



Department
for Education

Guidance and criteria

**For proposers bidding for capital funding
to support the establishment of a new
voluntary aided school**

December 2018

About this guidance

This publication provides non-statutory guidance from the Department for Education for proposers bidding for capital funding from the department to support the establishment of new primary, secondary or all-through voluntary aided schools.

Voluntary aided schools are maintained by local authorities. They have foundations that hold the school premises and usually appoint a majority of the schools' governors. Voluntary aided schools' governing bodies employ the staff in the school and are the admission authority. Voluntary aided schools designated as having a religious character are able to give priority for up to 100% of their places on faith-based admissions criteria; appoint teachers by reference to faith; and provide religious education and collective worship according to the tenets of the faith of the school.

In exchange for the additional freedoms and controls given to the voluntary aided sector, proposers of voluntary aided schools are expected to source at least a 10% contribution towards the capital expenditure incurred in opening a new school. Traditionally local authorities have provided the remaining 90%.

Grants made to proposers in this scheme will be made under the School Standards and Framework Act 1998 which gives the Secretary of State the power to make a grant in respect of up to 90% of the capital expenditure incurred by the governing body of a voluntary aided school. This also applies to capital expenditure by the proposers of an approved new voluntary aided school [by virtue of the Education and Inspections Act 2006]. The School Standards and Framework Act 1998 (paragraph 5(3) of Schedule 3) allows the department to meet the full capital costs in exceptional circumstances.

Any persons or organisations, except local authorities, can publish proposals to set up a new voluntary aided school. Similarly, any persons, except local authorities, will be able to bid to the department for capital funding to establish a new voluntary aided school.

Proposers are still able to establish a new voluntary aided school without bidding for capital funding using this scheme. Please read the [statutory guidance on opening and closing maintained schools](#) to understand the statutory process for establishing new voluntary aided schools.

In this document 'proposers' is used to mean not only those who have published proposals under section 11(1A) of the Education and Inspections Act 2006 but also those who are intending to do so, subject to being approved in principle under the capital scheme.

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1. Introduction

1.1. We want all children, regardless of where they live or their background, to receive a world-class education. We have made substantial progress: there are now more schools rated good or outstanding than in 2010.¹ We are injecting fresh approaches and drawing in talent and expertise from different groups and backgrounds. We have established over 400 free schools – including over 70 schools with a religious character.²

1.2. Free schools with a faith designation have a ‘cap’ on faith-based admissions. As a result, when the free school is over-subscribed it can only apply faith-based oversubscription criteria to the first 50% of places available. This has meant that some of the most experienced and largest providers, with track records of delivering good outcomes for children and young people, have felt unable to open new schools through this route.

1.3. In May 2018, we confirmed in the Government’s response to the [Schools that work for everyone consultation](#) that we would launch a new capital scheme to support the creation of new voluntary aided schools for faith and other providers. This document sets out the information we will require from proposers bidding for capital funding from the department in order to establish a new voluntary aided school.

1.4. As well as securing capital funding, proposers must follow the statutory process set out in [guidance on opening and closing maintained schools](#) in order to establish a new voluntary aided school. A process map setting out how we envisage the two processes running in parallel can be found in section 3. We intend for the department’s capital bidding process to run in advance of groups publishing statutory proposals, as this will give proposers information about likely capital funding from the department before publishing proposals.

1.5. We will *only* provide capital funding to support strong proposers to establish new voluntary aided schools that create good school places for children and young people where they are most needed to meet demographic growth *and* where there is demand from parents for the type of place that the school will offer.

1.6. Schools created through this scheme will have the same freedoms as existing voluntary aided schools, including over their admissions. This enables them to give priority for admission on the basis of faith for up to 100% of places, once they are oversubscribed. All new schools that open through this scheme are required to have strong local integration and community cohesion plans to ensure that pupils from all faiths and none feel welcome at the school

1.7. Proposers, in line with existing legislation, are expected to contribute at least 10% towards the capital costs incurred. The contribution represents a long-standing feature of voluntary aided status and applies to all voluntary aided schools. Through this scheme the department will provide the remaining capital funding.

¹ <https://www.gov.uk/government/statistics/state-funded-schools-inspections-and-outcomes-as-at-31-march-2018>

² <https://get-information-schools.service.gov.uk>

1.8. Whilst voluntary aided schools often have a religious character not all do, and we accept bids from proposers who want to open a voluntary aided school with or without a religious character so long as the criteria set out in this document are met.

2. A summary of what we are looking for

2.1. We will only provide capital funding to proposer groups to support the establishment of a small number of new voluntary aided schools that represent value for money, will be strong educationally and financially, and will deliver good outcomes for children and young people. This means we are looking for bids **where:**

- There is **basic need** for a high proportion of the school places that the new school will provide, to prevent creating an oversupply of places in the area;
- There is **parental demand** for the type of school proposed, and it will bring added **diversity and choice to the area;**
- The school once open **will be welcoming and address the needs of pupils from all faiths and none, and from different backgrounds and communities** in a way that meets our integration and community cohesion objectives and is in line with the requirements of the Equality Act 2010;
- The proposers have the appropriate education, finance and governance **capacity and capability** to set up and run a successful and viable school;
- The proposed **site represents good value for money and can be delivered in a timely manner** with an acceptable level of risk. We expect bids to include a commitment to use of a site already in your ownership, or a site that is being offered on a free of charge basis (for example, local authority or government owned). We will not be able to approve a bid until a suitable site has been identified.

2.2. The department must ensure that any capital works carried out through this scheme represent value for money for the taxpayer and are in line with the principles of [Managing Public Money](#). If proposers intend to self-deliver the building project we will need to be satisfied that the building work will be managed in a way that will achieve similar or better value for money than that achieved by the department's own building programmes.

2.3. If proposers wish to undertake the build themselves, we will assess their capacity and capability to deliver the capital project. If we are not satisfied, or if proposers prefer not to do this themselves, we will not provide funding unless the proposer agrees to allow the department to deliver the project for them. Proposers who deliver the capital build themselves, referred to in this document as self delivery, will need to meet any overspend costs.

2.4. The department is looking to approve a small number of bids in this round. We will assess bids against the criteria set out in Section 6 and make a decision in principle to provide capital funding to the very strongest bids. We will provide approval to bids on the condition that the capital proposition represents value for money and the statutory proposals for establishing the school are approved.

3. Detailed process overview

1. Read this document, which sets out what we will be looking for in your capital bid, and the [statutory guidance on opening and closing maintained schools](#) to understand the statutory process for establishing new Voluntary Aided (VA) schools.



2. Begin work on your bid, gathering all the material required. The criteria section sets out all other information you must provide as part of your application.



3. Contact your local authority to discuss your proposal and whether a suitable site is available. In addition, contact the department at the earliest opportunity for an indicative estimate of construction costs. To note, you cannot publish your statutory proposal until you have a site, and we will not approve your bid until a suitable site has been identified.



4. Engage stakeholders and the community to develop the capital bid. Proposers with an identified site may wish to start the statutory process to establish the school by carrying out the statutory consultation.



5. Express your interest between Monday 10 December 2018 & Friday 4 January 2019.



6. Complete your bid form and submit it by midday on Friday 1 February 2019.



7. Your bid will be reviewed by the department against the published criteria. We may ask you and the relevant local authority for additional information during this period.



8. We will announce which bids for capital have been approved in principle in early spring 2019.



9. **Spring 2019 –**

- If not already done so, start the statutory consultation **in line with the statutory process** to open a new maintained school.
- Groups that conducted the statutory consultation during the bid process should **publish their proposal**.
- The **site feasibility study** begins. This usually take between 3 and 6 months.



10. **Representation period** - any person can send objections or comments to the local authority (LA) within 4 weeks from the publication date of the proposal.



11. **From summer 2019 –**

- Statutory decision maker (either the LA or Office of Schools Adjudicator) decides whether to approve proposals to establish the VA school.
- The **site feasibility study** concludes whether the proposed site represents good value for money and determines the 10% capital contribution.



