



Education & Skills
Funding Agency

Welcome pack for new free schools

**Information for new free schools opening in
September 2018**

September 2018

Contents

Introduction	3
Actions for new free schools	4
Working with ESFA	6
Setting up your ESFA business systems	8
Funding and payments	9
Capital funding and estate management	11
Governance	13
Finance	15
Practical tips for financial management and workforce planning	16
Regional Schools Commissioners (RSCs)	16
Admissions	19
Safeguarding	20
Complaints and whistleblowing	21
Other useful information	22

Introduction

Welcome to the large and growing group of academies, free schools, studio schools and university technical colleges that are helping to improve educational standards for children and young people.

At the Education and Skills Funding Agency (ESFA) we recognise that there's a great deal for you to do to ensure your free school is successful. While most of our work will be directly with your trusts, we've developed this publication to introduce you to our areas of work and guide you through your first few months on matters relating to funding, funding agreement compliance, finance and financial assurance. We're grateful to a number of established academies, as well as other stakeholders, for the advice they've kindly offered in developing this welcome pack.

To help you this publication:

- introduces our areas of work to give you a broad overview of where you can expect to interact with ESFA or, more likely, with your trust
- introduces you to our key services and systems and what you need to know and do to use these services successfully
- outlines where you can find more information about some of the detailed guidelines that you'll need
- provides outline information about other finance related activities for which we're not responsible and signposts to where you can find further information

Help us to make this publication better

We're always looking for ways to improve the information we provide to free schools. If you think we've missed something or there's something you don't fully understand, please let us know by contacting our [enquiry service](#).

Actions for new free schools

Important actions for free schools to complete within their first few months of opening. We've included additional actions for your trust as it's highly likely that you'll need to work alongside your trust to complete these.

When	Actions
On free school opening	<ul style="list-style-type: none"> Contact your local government pension scheme fund to provide details of any relevant staff
Within 28 days of opening	<ul style="list-style-type: none"> Activate your DfE Secure Access account and add up to 6 users in your school
By 14 September 2018	<ul style="list-style-type: none"> Complete the pupil number data collection exercise (see page 13) via the ESFA's Information Exchange Portal (accessed using Secure Access)
Within 28 days of opening	<ul style="list-style-type: none"> Provide head teacher contact information using Secure Access
Within 28 days of opening	<ul style="list-style-type: none"> Familiarise yourself with the school resource management tools and work with your trust use them in your financial management and planning (see page 16)
Within 6 weeks of opening	<ul style="list-style-type: none"> Work with your trust to complete and submit your land and buildings valuation information form Apply to the Land Registry for a restriction to be placed on the land as outlined in your funding agreement
Within 6 weeks of receiving your final funding letter	<ul style="list-style-type: none"> Work with your trust to submit an in year budget forecast return for your free school outlining your current spending plans
Within 2 months of opening	<ul style="list-style-type: none"> Submit a national non-domestic rates claim form for the current financial year
Within 4 months of opening	<ul style="list-style-type: none"> Work with your trust to submit a financial management and governance self-assessment (FMGS) or alternative return using the online form
Within 4 months of opening or by 31 August whichever is sooner	<ul style="list-style-type: none"> Free schools without a sponsor to finalise their closing balance with their local authority (LA)

When	Actions
4 October 2018	<ul style="list-style-type: none">• Complete the autumn school census
2 November	<ul style="list-style-type: none">• Complete school workforce census
17 January 2019	<ul style="list-style-type: none">• Complete the spring school census
16 May 2019	<ul style="list-style-type: none">• Complete the summer school census

Working with ESFA

Our [customer commitment](#) shows how you can expect to see us work. This section outlines what you can do to make sure you get the best possible service from us.

ESFA link officer

The role of the ESFA link officer is significantly different to that of the lead contact that free schools will have worked with in pre-opening. The expectation is that open free schools have the freedom, autonomy and responsibility to run their school. Contact with the link officer will depend on any issues that arise requiring the link officer to keep in touch either through visits or phone calls.

Free schools can contact their link officer directly to discuss any concerns but should refer first to any published guidance.

Supplying contact details

Academies must provide ESFA with contact details for the headteacher. The details must be provided through the Secure Access system. Where there is a subsequent change in roles, notification must be made within 14 days.

