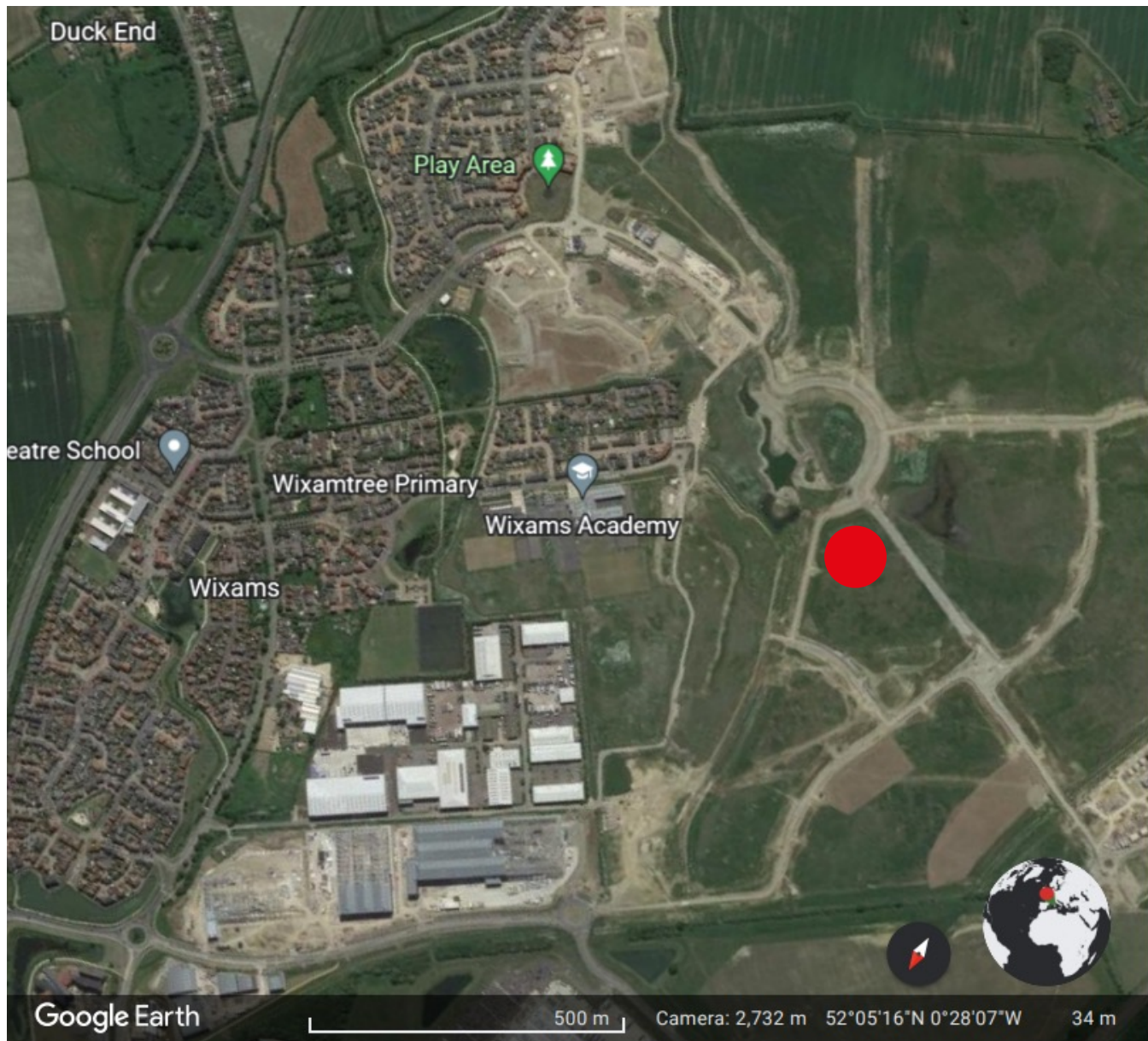
Proposers must be DfE approved sponsors. If you are not already an approved sponsor you will need to separately apply via the formal sponsor approval process.