12. **From autumn 2019.** If i) the statutory decision maker agrees the new voluntary aided school proposal and ii) the feasibility study is approved by the department, then the project will progress and the funding envelope will be agreed.

4. Different funding routes for opening a new school

4.1. The government provides capital funding to support groups to open high quality new state-funded schools through the following routes. You should consider whether any of the alternative options are more appropriate before bidding for capital funding from the department in order to open a new voluntary aided school.

4.2. **The department's default position is that groups looking to set up new schools should apply through the free school route.** Groups bidding for funding through the VA capital scheme must not have submitted a closely resembling application in the free school wave 13 application round.

Capital funding scheme for establishing new voluntary aided schools

Who initiates the process?	Government invites groups, except local authorities, to bid for capital funding from the department to support the establishment of a new voluntary aided school. Proposers are still able to propose to establish a new voluntary aided school without using the department's capital funding scheme. Please read the statutory guidance on opening and closing maintained schools to understand the statutory process for establishing new voluntary aided schools.
What types of school can be opened through this route?	Proposals for mainstream primary, secondary, all-through schools can be funded through this route. We will only approve funding for voluntary aided schools with sixth forms in exceptional circumstances. We are not accepting capital funding bids to open a new voluntary aided school which replaces existing school provision.
Who provides the capital?	The department is looking to fund up to 90% of the capital costs. Proposers are expected to contribute at least 10% towards the capital costs incurred. Legislation empowers the Secretary of State to fund 100% of the costs in exceptional circumstances. We expect bids to include a commitment to use of a site already in your ownership or a site that is being offered on a free of charge basis (for example, local authority or government owned). We will not approve a bid in principle unless a suitable site has been identified.
Where can I find more information?	This guidance document sets out all of the information that you need to consider when bidding for capital funding from the department in order to open a new voluntary aided school More information on the statutory process for opening a voluntary aided school can be found on GOV.UK .

Central mainstream free schools programme

Who initiates the process?	Government invites applications from groups to establish high quality new schools.
What types of school can be opened	Mainstream primary, secondary, all-through or 16-19 free schools. Note that new 16-19 free school provision, including proposals for a sixth form as part of a secondary school, is likely to be approved by

through this route?	exception only. Trusts submit bids to the department to open a school. We welcome applications from experienced and new providers, including from universities and independent schools partnering with the state sector. We are not currently accepting applications from independent schools that wish to become state-funded.
Who provides the capital?	The department can provide the capital for land and construction for these free schools. To secure best value for money, where possible we look to supplement this funding with other contributions. This includes the provision of a site from local authorities or contributions from developers.
Where can I find more information?	Further information can be found on GOV.UK , which will be updated with information on future waves. Additional support is also available from New Schools Network .

Presumption free schools

Who initiates the process?	Local authorities, who have a legal duty to ensure there are sufficient school places for their area. Where local authorities identify the need for a new school they must seek proposals to establish a free school through this process. This duty does not prevent a local authority from approving proposals for new VA schools or other proposals under sections 10 or 11 of the Education and Inspections Act 2006.
What types of school can be opened through this route?	Mainstream primary, secondary, all-through, special and AP free schools can be opened through this route. The local authority decides what type of school is needed and produces the specification for the school, which it will use to seek proposals from sponsors to establish the new school.
Who provides the capital?	The local authority is responsible for providing the site for the new school and meeting associated capital costs, principally using basic need capital funding provided by the department and any contributions from developers.
Additional information	<p>Once the deadline for submitting proposals to the local authority has passed, the local authority will assess the proposals and recommend its preferred approved academy sponsor to the relevant Regional Schools Commissioner (RSC) who will make the final decision on behalf of the Secretary of State.</p> <p>Once a sponsor has been appointed, the local authority will work directly with the sponsor to open the school. While the school is in the pre-opening stage, the department tailors the support it provides to the needs and experience of both the local authority and the sponsor. The final decision to open the new free school depends on the Secretary of State entering a funding agreement with the academy trust.</p>
Where can I find more information?	Presumption competitions are published on both the local authority's website, alongside the school specification, and on the GOV.UK website. For more information, see the free school presumption guidance for local authorities and sponsors. Sponsors interested in establishing a presumption free school can find a list of local authorities

[seeking proposers](#) on the [GOV.UK](#) website. Additional support is also available from [New Schools Network](#).

Special and Alternative Provision (AP) free schools

Who initiates the process?	Government invites bids from local authorities for special and AP free schools in the places where new schools are most beneficial and needed.
What types of school can be opened through this route?	This is the only route that the department will use to provide capital funding for new special and AP free schools.
Who provides the capital?	The department can provide the capital for land and construction for these free schools. Where possible we look to supplement this funding with other contributions to secure best value for money. This includes the provision of a site from local authorities.
Additional information	The latest bidding round for LAs wanting to set up a new school in their area closed on 15 October. In early 2019, we will invite applications from trusts in the successful local authorities to open approximately 30 AP and special free schools.
Where can I find more information?	More information can be found on GOV.UK . Additional support is also available from New Schools Network .

5. The process explained

5.1. This chapter outlines the process for proposers bidding for capital funding from the department in order to establish a new voluntary aided school. Please read this section carefully before completing your bid.

5.2. As well as securing capital funding, proposers must read and follow the statutory process for establishing a new voluntary aided school set out in the [guidance on opening and closing maintained schools](#).

The relationship between the capital bidding process and the statutory process for opening a new voluntary aided school

The capital scheme is for proposers bidding for capital funding from the department in order to establish a new voluntary aided school. As well as securing funding through the capital scheme, proposers must follow the statutory process set out in [guidance on opening and closing maintained schools](#) in order to establish a new voluntary aided school.

We intend the department's capital bid process to conclude before proposers publish statutory proposals to establish a new voluntary aided school. This will give proposers and decision makers information about likely capital funding from the department, as this will be a relevant factor to consider in deciding whether to publish or approve proposals to establish a maintained school.

Proposers are required to carry out a statutory consultation with such persons as appear to them to be appropriate before publishing the statutory proposals. Proposers must also engage with stakeholders and the community when developing the capital bid through this scheme so are likely to find it advantageous to undertake the statutory consultation at the same time. The consultation does not need to close before your capital bid is submitted to the department.

If we approve your capital bid in principle, then we expect you to publish your statutory proposals to establish the school as soon as possible. In parallel, we will commence the feasibility study which will take between three to six months to complete. If the statutory decision maker approves the proposal to open the new voluntary aided school and if the feasibility study shows that the capital project represents value for money then the funding envelope will be agreed.

Capital bid process

5.3. Proposers submit a bid to the department for capital funding to support the establishment of a new voluntary aided school. The department will assess proposals against the criteria set out in Section 6 and make a decision in principle to fund the

strongest proposal(s), subject to a full site feasibility study, the statutory proposal to open the school being approved, and other conditions relating to your bid being met.

5.4. Proposers are unable to publish statutory proposals unless a site has been identified. If you are unable to put forward a site at the time of bidding for capital, but your bid is rated highly on all other assessment criteria, your project may be placed on hold while we work with you to identify a value for money site for your school.

Statutory process for establishing the school

5.5. As set out in the [statutory guidance on opening and closing maintained schools](#) proposers are required to consult such persons as appear to them to be appropriate before publishing the statutory proposals. Proposers may find it advantageous to undertake the statutory consultation whilst putting together their capital bid. The consultation does not need to close before your capital bid is submitted to the department.

5.6. If we approve your capital bid in principle, we expect proposers to publish statutory proposals as soon as possible. Publication of the statutory proposal is followed by a statutory representation period of up to four weeks and we expect the published proposals to be consistent with the details included in the capital bid. If the relevant local authority does not make a decision on a proposal for a new school, within a period of two months of the end of the representation period, they must refer the case to the Schools Adjudicator for decision. Full guidance about the process is set out in the [statutory guidance for proposers and decision makers](#).