ESFA update

ESFA update is a weekly email bulletin for free schools and trusts. Articles are brief and focused on important updates and key actions for you.

We send ESFA update to the person – usually the headteacher – who is listed on Get Information about Schools (GIAS) as the free school's head of organisation.

We publish [ESFA update](#) on GOV.UK and anyone can set up a [GOV.UK ESFA correspondence alert](#) to receive an email as soon as it's published.

Our website

We've gathered key information for academies into a GOV.UK document collection called [Academies: funding, payments and compliance](#). This includes our publications and detailed guides about funding and finance, and information with links to forms you can use to make a claim for funding such as rates.

We'll include a brief item and link in our ESFA update when anything is added or changed such as when we request a financial return.

You can also set your own [general alerts on GOV.UK](#) so you'll always know when anything ESFA publishes changes.

Our enquiry service

As part of an academy trust, we'd expect individual free schools to work with their trust on most issues relating to funding, finance, and funding agreement compliance. We aim to provide clear and comprehensive information about all of our areas of work. If there's anything you don't understand or you need clarification on a specific issue relating to your individual free school, our [enquiry service](#) will be able to help or point you in the right direction.

Planning calendar

We've produced a [wall planner for academies](#) showing key dates about ESFA activities for the 2018/19 academic year. The key dates relate to free school funding, finance and trust compliance with their funding agreement.

Social media

You can follow [ESFA on Twitter](#) and follow our separate [ESFA Twitter channel for academies](#). Our Twitter channels provide the latest updates from across ESFA.

You can also [subscribe to ESFA's YouTube channel](#) which hosts our latest video guidance and webinars.

Setting up your ESFA business systems

Secure Access

Information Exchange is our secure website, accessible via the Department for Education's (DfE's) [Secure Access](#) system. It enables free schools to use Document Exchange to receive and exchange documents with ESFA.

Getting started with Information Exchange

We'll automatically set up a Secure Access account for new free schools using information shared from [Get information about schools](#) (GIAS), DfE's register of educational establishments.

We'll send an email to the Secure Access approver in your organisation who will then be able to activate the account and add up to 5 additional people to use Secure Access and have access to Information Exchange.

Your approver will usually receive the activation email in the first 2 weeks of opening and must activate the Secure Access account within 48 hours.

It may take us a little longer to set up Document Exchange. This is usually completed in the third week after opening.

Identity and Access Management System (IDAMS)

IDAMS is our secure system that trusts use to prepare and submit their financial returns to ESFA. You'll be contacted by your trust if someone in your free school is asked to register to use the trust's account. The person setting up the account will be an administrator (Super User), who will control access to the system and can assign specific roles to people to enable them to complete the online forms.

Funding and payments

You've already received your draft funding allocation for this academic year and we'll write soon to confirm your final funding allocation if we haven't already done so.

Many enquiries we receive from free schools are about funding and we've published a range of [funding information](#) dealing with many of the questions we're asked.

A series of [short videos](#) is available to explain how we calculate funding allocations.

The [funding allocations schedule](#) outlines the ESFA timescales for issuing funding allocation packs (FAP) to new free schools in their first year.

Your funding allocation

We fund free schools on the same basis as maintained schools and you will receive annual funding allocations from ESFA. We provide funding from September to August, in line with the academic year. This is different to maintained schools which are funded from April to March, in line with the financial year.

We've published more details about [funding allocations](#), including 16 to 19 allocations and high needs place funding arrangements, on GOV.UK.

Pupil number data collection exercise

You will need to complete the pupil number data collection exercise by 14 September 2018. To make this process as easy as possible we need you to return the number of pupils you have recruited in each year group via the ESFA's [Information Exchange Portal](#) (accessed via the secure access website).

Payment schedules

If you haven't done so already, you'll need to complete and submit the [academy bank details form](#). You can also use this form to notify us of any subsequent changes to your bank details or remittance address.

The monthly general annual grant (GAG) payment will be sent via BACS and will arrive in your nominated bank account on the 6th working day of your month of opening and on the first working day of every subsequent month.