You should contact the DfE about becoming a sponsor before submitting a proposal and you can find out more information at: <https://www.gov.uk/guidance/sponsor-an-academy>.

The School

Location

The school will be part of the Wixams, which is a major brown field development on the site of the Elstow Storage Depot. The development straddles the boundary of the administrative areas of Bedford Borough and Central Bedfordshire. The school will be located cross border with Bedford Borough and Central Bedfordshire in the Town Centre area of Village 3. In the plan below the approximate location of the site is shown in **red**.



Pupil Capacity

The school will be built with core facilities to become a 4FE/840 place, mainstream mixed primary. It is expected the school will open in phases; initially as a 2FE/420 place and grow in line with housing growth and increased pupil numbers.

Published Admission Number (PAN)

The school is expected to grow to its full capacity over a period of time. This is to ensure the viability of existing local schools and that the new school open as demand from the new development arises.

In 2024, it is anticipated that the school will open with a PAN of 60 for Reception. We anticipate demand for school places will require that Years 1 and 2 will also open. This arrangement will be reviewed with Bedford Borough Council prior to the school opening, in line with the demand for primary school places from the development.

Over time, in line with housing development growth, the school will build up 840 primary places (with a PAN of 120).

Age Range

The age range of the school will be from 4 – 11 to support year groups Reception to Year 6.

Gender

The school will be a mixed school for boys and girls.

Special Educational Needs and Disabilities (SEND) Provision

Analysis of Spring '23 Census for residents in the Parish of Wixams identifies that we can expect the cohort to include 14% of primary phase age children to have special educational needs and disabilities (this includes pupils with an EHCP and those receiving SEN support).

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.

Community Use / Shared Facilities

As identified within our pre-launch consultation, families have placed significant importance on the school offering wrap-around care for children including breakfast and after-school club as well as holiday club provisions.

The school will be located at the heart of the town centre and we expect potential sponsors to demonstrate their plans and arrangements for providing access to and use of the school's accommodation and sports facilities for activities/hire outside of school hours.

Catchment Area

The pre-launch consultation identified that parent(s)/carer(s) were concerned that the new Primary School should have an admissions policy that prioritises local children from the Wixams Development. As such, we expect the successful sponsor to implement a discrete catchment area of the Wixams Development to ensure local children have priority to available school places, both upon opening and in future years as the school grows.

Proposed Admission Arrangements

The Published Admission Number (PAN) for the school in September 2024 will be 60 and it is anticipated there will be places available in Reception and in Years 1 and 2, subject to changes in forecast requirements ahead of school opening. The PAN will eventually be 120 in all year groups (i.e. 4 forms of entry).

All potential sponsors are required to abide by the Codes of Practice on Admissions and Admission Appeals, participate in the Council's co-ordinated scheme for Admissions and its Fair Access Protocol.

With the exceptions of a Voluntary Aided school or Academy with a faith designation, the Council expects potential sponsors will adopt the admission criteria used to determine priority for places in other areas of Bedford Borough, which is as follows:

Children who have an Education, Health and Care Plan (EHCP) that names the school will be admitted.

NB. Those children with an EHCP that does not name the school will be referred to the Council's Statutory Assessment Team (SAT) to determine an appropriate place.

1. All 'looked after' children and all previously 'looked after' children, including those children who appear (to the admission authority of the school) to have been in state care outside of England and ceased to be in state care as a result of being adopted (see definitions);
2. Pupils living in the catchment area with siblings at the school (see definition of sibling);
3. Other pupils living in the catchment area;
4. Other siblings (see definition);
5. Any other children.

The council's policy is to admit children into the Reception Year in the September following their fourth birthday.