Capital feasibility stage

5.7. A feasibility study of the proposed site will commence for those bids that are approved in principle. If the feasibility study shows that the capital project represents value for money, the 10% contribution has been secured or sufficient plans are in place to raise the funding, and the statutory decision maker approves the proposal for the new voluntary aided school then the funding envelope will be agreed.

Key dates

<p>15 November 2018</p>	<p>Voluntary aided capital scheme is launched – this guide and the bid forms are published.</p> <p>The revised statutory guidance on opening and closing maintained schools is published.</p> <p><i>We envisage proposers carrying out the statutory consultation whilst developing their capital bid.</i></p>
<p>10 December 2018 – 4 January 2019</p>	<p>Window for expressing your interest.</p>
<p>1 February (midday) 2019</p>	<p>Deadline for submitting bids to the department.</p>

Early Spring	Bids which are approved in principle are announced.
Spring 2019	Statutory proposals published. In parallel, a feasibility study of the capital project commences to ensure that the site is deliverable and represents good value for money.
From summer/autumn 2019	If the feasibility study shows that the capital plan represents value for money, and the statutory decision maker approves the proposal for the new voluntary aided school then the funding envelope, including the 10% contribution sum, will be agreed.

What to do and who to speak to in developing your bid

5.8. When considering whether to bid for capital funding to support the establishment of a new voluntary aided school, we expect you to discuss the proposal with the local authority in whose area the school is to be located and/or will maintain the school, and any other authorities whose areas from which the pupils are expected to be drawn. We encourage you to engage with the local authority as soon as possible to seek their view on the extent to which the proposed school will meet both basic need and parental demand, and the potential impact of your proposal on integration and community cohesion and the intake of neighbouring schools. Conversations with local authorities should take into account how far the school will add to the variety of provision available to parents and how far it will meet the need for new school places.

5.9. Any proposer groups bidding for funding in order to open a school with a religious character should speak to the appropriate religious authority before submitting their bid.

5.10. The department can provide an indicative estimate of construction costs which may assist you in estimating the 10% capital contribution that you should allow for. Please make early contact with us by email (VA.capitalscheme@education.gov.uk) to establish typical costs for a school of the phase, location and size you are proposing. Please include, where possible, the following information in your email:

- Proposed site redline boundary plan
- Site address
- Indication of work type - new build or refurbishment
- Pupil numbers and age range
- Any known or significant risks associated with the site development

Expressing your interest

5.11. All groups intending to submit a bid should express their interest in the capital scheme by sending an email to VA.capitalscheme@education.gov.uk by 4 January 2019.

5.12. We require the following information: proposer name; proposed phase; size of the proposed school; age range; whether the proposed school will have a religious character; whether the indicative 10% contribution towards the capital costs has been secured and if not the plans to raise it; and a postcode for the identified site. If you have not yet identified a site, please tell us the full postcode of a central location in the community that your school will serve.

Identifying a location for your proposed school

5.13. **All bids must** have demonstrable basic need for a high proportion of the school places that the proposed school will create. You can find more information on this in [Section B](#) of the assessment criteria.

5.14. You should check whether your proposed school location is in an area with demonstrable basic need for a high proportion of the additional school places that the new school will create. You should **contact the relevant local authority** as they will be able to provide detailed information on the basic need for new school places in your proposed area. You should make yourself familiar with the future basic need projections, including their limitations.

5.15. To help you identify potential areas that meet our criteria, we have published [additional information](#) about the estimated basic need for school places. To access the relevant data, you will need to open 'Additional tables: SFR07/18', tabs B5 and B6. We have also published this information in a [map](#). This map will be updated once new basic need data is published in spring 2019.

5.16. These estimates of places needed are derived from data collected in the school capacity survey (SCAP) and information held on places added through centrally funded programmes. The school capacity survey is an annual collection of data from local authorities including information on the capacities of schools, forecasts of pupil numbers, and capital projects to deliver new places. The information it provides is an annual snapshot so be aware that the basic need may change. In addition, the information about centrally funded programmes (e.g. Free Schools, Priority School Building programme and the Condition Improvement Fund) only takes account of free school projects which have opened up to 2018. Most new schools are established through the free school programme so we recommend you take account of the full list of pipeline free school projects on [GOV.UK](#) when considering need.

5.17. The published data is intended to be a helpful tool. **You will still need to talk with the local authority to understand the full and up-to-date picture of basic need in the area, including any existing plans to meet the need.**

Identifying a site for your proposed school and delivering construction works for your school

5.18. We need to know about where you are proposing to open your school. Your bid is more likely to be successful if you are providing a site which has either been secured or agreed upon that (a) offers value for money (b) can be delivered in a timely manner with

an acceptable level of risk. These factors combined reduce the risk that your project will be delayed or cancelled during the design and build stage. We will expect bids to include a commitment to use a site already in your ownership or a site that is being offered free of charge (for example, local authority or government owned). If there are any alternative sites available (e.g. offered by the local authority or within your land assets) you must provide details of these and demonstrate how your preferred site provides the best value site for the school.

5.19. You are unable to publish statutory proposals unless a site has been identified and given the limited number of projects that we are looking to fund during this bidding round it is highly likely that bids without a site will be unsuccessful. However, in the case that a site is not put forward, but the bid is rated highly on all other assessment criteria, then your project may be placed on hold while we will work with you to identify a value for money site for your school.

5.20. In line with current legislation we expect you to source at least a 10% contribution towards the capital costs incurred. The requirement reflects the additional freedoms and controls given to the voluntary aided sector and applies to all voluntary aided schools. Legislation empowers the Secretary of State to fund 100% of the costs in exceptional circumstances.

5.21. We recognise that many proposers have experience in delivering capital projects, and as such, those proposing successful bids may wish to deliver the capital works themselves. **Proposers who deliver the capital build themselves, referred in this document as self delivery, will need to meet any potential overspend costs.** We ask that you set out your proposed approach as part of the bid (Section E2) so we can consider the associated value for money, timescale and delivery risks.

5.22. If we are not satisfied, or if you prefer not to do this yourselves, we will only provide funding if you agree to the department delivering the project for you. The department is able to secure good outcomes due to the expertise and value for money available through our frameworks. This condition may therefore be attached to the approval of the capital funding bid. The department has a team that manages the design and build of new schools which would seek your input at key points.

Completing your bid

5.23. We will assess your proposal against the criteria set out in Section 6. It is therefore essential that you read the assessment criteria before you start to prepare your bid. Each criterion includes information that you must provide for your proposal to be assessed by the department in the capital bid process. For ease, we have also indicated whether decision makers will consider similar information as part of their statutory process.

5.24. We recognise that some of the information requested by the department for the capital scheme will also be required for a proposal published in line with the statutory process to open a voluntary aided school. We require this information in order to understand both the context of your bid, and whether the proposal represents value for money for the department through establishing a financially and educationally viable school that delivers good outcomes for children and young people. The information

requested will also enable us to compare the relative strengths of the bids received and inform decisions as to which proposals to fund.

5.25. As set out in the [statutory guidance on opening and closing maintained schools](#) proposers are required to consult with such persons as appear to them to be appropriate before publishing the statutory proposals. Proposers must engage with stakeholders and the community when developing their capital bid through this scheme so are likely to find it more time efficient to undertake the statutory consultation at the same time. Adopting this approach will minimise duplication and avoid the need for proposers to have two sets of similar conversations with stakeholders. The Cabinet Office guidance on [Consultation principles](#) provides examples of best practice when running consultations.

5.26. If you do not provide the relevant information in your bid for any of the criteria, or we judge that the information provided in any section of your bid is weak when assessed against the criteria, your bid may be rejected.

5.27. Checks are conducted on all proposer groups. This means we will use the personal information you provide to check your suitability to set up a school. The department is committed to being as transparent as possible. As such, shortly after the bid deadline we will publish a list of all projects, the local authority/area of the proposed school and the religious character (if any) of the proposed school on gov.uk. If your bid is successful then we will publish the full bid. Please read the full privacy notice in [Annex A](#) for more information about how we will use your personal information.