Your GAG allocation will be paid in 12 equal payments across the academic year (flexed depending on your opening date). The only exception is for some elements of start-up grants for full sponsored academies which are paid within the first 3 months of opening and bursary funding for those with post-16 provision which is paid twice a year. A

monthly remittance advice will be emailed to you and we've published a [short guide](#) to help you understand this.

Non-GAG payments for early years funding and high needs top-up funding are paid directly to academies by local authorities. We're responsible for non-GAG payments for [universal infant free school meals](#), [year 7 catch-up premium](#), [pupil premium grant](#) and [PE and sport](#) grant allocations.

Pupil premium payments

[Pupil premium](#) is additional funding to raise the attainment of disadvantaged pupils and close the gap between them and their peers. It's paid on a financial year basis, in arrears and in quarterly instalments. We began to pay the 2018 to 2019 financial year allocation to free schools in July 2018.

Claiming for national non-domestic rates (NNDR)

Free schools need to submit an [electronic claim form](#) to claim funding for [national non-domestic rates](#) (NNDR) for their free schools.

We'll make one payment within 2 months of receiving a claim, depending on our monthly payment deadlines. You need to claim for NNDR each subsequent year.

Capital funding and estate management

You can read information about [school capital funding allocations](#) on GOV.UK.

The [condition improvement fund](#) (CIF) is available for trusts not eligible for a formulaic capital funding allocation. It can be used to address building condition and in a very small number of cases, expansion issues. The core priority for CIF is to address significant condition need, keeping free school and sixth-form college buildings safe and in good working order. This includes funding projects to address health and safety issues, building compliance and poor building condition.

We'll provide information about applying for the 2019 to 2020 CIF round in October 2018 via ESFA Update and on GOV.UK. Any bid for CIF funding should be prepared and submitted by your trust.

Good estate management for schools

Academy trusts are responsible for managing and overseeing the schools' estate, ensuring that land and buildings support educational objectives and excellent resource management. Free schools should work closely with their trust. Leaders and governors of academies, academy business professionals and those involved in the day-to-day management of the estate will find the [good estate management for schools](#) manual useful. It includes:

- the policies and procedures needed to manage the school estate effectively
- guidance on strategic estate management, organisational oversight, understanding your land and buildings, energy and water management and managing projects
- updated guidance on health and safety, compliance and maintenance (replacing guidance in Essential Schools Maintenance)
- links and signposting to organisations and resources that can help

Managing asbestos in school

Any part of a school constructed before 2000 may contain asbestos. The academy trust and members of school staff have a duty to manage asbestos under the [Control of Asbestos Regulations 2012](#) .

We've also published [asbestos management in schools](#) which offers advice on what you need to do to manage the risk of exposure and to keep staff, pupils and visitors safe.

Land and buildings valuation

Each year, ESFA undertakes an exercise to have the [land and buildings valued](#) for all new free schools that opened between 1 September of the previous year and 31 August of the current year.

We commission professionally qualified valuers to carry out desktop valuations of all new academy trusts' sites in order to consolidate valuations into the [sector annual report and accounts \(SARA\)](#).

The valuations are not intended to support land and building valuations recognised in local academy trust annual reports and financial statements. In accordance with the required central government valuation approach, the valuations do not value the actual properties on the free school sites. Instead the valuation approach is to value a hypothetical school based on a general building age and capacity of the new free school.

Newly opened free schools should complete the [information request form](#) to provide basic background data to support the valuation within 6 weeks of opening.

If your free school is currently in temporary accommodation, please confirm this on the form together with the date you expect to move to your permanent site. You'll then need to complete a new land and buildings form for your new accommodation when you move in.

Governance

The [governance handbook and competency framework](#) provides information about the role and legal duties of the board of governors in maintained schools. You might also find our [top tips for governors](#) useful as this is based on free schools' experiences and lessons learnt.

In free schools, statutory governance sits at an academy trust's company director level (called trustees due to the company's charitable status). Governors are those individuals who sit at the trust's local level for individual free schools. The exact nature of governance arrangements for individual free schools is fluid, and at the discretion of its academy trust's board of trustees.

Financial management and governance self-assessment (FMGS)

The [FMGS](#) is a short self-assessment that provides a way for you and ESFA to ensure compliance with the requirements of the Academies Financial Handbook. These requirements apply upon or shortly after opening, and include specific obligations incumbent on the accounting officer, trustees and delegated committees.