If the school is a faith school the admission arrangements must provide for at least 50% of the intake to be given priority, when the school is oversubscribed, without reference to faith.

Transport Arrangements

Access to the school will be along safe walking and cycling routes. Home to school transport assistance will only be provided in line with the Council's Home to School Transport Assistance Policies. The Council is currently working with the developer to ensure that sufficient safe footpaths will be available to the school prior to the opening of the new school.

Equalities Impact Analysis

The local authority has carried out an Equalities Impact Assessment. All potential sponsors are required to demonstrate their commitment to inclusion, to promoting equality and diversity and to eliminating unlawful discrimination and harassment.

Vision

Applicants should take account of the relevant criteria in Annex C of the free school presumption guidance at: https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/499883/Annex_C_-_model_criteria_for_local_authorities_and_proposers.pdf.

As a minimum, please ensure you include the following in your application:

- A strong educational vision and a curriculum delivery 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.

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 in your application:

- An ambitious, broad and balanced, deliverable curriculum plan which is consistent with the vision and pupil intake and engaging for all;
- 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);
- How the needs of all children are to be 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: personal, social and health education (PSHE); 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);
- The school's approach to behaviour management, pupil well-being, safeguarding and attendance and how they link to the school's vision;
- The school's approach to teaching and learning especially for children with SEND or vulnerable in other ways;
- How the school will meet the requirements of the Early Years Foundation Stage for nursery and reception classes;

- The school's understanding of the expected pupil intake and needs and how this is addressed in the curriculum plan;
- How the school will engage with parents to maximise the best outcome for the pupils;
- How the school, as a school serving a new community will manage growth in terms of in year admissions and new year groups to support existing pupils and pupils joining the school;
- How the school will support other primary schools and support the transition to secondary education;
- How will the academy work with other new schools/ academies established/planned for Wixams;
- Any evidence of a track record in improving pupil progress, especially for those pupils in receipt of pupil premium funding;
- Disadvantaged 2 year olds;
- How the school aims to secure outstanding teaching.

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 in your application:

- 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 applicant will ensure value for money and allow for any unforeseen circumstances;
- How the school would be organised and what the governance arrangements would look like, including a diagram of the proposed structures;
- How the proposed governance model will drive and support high standards;
- How the proposed governance model will link to the community;
- Plans to provide challenge in order to evaluate the school's ongoing strengths and weaknesses and to take appropriate actions to improve outcomes;
- Any experience of opening a new school.

Funding and Costs

The School Building and Design:

The school building will be procured by Bedford Borough Council and will then be transferred by Bedford Borough Council on a 125 year lease to the successful bidder. The school will be built to current Department for Education Building Bulletin 103 recommendations for primary schools. The new school will be a modern design offering high quality facilities for the benefit of the school and the wider community.

Reserved matters planning approval for the school has been given. The design of the school and the capital cost has already been agreed as part of the overall development for the area, details of which are set out in a section 106 agreement. Proposers will not have the opportunity for involvement in the planning and design of the building.

Revenue Funding:

Furniture, Fixtures and Equipment:

A furniture, fixtures and equipment allocation of circa. £200,000 will be provided by Bedford Council. The amount will be formally confirmed with the successful bidder once they have been appointed.

Start-up Costs:

Bedford Borough Council will provide a budget for start-up costs which would initially be allocated from January 2024, before the school opens, to allow for the recruitment of a Headteacher and then the appointment of appropriate staff.

After the opening of the school, funding for the diseconomies of scale as the school builds its number on roll to capacity will be subject to negotiation between Bedford Borough Council and the successful bidder.

The DfE currently provides £25,000 for legal expenses to the successful sponsor.

After opening the new school's annual budget allocation will be funded directly by the Education and Skills Funding Agency.

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.

An initial Equalities Impact Analysis was undertaken by Bedford Borough Council. The analysis identified that no particular individuals or groups will be disadvantaged by the proposals for the new school.