Assessment of your bid

5.28. Your bid will be assessed against the criteria as explained in this guidance. We are not expecting to interview proposer groups, but we may request additional information during the assessment. In our assessment, we will look at bids in the round and weigh up the benefits and costs of each to determine which bids to approve. Given the small number of projects that we are looking to fund in this round, we may not be able to approve all bids that meet the criteria set out in section 6.

5.29. We will have a conversation with the relevant local authorities to discuss your proposal including whether there is basic need and demand for additional school places in the area, the potential impact of your proposal on integration and community cohesion and the intake of neighbouring schools.

Decisions

5.30. The Secretary of State will decide on the successful bids for capital funding through this scheme. Decisions may be conditional on changes to the original proposal - for example, reducing or increasing the size of the proposed school or limiting the secondary phase to 11-16 and not including a sixth form. **The decisions are final and there is no appeals process.** You will receive feedback if your bid is not successful.

5.31. The approval of your bid is an in-principle decision conditional on the capital project representing good value for money following the feasibility study, the 10% contribution having been secured or sufficient plans being in place to raise the funding, as well as meeting any other requirements that arise from our assessment of the bid. In

addition, the statutory proposal to establish your school must be approved and be consistent with your capital bid.

5.32. If the proposal changes materially during the statutory process we will need to consider whether we are content with the modifications.

5.33. The local authority or Office of the Schools Adjudicator will decide whether to approve the proposal for the new school as part of the statutory process. When issuing a decision, the decision-maker can:

- reject the proposal;
- approve the proposal without modification;
- approve the proposal with such modifications, as the decision maker thinks desirable, after consulting the LA and/or proposer (as appropriate); or
- approval of the proposal, with or without modification, can be made subject to certain conditions (such as the granting of planning permission) being met.

What happens if your bid is given approval in principle

5.34. If your bid for capital funding is successful, the feasibility study on your proposed site will begin. In parallel, we expect proposers who have carried out their statutory consultation to publish their proposals to establish a new school. The proposals must be consistent with the details included in your bid for capital funding, any set conditions of an in-principle approval, and feedback from any prior consultation. Further information on what should be included in the statutory proposals can be found [here](#).

5.35. If the feasibility study shows that the department's capital investment represents good value for money and any set conditions have been met, the project will progress to the pre-contract procurement stage following receipt of approval by the statutory decision maker. If the proposal has changed materially during the statutory process then we will need to consider whether we remain content to provide funding in light of the modifications.

5.36. Given the sums of public money that will be available under the scheme, we may need to put in place measures to protect the department's capital investment in the new school. We will agree the mechanisms for this protection with the applicant, dependent on the specific circumstances of each proposal.

5.37. The department will not provide revenue funding to meet the costs of setting up a new school. This funding should be met by the local authority.

6. Assessment criteria

The criteria that the department will use to assess your bid are set out below. We strongly encourage you to read this chapter in full before starting work on your bid.

Two boxes appear at the start of each assessment criteria for sections B-D. The first box, titled **Capital bid process**, sets out the headline information that you must provide when bidding for capital funding from the department.

The second box, titled **Statutory process for establishing the school**, explains what information the statutory decision maker will require if your bid is approved in principle by the department for capital funding.

Section A – Proposer details, outline and context of the school

Please complete Section A to tell us about the proposer details, outline and context for the proposed school. **This section will not form part of the overall assessment**, but it will help us understand the background and rationale behind your proposal. Please ensure this section is consistent with the rest of your bid.

All proposer groups must complete Sections A1 and A2 in full.

A1 – Tell us who you are

In this section we ask you for information about the organisation (for example, your diocese or academy trust) bidding for funding to support the establishment of a new voluntary aided school.

Please note that we are not requiring groups to set up a foundation in order to bid for capital funding. Please provide information about any existing state school(s) you run or oversee.

The personal information you provide in this section will be treated in accordance with the Data Protection Act 2018 and the General Data Protection Regulation 2018 (please see Annex A for further details).

A2 – Outline and context of your chosen school

In this section, we ask for the key contextual details to help us get a better picture of the school type and understand the rationale behind your proposal. You must:

- describe the rationale for your school and why you are bidding for capital funding through this scheme to set up a voluntary aided school in the area you have identified, rather than applying through the mainstream free schools route. **Please note the department's default position is that groups looking to set up new schools should apply through the free school route;**

- include a brief explanation of the school's key features, including the proposed age range, any specialism, any particular ethos, religious character, distinctive pedagogy or educational philosophy;
- provide a rationale for your proposed maximum school capacity if it is different to our expectations of school size for new schools (primary schools should have a minimum of 2 forms of entry of 30 pupils, secondary schools should have a minimum of 4 forms of entry of 30 pupils, sixth forms should have a minimum of 200 students);

Please note that **if you are proposing a primary or all-through school there is a presumption that it will include a nursery**. For a maintained school, this can mean the school itself having an age-range that includes nursery year-groups, or alternatively the provision by the governing body of separate childcare facilities under section 27 of the Education Act 2002. This supports the government's commitment to creating more high quality school-based nursery provision. In this section please set out your plans for a nursery including the delivery model and explain how it fits with the overall rationale for your school. If you have a strong reason for believing nursery provision to be inappropriate, you can make the case that your proposed school should not include a nursery.

Your nursery plans must show how the nursery will deliver the early years entitlements and whether you will offer provision over and above any free entitlement. We particularly encourage bids with nurseries that offer wraparound (that is provision before and after the school day) and holiday care, rather than during term time only.

The Further Education Area Reviews over the last few years have led to restructuring and consolidation of post-16 provision in many areas of the country, and we will be assessing bids in the context of these changes. **It is extremely unlikely that we will provide capital funding for a proposal which includes a sixth form.**

Please note that whilst we will not assess this section in-principle funding decisions may be conditional on changes to the original proposal. For example, reducing or increasing the size of the proposed school or limiting the secondary phase to 11-16 and not including sixth form.

How much you should write: we would usually expect this section to be no more than 1000 words long.

Section B – Evidence of need and demand for your new school in the area

Capital bid process - In assessing the need for new voluntary aided schools, the department is looking for bids which have both:

- Demonstrable basic need for a high proportion of the school places that the voluntary aided school will create and,
- Parental demand for the type of school proposed, and where the proposed school will bring diversity to the area.

Statutory process for establishing the school - Proposer groups should bear in mind that, if the department issues you with an in-principle decision to provide capital funding for the proposed school, in addition to the above and as set out in the [The School Organisation \(Establishment and Discontinuance of Schools\) Regulations 2013](#) you will then need to publish a statutory proposal, for the relevant decision maker to consider. We expect the proposals to be published as soon as possible after the in principle decision to provide capital funding. The proposal must contain the information specified in Schedule 1 to the above regulations. For more information on what must be contained in proposals to establish a new voluntary aided school and the statutory process, [please see the statutory guidance on opening and closing maintained schools](#).

Please ensure that all evidence of need and demand for your proposed school is included in this section of your bid. We will use a range of data to support our assessment of this section. In most cases, we will look at data within a typical home to school travelling distance. However, there may be a case for some schools to serve a wider catchment area than other local schools. For example, in some cases there might be an argument that some pupils would travel further to attend a school with a distinctive specialism or a particular religious character. If you wish us to look at need over a wider than standard catchment area, you should provide evidence as to why this is appropriate.

B1 - Evidence of basic need

In order to avoid creating an oversupply of places in an area, all proposer groups must provide evidence that there is demonstrable basic need for a high proportion of the school places that the new voluntary aided school will provide. In most cases, this will mean demonstrating that **a high proportion of the places at the proposed school will be needed to meet a projected shortfall of school places in the local area in the short to medium term**. We recommend that you look ahead to 2021/22 for primary

schools and 2023/24 for secondary schools, in line with the data collected from local authorities.

Your bid should show that you have:

- consulted published basic need data, taking account of forecast need, existing capacity and capacity that will be added over the coming years; and
- understood the current basic need picture in the area, including any changes since data collection and any plans to create places which will absorb the need.