All new trusts with newly opened free schools must submit the FMGS return using the [online form](#) within 4 months of opening.

Where a new free school has joined an established trust, the trust must submit alternative assurance using the [online form](#) stating that the free school will comply with the MAT's financial management and governance arrangements and follow its internal control procedures.

Funding agreement

The [funding agreement](#) is the contract every academy trust signs with the [Secretary of State](#) to describe the operation of their new free school. It provides the operating framework for the academy trust and free school, and trustee bodies must ensure they're compliant with it.

Academies Financial Handbook

The [Academies Financial Handbook](#) sets out responsibilities and requirements relating to academy trusts' financial governance and management. It's taken from the requirements in trusts' funding agreements with the [Secretary of State](#), and compliance with the Handbook is a condition of the funding agreement.

Non-financial statutory returns

In addition to financial returns, free schools are required by law to make 2 further statutory data returns for:

- the [school census](#) (termly)
- the [school workforce census](#) (annual)

Information is provided at school level and academies use [COLLECT](#), which is accessible via DfE's Secure Access system, to supply the data.

Information from these data collections underpins much of our decision-making, funding allocations and many statistical outputs that are made publicly available. They're also published in the school performance tables.

Publishing requirements

As a registered company, your website and all official stationary must display your full legal company name, your business [free school] name (if different, ie all MATs), place of registration, registered company number and registered office address.

The [current legislation](#) details the information all schools are required to publish online, including contact details, admission arrangements, academic performance and how pupil premium funding has been spent.

All funding agreements since July 2011 have required free schools to publish curriculum information, and new funding agreements issued this year require that the information is published on each of a MAT's free schools' websites.

Curriculum information is important for parents so that they know precisely what is taught and when, enabling them to support their children in their studies. It's also important information for parents when choosing new schools.

The funding agreement requires that the academy trust should include details of the content of the curriculum, its approach to the curriculum, the GCSE options and other key stage 4 qualifications offered by the free school, the names of any phonics and reading schemes in operation for key stage 1 and how parents can obtain more information in relation to the free school's curriculum.

You must also publish details of your governance arrangements on your trust website. You can find further information on the GOV.UK page, [what academies, free schools and colleges should publish online](#).

Finance

Academies financial returns

All academy financial returns will be prepared and submitted by your trust. You will work with your trust on arrangements for submitting individual academy financial information at trust level.

You can read information about [financial returns academy trusts submit to ESFA](#) on GOV.UK.

Surpluses/deficits

Free schools without a sponsor must finalise their [closing balance](#) with their local authority within 4 months of your conversion date.

We've published guidance about what happens if a school has a [budget surplus or deficit](#) when it converts to academy status.

Practical tips for managing resources

The [supporting excellent school resource management](#) guide provides a summary of the support the department provides to help schools reduce costs and get value for money.

It would also benefit you to bookmark the collection of practical guidance and tools on the [school resource management](#) GOV.UK page, as it will be regularly updated.

The school resource management strategy describes the help and support in more detail, including:

Financial benchmarking

The [financial benchmarking service](#) can help you compare your academy spending in various categories with other similar academies and create reports that:

- give a clear picture of an academy's financial performance
- identify areas where you're spending more than similar academies, which may be a focus for further efficiency
- help trusts identify areas where their academies are spending more than similar academies, which may be a focus for further efficiency

National commercial deals for schools

The [buying for schools](#) guide outlines initiatives to help academies improve how they purchase goods and services, and save money on the things they buy regularly. The list of [recommended deals for schools](#) is updated as new deals are launched. The list will continue to expand throughout 2019.

The [risk protection arrangement](#) (RPA) is an alternative to commercial insurance for academies, underwritten by the government. Academies can opt in to RPA by completing the [registration form](#). Once an academy has opted in, the EFSA will automatically renew membership every year. Details of the losses RPA will cover are published in the [RPA membership rules](#) information on GOV.UK.

Regional Schools Buying Hubs

The Regional Schools Buying Hubs pilot offers free procurement advice and support when buying goods and services. The support includes:

- expert advice and guidance on buying
- sharing market intelligence
- help with complex contracts, particularly services such as catering, cleaning and premises

- local collaboration and aggregation, providing an opportunity to reduce costs in areas such as business services, ICT, stationery and utilities.
- Access to templates and exemplar documents including sample contracts and specifications which schools can tailor to their specific needs.

If your Academy is in either the [North West](#) or [South West](#) region, you can join now.

If the pilot proves successful, the intention is to rollout the service nationally in 2019. The latest information will be shared through the ESFA Update and published on GOV.UK

Workforce planning

The [workforce planning guidance](#) is for anyone who has a strategic leadership position within a school or academy trust, for example trustees, finance directors and academy CEO's. This non-statutory guidance aims to support schools and academy trusts that are reviewing staff structures as part of financial planning.

School business professionals can also sign up to the [DfE School business professional contact list](#) to receive occasional updates on topics and products related to school resource management.

Regional Schools Commissioners (RSCs)

ESFA works with regional schools commissioners (RSCs) who act on behalf of the Secretary of State for Education and are accountable to the [National Schools Commissioner](#).

DfE appoints RSCs for their extensive knowledge of the education sector within their regions. They typically have backgrounds as highly experienced academy headteachers, chief executives of multi-academy trusts (MATs) or leaders in education.

Each RSC is supported by a [headteacher board \(HTB\)](#). HTBs are made up of experienced academy headteachers and other sector leaders who advise and challenge RSCs on the decisions they make.

RSCs main responsibilities include:

- taking action where academies and free schools are underperforming
- intervening in academies where governance is inadequate
- deciding on applications from local-authority-maintained schools to convert to academy status
- improving underperforming maintained schools by providing them with support from a strong sponsor
- encouraging and deciding on applications from sponsors to operate in a region
- taking action to improve poorly performing sponsors
- advising on proposals for new free schools
- advising on whether to cancel, defer or enter into funding agreements with free school projects
- deciding on applications to make [significant changes to academies and free schools](#)

There are 8 RSCs that operate across 8 regions in England:

- [Sue Baldwin: East of England and North-East London](#)
- [John Edwards: East Midlands and the Humber](#)
- [Vicky Beer: Lancashire and West Yorkshire](#)
- [Janet Renou: North of England](#)
- [Martin Post: North-West London and South-Central England](#)
- [Dominic Herrington: South-East England and South London](#)
- [Lisa Mannall: South-West England](#)
- [Christine Quinn: West Midlands](#)

Each RSC has a [vision statement](#), which describes their aims and commitments in fulfilling their responsibilities within their region.

Admissions

Admissions law is set out in both primary and secondary legislation and the statutory [School Admissions Code](#) (the Code) and [School Admission Appeals Code](#) (Appeals Code), which both carry the force of secondary legislation.

The Code exists to ensure that places in all state funded schools are allocated in a fair and transparent manner. The Appeals Code is statutory guidance designed to ensure the independence of admission appeal panels and ensure that all admission appeals are conducted in a fair and transparent way.

Publishing your admissions arrangements

With the exception of schools that cater for 16 to 19-year-olds, all academy trusts are their own admissions authority and must meet all the mandatory provisions of the [School Admissions Code](#). Once admission authorities have determined their [admission arrangements](#), they must notify the appropriate bodies and publish a copy of the determined arrangements on their website, displaying them for the whole offer year (the academic year in which offers for places are made).

Free schools that cater for 16 to 19-year-olds have admission policies which they're required to keep under review and which must be 'fair, objective and transparent'. They don't need to seek DfE's agreement for changes post-opening.

There's additional guidance on [admissions for free schools](#) with advice on adopting fair admissions and a template to use as a basis for drawing up an admissions policy.

Admission authorities for faith schools must also send a copy of their arrangements to the body or person representing their religion or religious denomination.

The admissions code and appeals

Any applicant refused a place at a maintained school or a free school has a right of [appeal](#) to an independent appeal panel.

The academy trust has to ensure that the independent appeal panel is trained to act in accordance with all relevant provisions of the [School Admissions Appeals Code](#) published by the DfE.

ESFA is responsible for handling [independent admission appeal panel complaints](#) from parents and legal guardians.