We will use information held by the department, as well as additional information provided by local authorities, to support our assessment of the evidence provided in your bid. **Therefore, you should speak to the local authority in whose area the school will be located, and other local authorities from whose areas the pupils are expected to be drawn to develop an understanding of the local context and need in the area before starting on your bid.** You can strengthen your bid by including updated need data for new school places from the local authority. This should include the updated need picture since the local authority submitted their school capacity survey 2017 (SCAP) return.

We may prioritise bids where basic need is greater, more pressing, or where there is more certainty of need.

To help you identify potential areas that meet our criteria, we have published [additional information](#) about the basic need for school places. To access the relevant data, you will need to open 'Additional tables: SFR07/18', tabs B5 and B6. We have also published this information in a [map](#).

These estimates of places needed are derived from data collected in the SCAP and information held on places added through centrally funded programmes. The school capacity survey is an annual collection of data from local authorities including information on the capacities of schools, forecasts of pupil numbers, and capital projects to deliver new places. The information it provides is an annual snapshot so be aware that the basic need may change. In addition, the information about centrally funded programmes (e.g. Free Schools, Priority School Building programme and the Conditional Improvement Fund) only takes account of free school projects which have opened up to 2018. Most new schools are established through the free schools programme so we recommend you take account of the full list of pipeline free school projects on [GOV.UK](#) when considering need.

Information required of different proposer groups:

If your capital bid involves a nursery:

There is a presumption that all bids for primary and all-through new schools will include a nursery. Please set out your case here if you have a strong reason for believing there is not a need for nursery provision (or for not offering wraparound or holiday care) in your

area - for example, because there is already sufficient high quality nursery provision in the area.

Your bid should show that you understand the current picture of nursery provision in the local area as this will help to inform your plans. Although basic need data does not cover the nursery age range, it is important that you consider the need for nursery provision in the area that you are proposing to set up your school. As part of this, you should contact your local authority to see any assessments it has made of childcare sufficiency.

If your capital bid involves a secondary school with a sixth form:

The Further Education Area Reviews over the last few years have led to the restructuring and consolidation of post-16 provision in many areas of the country, and we will be assessing applications in the context of these changes. **It is unlikely that we will provide capital funding for proposals that include a sixth form.**

We may make approval of your post-16 provision subject to further assessment – which the department may commission – of the need locally for additional 16-19 capacity and the contribution that your proposal could make to meeting it. We may also defer decisions on 16-19 provision until nearer the time it is needed, using evidence from when the school is open to inform the case for it.

In the unlikely case that your capital bid includes a sixth form then you should be aware that the term ‘basic need’ does not apply to the post-16 age range. You will need to build a case for your proposed provision by providing a brief description of 16-19 provision in the area and why your school will offer something of higher quality. You will also need to provide evidence of the need for places, specifically:

- the number of students eligible for post-16 education in the area and the number of students currently in post-16 provision in the area;
- a forecast of the future need for 16-19 places in the local area, based on the current need for 11 to 16 year olds, and any plans to create places which will absorb the need;
- information about the quality of current post-16 options for young people in the area; and
- information about current outcomes for young people aged 16-19 in the area.

We will assess the case for your school, taking into account the geography, infrastructure and quality of existing provision in the area. We will use local authority level information on the local 16 and 17 year-old population and the numbers of pupils that are currently in full-time/part-time education or work-based learning.

[Data](#) for the previous year is published each June. We will also look at school census information and the Office for National Statistics local level population estimates.

B2 - Demand for greater choice and diversity

In addition to bids demonstrating basic need for a high proportion of the school places that the new voluntary aided school will provide, new voluntary aided schools funded through this route should promote choice and diversity in the system. Proposers must demonstrate how their proposed school achieves this. For example, the bid may be for a school with a religious character or a school with a distinctive educational philosophy. In assessing this section, we will look at the nature and quality of the local provision available.

Strong bids will demonstrate:

- demand for greater choice and diversity by evidencing that your school proposal meets parental demand for this type of provision that is not currently available locally;
- compelling evidence that you have engaged successfully with a cross-section of the community including the families of children who would qualify for free school meals and, if necessary, have adapted your proposal in response to feedback; and
- that you have understood the likely impact of your proposed school on existing schools and you have discussed your proposal with the relevant local authority whilst developing your bid.

We expect proposers to undertake marketing activities which set out the specific characteristics of the school so that parents can make an informed decision about whether they would like their children to attend the proposed school. Activities may include:

- gathering letters of support from local schools or nurseries, where appropriate (particularly those schools you expect your pupils to come from or go to); other community groups; local businesses; and local authorities;
- identifying the postcodes that pupils are likely to come from and the reason(s) why you think they will come from these areas;
- setting up a website and providing the number of people who have signed up to receive news updates; and
- marketing events, with evidence of the number of attendees and who they were (for example prospective parents, prospective pupils etc.).

Please note that you are not required to carry out a survey of parents, although you may do so if you wish.

Proposed schools with a religious character:

You must provide evidence that your proposed school is likely to attract applications from all parts of the wider community. You must also show that you have explained clearly the nature of the religious character and its impact on the school. This must be clear enough to allow parents to make an informed decision about whether to support the new school.

While your expectation may be that the proposed school will be oversubscribed from children of the faith, please explain how the school will attract applications from children from all parts of the local community in the event that there is insufficient demand from children of that faith.

Please note that we will ask for more information from all proposers on how your proposed school plans to support inclusivity and community cohesion in the next section (Section C).

How much you should write: we would usually expect Section B to be no more than 5000 words long.

Section C – Integration and community cohesion

Capital Bid Process - In section B, we looked at how proposers plan to attract children and young people to their school. In Section C, proposers must demonstrate how once open the proposed school will be welcoming to and address the needs of pupils from all faiths and none; and from different backgrounds and communities in line with the requirements of the [Equality Act 2010](#). Bids must also meet our integration and community cohesion objectives, with a view to ensuring all children and young people are able to participate fully in life in modern Britain. Specifically, demonstrating how the school will:

- build opportunities for pupils to interact and build positive relations with those from different backgrounds both within the school, and the wider local community; and
- equip pupils with the skills, values and knowledge to become active citizens in wider society, and play a positive role in shaping cohesive and integrated communities.

Statutory process for establishing the school - If your proposals are approved in principle by the department for capital funding, in addition to the above, the decision maker should consider the impact of any proposal on local integration and community cohesion objectives and have regard to the [Integrated Communities Strategy Green Paper](#).

In assessing the information that you provide in this part of your bid and as highlighted in the [Integrated Communities Strategy Green Paper](#), we will consider the potential impact of your school on integration and community cohesion and the intake of neighbouring schools. As part of our consideration, we will contact the relevant local authority for their view.

In completing this section, all proposers must demonstrate:

- how the school will be welcoming to and address the needs of all pupils – from all faiths and none; and from different backgrounds and communities, in a way that meets our integration and community cohesion objectives and is in line with the requirements of the Equality Act 2010;
- how the school will encourage and support 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 prepare children for life in modern Britain and create inclusive environments through a whole school approach – i.e. a strong school ethos, and through a broad and balanced curriculum, which includes teaching of spiritual, moral, social and cultural (SMSC) education; and

- 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 none.

The government is keen for all schools to support inclusivity and integration within and between communities. There are a number of ways you may wish to demonstrate your commitment to inclusivity. There are some suggestions below, although this list is not exhaustive, so please do provide your own examples to fit your proposed school's circumstances:

- information on your plans to create meaningful relationships between pupils at your proposed school and young people of different faiths (or no faith) in other schools as part of a sustained and structured linking programme. You may wish to provide the name of a school, or a list of schools, with a good educational track record with whom your school plans to set up a meaningful linking programme, or provide a letter from the school your school proposes to link with which demonstrates their commitment to establishing a strong and meaningful set of linking arrangements;
- information on programmes or activities aimed at helping pupils to value differences and to challenge prejudice, discrimination, stereotyping and intolerance of others; and to understand the diversity of their communities and wider society; and
- information on your plans for having diversity within the governing body by having one or more governor who is of another faith or no faith.