Safeguarding

[Keeping Children Safe in Education](#) (KCSIE) sets out the legal duties with which free schools must comply. It provides statutory guidance on safeguarding children and information about safer recruitment.

Academy trusts must appoint a senior board level lead to take responsibility for the organisation's safeguarding arrangements. Trusts must meet their duties under legislation by having appropriate policies in place. They must ensure that their free schools have:

- an effective child protection policy in place at each individual school
- a staff behaviour policy (also known as a code of conduct)
- safeguarding responses in place for children who go missing from education to help identify those at risk of abuse and neglect
- a senior member of staff from the free school leadership team appointed to the role of safeguarding lead.
- clear whistleblowing procedures and a culture that enables issues about safeguarding and promoting the welfare of children to be addressed
- a process for sharing information with other professionals and safeguarding partners as set out in [working together to safeguard children](#)
- robust recruitment practices, including meeting legal obligations on when to obtain a criminal record check
- procedures for all staff members to receive appropriate safeguarding and child protection training and to make sure they are aware of the systems within their school

It is a matter for the academy trust and their schools if they wish to put additional arrangements in place.

ESFA's role in safeguarding

ESFA will consider safeguarding and child protection policies in line with the funding agreement. We'll refer to other organisation such as Ofsted or the local authority where specific child protection action or inspection is required.

Further information about safeguarding

[What to do if you are worried a child is being abused – Advice for practitioners](#) – this guidance is non-statutory, and is aimed to help practitioners identify child abuse and neglect and take appropriate action in response.

[Sexual violence and sexual harassment between children in schools and colleges](#) – the guidance sets out what sexual violence and sexual harassment is, how to minimise the risk of it occurring, and what to do when it does occur, or is alleged to have occurred.

Complaints and whistleblowing

Free schools are required to have complaints procedures meeting certain requirements, set out in Part 7 of [The Education \(Independent School Standards\) \(England\) Regulations 2014](#). Procedures must be available to parents of pupils and parents of prospective pupils.

We've published information about [setting up an academies complaints procedure](#) to help you when drawing up and administering a complaints procedure. Similarly, we've published information about [how ESFA handles complaints](#) about free schools to explain ESFA's role in investigating complaints that come to us.

Trusts must have an appropriate [procedure for whistleblowing](#), at both the trust and free school operational levels, in place that protects staff members who report colleagues they believe are doing something wrong or illegal, or who are neglecting their duties. The whistleblowing charity Public Concern at Work offers [support packages](#) on developing policies.

Counter extremism

Concerns relating to extremism affecting young people or their education can be reported by [email](#) or by calling the helpline: 020 7340 7264.

The purpose of the helpline is to enable school staff and governors to raise concerns relating to extremism directly and in confidence.

Other useful information

Apprenticeships

We have published a [guide to apprenticeships for the school workforce](#) to explain how the apprenticeship levy applies to academy trusts and how academies can use apprenticeships.

Working with stakeholder groups

Representatives from across the range of stakeholder groups and membership organisations work with the ESFA to check our plans for service development, support our communications, deliver substantial amounts of training and development, and most importantly, provide feedback to us on things that could be improved or issues that you might have.

We believe that autonomous free schools are best served by the organisations whose purpose is to represent the sector. We treat all representative bodies equally and make no recommendations. The following list is not definitive but is a sample of peer-to-peer networks of organisations with whom you're encouraged to consider engaging:

- [Freedom and Autonomy for Schools – National Association \(FASNA\)](#)
- [The Schools Network \(SSAT\)](#)
- [Institute of School Business Leadership \(ISBL\)](#)
- [Association of School and College Leaders \(ASCL\)](#)
- [National Association of Head Teachers \(NAHT\)](#)
- [National Governors' Association \(NGA\)](#)
- [Association of Colleges \(AoC\)](#)
- [Finance Directors Forum \(theFDforum\)](#)

Stakeholder groups may publish advice from time to time to support free schools. In particular there's a best practice library on the [ISBL](#) website that provides guidance on a number of financial and governance issues and includes model policies, procedures and templates.

You might also find the [Charity Commission](#) useful for best practice in financial management for charities, as well as the [Chartered Institute of Public Finance and Accounting](#) (CIPFA), which offers financial guidance for free schools.



Education & Skills Funding Agency

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