Please note that to support new schools who wish to undertake linking with other schools the government is investing over £700,000 to enable the [Linking Network](#) to develop programmes that will help develop strong and positive links between schools and communities with different religious and cultural backgrounds.

In preparing your bid, it is important to note that we will not approve any bid for capital funding where we have any concerns about:

- a lack of genuine commitment to the inclusion of pupils of other faiths and no faith in the school, and from different backgrounds and communities;
- any member of the proposer group holding extremist beliefs, as defined by the government's [counter-extremism strategy](#).

Proposers of schools with a religious character must state whether their school curriculum will teach pupils about all major faiths, and not just about the faith followed by the school.

How much you should write: we would usually expect this section to be no more than 2000 words long.

Section D – Capacity and capability

Capital Bid Process - We expect the proposer group to be the body that will have strategic oversight of the school and to be a key decision maker (for example, appointing foundation governors). In assessing your bid, we will need to be confident that proposer groups include people with the right skills to open a successful and viable school. We are looking for you to demonstrate that your group has the capacity and capability to set up the school, and that you have access to appropriate educational, financial and other relevant expertise, within your group or externally.

Please note we are not asking for information in this section about the delivery of the site. That is covered in section E.

Statutory process for establishing the school - If you are approved in principle by the department for capital funding, as part of the statutory process, the statutory decision maker will have regard to evidence provided of any relevant experience in education held by proposers, including details of any involvement in the improvement of standards in education.

D1 – Governance structure

What you need to know:

We expect the proposer group to be the body that will have strategic oversight of the school and be a key decision maker. **In completing this section, all proposers must describe how they envisage:**

- that the constitution, roles and responsibilities of the governing body will meet the statutory requirements set out in [The School Governance \(Constitution\) \(England\) Regulations 2012](#) and [The School Governance \(Roles, Procedures and Allowances\) \(England\) Regulations 2013](#); and
- that all appointed governors will have the skills to contribute to the effective governance and success of the school.

In completing this section, you may wish to refer to [The constitution of governing bodies of maintained schools - Statutory guidance for governing bodies of maintained schools and local authorities in England](#).

D2 – A strong educational track record

What you need to know:

This section is only relevant to proposer groups who run or oversee **at least one open state school**.

However, **all proposer groups** should keep the definition below of a strong educational track record in mind when explaining the track record of the individuals in their group.

We will use information held by the department and publicly available data about your group's school(s) to build a picture of your educational track record.

Proposer groups who run or oversee up to 20 schools will need to have a 'strong educational track record' in order to receive funding through this scheme. By this, we mean:

- your existing school(s) (this could be an academy or maintained schools) has a 'good' or 'outstanding' judgement from Ofsted;
- achievement in your existing school(s) is above national and local authority averages (looking at headline accountability measures of progress and attainment for the relevant schools); and
- data in your open school(s) demonstrates that progress and/or attainment of disadvantaged pupils is above national and local authority averages for disadvantaged pupils.

Where a proposer group runs or oversees more than one but fewer than 20 schools then not all of them need to meet this definition. However, we will expect to see an explanation for any of your schools that do not meet this definition and what plans you have in place for improvement.

Proposer groups who run or oversee more than 20 schools need to have a strong record, but should only provide additional information if the proportion of your open schools rated 'good' or 'outstanding' by Ofsted is below the national average figure of 86% as of 1 November 2018. In this case, please set out the explanation and your plans for improvement.

If there is underperformance in your open school(s) and we are not convinced by the improvement plan provided, then we are likely to recommend that you focus on raising standards in those schools rather than applying for funding in order to open more.

D3 – The necessary experience and credentials to set up and run the school

What you need to know:

All proposers must complete all the columns for key individuals within the group in Table D3(a) in the bid form and provide a short commentary of your plans:

- name;
- the village/town/city where they live;
- role in setting up the school and once the school is open (if any). Please include whether the individual is the lead proposer, part of the core proposer group, foundation member, proposed foundation governor, or someone whose support you are accessing. Please also include information on any individual(s) who will play a role in the establishment of and the governance of the school by virtue of being from the trust which holds the land on which the proposed school will be

based (i.e. where the land holding trust is different from that of the proposer group).

- summary of all relevant expertise (such as educational or financial, including any relevant educational results/achievements or training in/experience of combining curriculum and financial planning); and
- approximate time commitments for all the individuals named in pre-opening (in hours per week).

The second table, Table D3(b), asks you to set out any skills gaps that you think exist within your group and how you intend to fill them.

When completing this section please note that your bid will be considered more favourably if:

- individuals with appropriate education and finance expertise form part of your core proposer group;
- individuals with expertise in most of the additional areas (managing school finances, leadership, project management, marketing, human resources, safeguarding and health and safety) form part of your core proposer group, and they have a strong track record in their areas of expertise;
- you illustrate a clear understanding of the required capacity and have secured sufficient and realistic time commitments from each individual; and
- if you have high quality plans in place to fill the skills gaps identified, and where applicable, the individuals you have identified to fill the gaps have a strong track record.

Proposers groups who don't already run a state school also need to:

- demonstrate that you have access to individuals with strong, relevant state education expertise and state school finance expertise with specific and sufficient time commitments; and
- demonstrate that you have access to individuals with specific and sufficient time commitments and relevant experience in as many of the following areas as possible: leadership; experience in running a maintained school; project management; marketing; human resources; safeguarding; and health and safety.

All groups must include CVs for the individuals you name as members of the core group. The CVs should be on the template provided in the bid form. Please keep the definition of 'strong track record' in section D1 in mind when explaining the track record of individuals in your group.

How much you should write: we would usually expect this section to be no more than 2000 words long.

Section E1 – The proposed site

Securing a suitable site is an essential part of opening a new school. As you prepare your bid you should investigate potential sites for your school and tell us about them.

We will consider the value for money, timescale and delivery risks of the site for the proposed school in the proposed area. **We will prioritise projects which include a value for money site which can be delivered in a timely manner with an acceptable level of risk.** In particular, we expect bids to include a commitment to use a site already in your ownership or a site that is being offered on a free of charge basis (for example, local authority or government owned).

If you are unable to put forward a site but your bid is rated highly on all other assessment criteria, your project may be placed on hold while we work with you to secure a site for your school.

In line with current legislation we expect proposers to source at least a 10% contribution towards the capital costs incurred. The requirement reflects the additional freedoms and controls given to the voluntary aided sector.

Given the sums of public money that will be available under the scheme, we will put in place additional measures to protect the department's capital investment in the new school. We will agree the mechanisms for this protection with the applicant, dependent on the specific circumstances of each proposal.

What you need to know:

All applicant groups must:

Complete the Excel E1 bid form with details of your preferred site(s). We will use the information that you provide to inform our assessment of value for money, timescales and delivery risks of the site(s) you put forward for your proposed school.

If you are applying for more than one school, you must complete Section E1 for each new school for which you are applying.

To inform the **general site requirements**, we ask for:

- the details of your preferred location for the school including a full post code e.g. DL1 5QE, not DL1.
- the gross internal floor area (GIFA) required for your school. Please use the following formulae to calculate this. As well as helping us, this will also help you identify suitably sized buildings. Note that these sizes are guidelines, not requirements or entitlements.

Age range	Size (m ²)
Nursery (2-4 or 3-4)	4.1m ² per pupil
Primary (5-11)	350m ² + 4.1m ² per pupil
Secondary (11-16)	1050m ² + 6.3m ² per pupil
Post-16 provision in a school	350m ² + 7m ² per pupil

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

In your bid you will need to provide:

- details of any intended enhancements to the school building that you or your partners propose to include. Note that any additions will need to be 100% funded by the proposers, in addition to the (at least) 10% referenced above. This would include anything above the [DfE output specification](#) that will cater for a particular religious or philosophical ethos; and
- confirmation of whether you wish to manage the design and build of the capital works. If the answer is yes, you will also need to complete **section E2** to provide more information on your experience and proposed approach. If you do not wish to manage the design and build of capital works, the department has a team that would deliver the capital project on your behalf and seek your input at agreed key points.

For each site that you have identified, we ask for:

- the details of the location including the full address and full postcode (e.g. DL1 5QE, not DL1) and local authority area;
- details of how you found the site;
- the tenure and ownership of the site (providing land register title, if available);
- if applicable, confirmation from the local authority of their support for use of the site, including the terms;
- an outline of its current use;
- your reasons for choosing it, including its suitability and why it represents value for money;
- size of site and building, if known (including any red line plans);
- comments on the condition of the building and site (this could include information on any known ground conditions, information on previous use and the estimated age of the building);
- any legal restrictions or title matters that could impact on the design and build of a school on the site, or the future use of the site for the school or ancillary uses connected to the school (e.g. charges, unsecured or secured loans, 3rd party charges, covenants, wayleaves, easements etc.); and
- whether the site for your school is part of a housing development (including key dates for the development).

Additionally, please provide any site plans, agent's particulars, photos, catchment/location maps or other associated technical information as annexes by sending to: VA.capitalscheme@education.gov.uk. Clearly mark your school's currently proposed name and location in the subject line. All supporting contextual information on sites must be included in the Excel bid form.

Proposer Funding Contribution

In line with legislation, we expect all proposers to source at least a 10% contribution towards the capital costs incurred. We expect all bids to provide **confirmation that you are able to source at least a 10% funding contribution towards the total capital costs and whether this is secured or needs to be raised**. The bid may be considered more favourably if funding is secured at the time of submitting the bid form.

The department can provide an indicative estimate of construction costs which may assist you in estimating the 10% capital contribution that you should allow for. Please make early contact with us by email (using VA.capitalscheme@education.gov.uk) to establish typical costs for a school of the phase, location and size you are proposing.

Please send all supporting information to back this up with your bid. Evidence could include: proof of funds in a dedicated bank account, detailed fund raising proposals and written commitment from donors to provide funding. The department is able to fund the first 90% of the capital costs incurred, so fund raising proposals must show that the funds will be available in order to pay the remainder on time to keep the construction project on track.

In some circumstances, existing expenditure may count towards your capital contribution, but this will need to constitute 'capital expenditure incurred' by the proposer within the meaning of the legislation. Land gifted to you, or which is due to be gifted to you, for example as part of a S106 development, or which you have owned for a considerable number of years may not be recognised as a capital contribution as no cost will have been incurred by the proposer.

If you would like a site that you own to count as your 10% contribution, then you will need to provide details and evidence of how you acquired (or will acquire) it, what expenditure you have incurred (or will incur) in respect of it, and the dates and circumstances of the acquisition and expenditure.

Legislation (paragraph 5(3) of Schedule 3 to the School Standards and Framework Act 1998) allows the department to meet up to 100% of capital costs in exceptional circumstances. If you are unable to source the full 10% contribution and you believe the circumstances behind your bid are exceptional then please provide the rationale in this section.

We do not regard either a proposer not being able to afford the contribution towards a new VA school or that a proposer is, or has felt, unable to use the free schools programme alone as exceptional circumstances. Applying in the basis of exceptional circumstances, even if we agree, may negatively affect your value for money assessment.

Notes on this section:

We will make an assessment of the overall cost, value for money and the timescales that are likely to be involved for your preferred site(s).

If a site is not put forward in your bid, but your bid is otherwise strong, your project may be placed on hold while we work with you to secure a site for your school, and the project will then be considered for approval at a later date.

If your bid is approved in principle but the feasibility study shows that the site you have proposed is not viable, or does not represent value for money, then we will not provide capital funding.

We will review your plans for sourcing the 10% capital contribution again after the site feasibility study when the overall funding envelope is set. If you are unable to source the contribution then we will not provide the final approval.

VA schools are required to pay 10% of the ongoing capital expenditure once the school is open.

Given the sums of public money that will be available under the scheme, we will put in place measures to protect the department's capital investment in the new school. We will agree the mechanisms for this protection with the proposer, dependent on the specific circumstances of each proposal.

There is a duty on local authorities to provide playing fields for new voluntary aided schools ((The School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2013)). Responsibility for work to voluntary aided school premises is shared between the school's governing body and the local authority. Broadly speaking, the local authority has responsibility for the playing fields and the governing body is liable for all other capital expenditure.

Section E2 – Case to self deliver the capital project for the proposed school

The department has significant experience of working with groups to build new schools that represent value for money and are delivered in a timely manner. We recognise that some applicants will have capital delivery experience and may wish to deliver the capital works themselves. Where applicants wish to do this, we need to ensure that any agreed capital works funded under this scheme represent value for money for the taxpayer and are in line with the principles of [managing public money](#).

In this section proposers who wish to self deliver should set out the capacity and capability they have to deliver the capital project. Proposers should be aware that they will need to meet any overspend costs under self delivery.

This assessment will not determine whether your bid is approved or not, but it will help us to decide whether funding approval will be conditional on your agreement to have the department manage delivery for you.

If you would like the department to manage the design and build of the school in the event that your bid is approved, then you do not need to complete this section. The departmental team would seek your input at key points in the process.

What you need to know:

Applicant groups interested in 'self-delivery' i.e. managing the design and build of the school can find out more about the overall process in [Annex B](#).

If you would like the DfE to manage the design and build of the school in the event that your bid is approved, then you do not need to complete this section. The departmental team would seek your input at key points in the process.

To apply to self-deliver, you must:

Complete the Excel E2 bid form with details of your experience in this area. We will use the information that you provide to inform our decision whether the department will release funds for you to deliver the school yourselves if your bid is approved.

If you are applying for more than one school, you must complete Section E2 for each school that you are interested in delivering. To inform our assessment of your ability to manage the design and build of the proposed school efficiently, we ask for information on:

- your capability and experience of delivering school building/large capital projects and your intended procurement strategy for this school. Please note it is the responsibility of the proposer to ensure that the proposed procurement approach complies with EU and domestic procurement regulations. Proposers will also need to meet the standards set in the DfE's 2017 Output Specification and any associated guidance including space and design standards in BB103. Proposers can be given access to the department's bespoke construction [framework](#) to procure a contractor. The bespoke framework provides the department with value for money as it has fixed rates and is tied to the output specification that is

designed specifically for the department. All suppliers on the framework have a record of successfully delivering schools.

- the capacity of your organisation to take on an additional capital delivery project and whether you are applying to deliver more than one school (including details of any capital projects you are currently self-delivering on other department funded capital programmes);
- your governance arrangements and proposed resourcing for the capital project, including a costed resource schedule for the project, escalation/accountability procedures, business continuity plans, risk management strategies and use of external consultants. Details of any conflicts of interests (e.g. a register of interests) relevant to the proposal to self-deliver the capital projects should also be submitted;
- your financial management arrangements and confirmation that you can work with the indicative budget provided by the department and the project delivery fees referenced in Annex B;
- your information and records management arrangements; and
- how you have and will comply with legislation in this area, including [CDM 2015 \(Construction \(Design and Management\) Regulations 2015\)](#) and the [Modern Slavery Act 2015](#).

Section F – Suitability of proposers and due diligence checks

What you need to know:

Proposer groups must be aware of the [7 principles of public life](#), which set out the standards of behaviour expected of public office holders, including those who work in education. The principles are selflessness, integrity, objectivity, accountability, openness, honesty and leadership.

We will undertake due diligence checks on proposer groups that do not currently run a state funded school as part of the application process, including social media and internet searches. For groups running state funded schools, we will access our records and contact relevant local authorities to establish how recently checks were undertaken and may contact you for more information. In the event that the group proposing the new school is not the same as the charitable trust organisation that holds or will hold the land of the proposed school, we will also undertake due diligence on individuals within the charitable trust organisation. The Secretary of State may reject an application for capital funding where the previous conduct of individuals associated with the group/foundation does not comply with the 7 principles of public life.

The Secretary of State will reject bids for funding put forward by organisations that advocate violence, extremism, or illegal activities.

For proposer groups that do not currently run a state funded school we require a Section F Suitability and Declarations form for all proposed foundation members and proposed governors. This should include their names, their role and position of each such individual within the group.

Scanned copies of signed [Section F forms](#), including a photograph, attached to each proposer's Section F form must be emailed to due.diligence@education.gov.uk stating the proposed school name in the email subject title. You must also attach a copy of Section A of your application form when sending the Section F forms.

For the purposes of data protection legislation, the Department for Education is the data controller for personal information supplied on the bid forms and for ensuring that this information is processed in accordance with all legal requirements. Any third parties processing personal information on behalf of the Department for Education will be acting as its data processors. For information on how we will use your personal data, please see [Annex A](#).

Annex A - How we use your personal data

Personal data is collected on the expression of interest email and the Excel bid forms so that the Department for Education can consider the bid for capital funding to set up a new voluntary aided school.

Who we are

The Department for Education is the data controller for personal information collected on the Excel bid forms and for ensuring that this information is processed in accordance with the requirements of data protection legislation. Any third parties processing personal information on behalf of the Department for Education will be acting as its data processors.

Why our use of your personal data is lawful

For our use of your personal data to be lawful, we need to meet one (or more) conditions in the data protection legislation. For the purpose of this project, the processing is lawful because it is necessary for the department to carry out this work and use the information for the purpose of approving capital funding bids to set up a new voluntary aided school.

Publication

The Department for Education is committed to being as transparent as possible. If your bid to set up a new school is successful, the Department for Education will publish the successful application on GOV.UK. The following information will be redacted from the application and will not be visible to the public: private addresses, private email addresses, private telephone numbers, commercially sensitive information, specific site locations and CVs.

All other information, including the names of individuals and organisations mentioned in the application, will be published.

Please notify any individuals or organisations that you have named in your application that their information will be processed by the Department for Education during the assessment stage and that, if successful, the application will be published on GOV.UK as detailed above.

Who we will make your personal data available to

We sometimes need to make personal data available to other organisations. These might include contracted partners (who we have employed to process your personal data on our behalf) and/or other organisations (with whom we need to share your personal data for specific purposes).

Where we need to share your personal data with others, we ensure that this sharing complies with data protection legislation.

How long we will keep your personal data

We will only keep your personal data for as long as we need it for the purpose(s) of this piece of work, after which point it will be securely destroyed. We estimate that we will keep your personal data for no longer than 10 years.

Please note that, under data protection legislation, and in compliance with the relevant data processing conditions, we can lawfully keep personal data processed purely for research and statistical purposes indefinitely.

Your Data Protection rights

You have the right to:

- ask us for access to information about you that we hold;
- have your personal data rectified, if it is inaccurate or incomplete;
- request the deletion or removal of personal data where there is no compelling reason for its continued processing;
- restrict our processing of your personal data (such as permitting its storage but no further processing);
- object to direct marketing (including profiling) and processing for the purposes of scientific/historical research and statistics; and
- not be subject to decisions based purely on automated processing where it produces a legal or similarly significant effect on you.

Withdrawal of consent and the right to lodge a complaint

Where we are processing your personal data with your consent, you have the right to withdraw that consent. If you change your mind, or you are unhappy with our use of your personal data, please let us know by contacting us at the department's ['contact us'](#) page and enter 'voluntary aided as the reference.

Alternatively, you have the right to raise any concerns with the [Information Commissioner's Office](#) (ICO).

Last updated

We may need to update this privacy notice periodically so we recommend that you revisit this information from time to time. This version was last updated in October 2018.

Contact Info

If you have any questions about how your personal information will be processed, please contact us at the department's ['contact us'](#) page and enter 'VA capital scheme' as the reference.

Annex B – Self Delivery Process

If the bid is approved, and self-delivery is agreed, the below table gives an overview of the self delivery process. Please note that the table below only describes the capital build self-delivery process, any necessary statutory processes or land related matters will also need to be completed in addition, but are not described below.

Project Stage	Self-Delivery Process
Stage 1: Bid/ Business Case	If the capital bid and section E2 are approved, the proposer will be notified accordingly.
	A Project Delivery Grant Letter (PDGL) is issued to the proposer detailing funding available for the feasibility stage. This letter will cover expenditure on the feasibility study and associated surveys, as detailed below. Proposer returns a signed copy. DfE then signs and returns a counter signed copy.
Stage 2: Feasibility	The feasibility study must provide all of the information set out within the DfE template, including a commitment to fund at least 10% of the capital costs incurred. The DfE will provide a list of surveys that must be completed at the feasibility stage as a minimum. The proposer should review where further surveys and investigations may be required to confirm the level of abnormal costs and to mitigate risk depending on local site issues. The project must be developed so that it is deliverable within the initial budget advised by DfE. Where exceptional circumstances exist that mean this is not possible, e.g. significant abnormal costs, these will be detailed within the feasibility study and DfE may, at its discretion, agree to amend the budget.
	Proposer submits the feasibility study for DfE review and approval.
	If the feasibility is approved by DfE and the statutory process has successfully concluded, the project can progress to the pre-contract procurement stage. A second PDGL is issued to the proposer detailing funding available to commence procurement activity, further develop the design proposals (including securing planning where applicable) and undertake the contract award report. More information on fees can be found below under ‘Project Delivery Fees’. It is the responsibility of the proposer to ensure that an appropriate planning strategy is in place and implemented to achieve planning approval for the scheme, and to ensure that any planning conditions are complied with.
Stage 3: Contract Award Report	Proposer undertakes and submits a contract award report to DfE following its procurement exercise, which will include details of compliance with DfE’s requirements. Proposers should be aware that it is expected that the project will be delivered within the budget agreed at

	feasibility stage. Only in exceptional circumstances, and at its discretion, will the DfE consider amending the budget at this stage. DfE reviews the contract award report. If satisfied, DfE issues a Works Funding Agreement (WFA) to cover DfE's proportion of the Contract Value. DfE approval is the gateway to entering into contract.
Stage 4: Project Delivery (Contract award through to making good defects)	The proposer will contract directly with the construction contractor and manage delivery of the build project. Proposer submits monthly reports to DfE to confirm progress made. Payment for capital works will be made in arrears to the proposer by DfE as per the terms of the WFA. Copies of certifications issued to DfE (sectional completion / practical completion/making good defects).

Project Delivery Grant:

Feasibility delivery fees	Up to £20,000
Surveys	Up to £60,000
Procurement delivery fees	Up to £170,000
Legal fees	Up to £10,000
TOTAL	Up to £260,000 (excluding VAT)

Bids for self delivery must set out the costed resource schedule for the project, within the maximum sums shown above. The resource should be appropriate to the scheme that the proposer is requesting to deliver, and it should not be assumed that the maximum sum will be available for the scheme. Proposers expecting to deliver more than one project (including projects being delivered across other DfE funded programmes) should additionally show that they have taken account in their resourcing of any cost economies that might be achieved through delivery of multiple projects. An expenditure profile will be required prior to any approval to self deliver a scheme is granted. The percentage of the funding released for each stage of the project is as follows:

Gateway Milestone	Project Delivery Fee
Project approved by DfE*	Feasibility and surveys
Feasibility approved by DfE	Procurement delivery x 60%
Contract Award Report approved by DfE	Procurement delivery x 37.5%
Project Complete at end of making good defects	Procurement delivery x 2.5%

* If actual costs are not known when the application is submitted, estimated costs can be submitted, along with details of the rationale for the costs, however, it should be noted that the Project Delivery Grant Letter will not be provided until actual projected costs (e.g. from a tender exercise) are provided.

Construction (Design and Management) Regulations 2015 (CDM 2015)

Proposers will need to ensure that they are aware of their responsibilities under the CDM regulations, and it is their responsibility to ensure that these are appropriately managed and discharged.



Department
for Education

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