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Funding  
Agency

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[www.education.gov.uk](http://www.education.gov.uk)  
Date: 13 December 2013

**Dr P Limbert**  
**Chief Executive VIAT**  
**Invicta Grammar School**  
**Huntsman Lane**  
**Maidstone, Kent**  
**ME14 5DS**

**Dear Dr Limbert,**

Thank you for your proposal submitted to the Secretary of State on 22 July 2013 for the expansion of Invicta Grammar School in Sevenoaks, Kent.

The Government is committed to ensuring good schools, including good grammar schools, can expand. However, current legislation prohibits the establishment of new selective schools.

On 18 September 2013, following an initial consideration of your proposal, we wrote to you explaining that legislation contained within section 99 of the School Standards and Framework Act 1998, section 39 of the Education and Inspections Act 2006 and sections 1(3) and 1(4) of the Academies Act 2010, prohibits the creation of new selective schools. We emphasised that if your proposal is, in effect, one for the establishment of a new selective school, it cannot be approved due to the statutory prohibition.

In our letter to you we set out the relevant criteria that we would take into consideration when making this decision. The factors we considered fell under four broad headings:

- 1) The reasons for the expansion
- 2) Admission and curriculum arrangements
- 3) Governance and administration
- 4) Physical characteristics of the school

We have now fully assessed your proposal, taking into account your original submissions together with the further information you submitted on 30 September 2013.

Our assessment is that your proposal does not represent an expansion and therefore cannot be approved. Further details of our assessment are set out in Annex A to this letter. However, the key reasons we could not approve the proposal are:

- i) The basis of the proposal as detailed in your business case is to address the absence of a grammar school within the Sevenoaks area. Various assertions clearly indicate that the reason for your proposal is a desire to establish a new school.

- ii) We have not received any evidence that demonstrates Sevenoaks children currently travel to Invicta Grammar School. We would expect expansions to respond to demand from their existing community.
- iii) The proposal suggests that the existing site remains a single sex girls school with an additional boys annex in Maidstone, but with the expansion site in Sevenoaks being co-educational. The admissions arrangements under an expansion would need to reflect the gender make-up of the existing school for the relevant age groups.
- iv) The proposal does not demonstrate a single Published Admission Number (PAN) covering both sites – i.e. the number of students that will normally be admitted to the school at year 7. The proposed PAN arrangements are fragmented, with parents identifying a preferred site and different gender make-ups at the different sites. The proposed admission arrangements would also not be compliant with the Admissions Code.
- v) There is no evidence provided to suggest day to day movement of staff and students between the sites, and this would be challenging given the site is approximately 19 miles from the existing school. A deputy head at each site responsible for the day to day management of the site, the duplication of curriculum provision at each site and no evidence that the school day at the Sevenoaks site would be the same as that at Maidstone all indicate a lack of full integration.

We have therefore come to the view that, while your proposal includes some minor elements of integration, these are significantly outweighed by other factors.

I appreciate you will be disappointed in this decision. Our decision is reached because of the statutory prohibition and not because your proposal is without merit.

We remain open to considering further proposals in the future. However, I should make clear that – given the statutory restrictions – any submitted proposal must represent an expansion rather than a separate school. We will need to assess any future proposals against the factors we have highlighted.

If you have any questions about the content of this letter please do not hesitate in contacting Michael Collins, Senior Adviser for Kent.

Yours sincerely



Tony Foot  
Deputy Director, Academies  
London, South East and East of England  
Education Funding Agency

## KEY POINTS IN THE ASSESSMENT

### 1. Reason for expansion

- The basis of the proposal as detailed in your business case is to address the absence of a grammar school within the Sevenoaks area. Various assertions clearly indicate that the reason for your proposal is a desire to establish a new school, and we do not consider that the further information you provided undermines this long held intention which is central to your proposal.
- While you have cited evidence that children travel from the Tonbridge, Malling and Sevenoaks area, we have not received any evidence that specifically demonstrates Sevenoaks children currently travel to Invicta Grammar School. We cannot conclude that the school serves the community in which it plans to expand.

### 2. Admission arrangements

- There are contradictory proposals on whether there will be a single Published Admission Number (PAN). Your response of 30 September confirms that parents would identify a preferred 'campus' on application with some campuses remaining single sex but introducing a co-educational campus at Sevenoaks. The admissions arrangements under an expansion would need to reflect the gender make-up of the existing school for the relevant age group. The admission arrangements as detailed would also not be compliant with the Admissions Code.
- The proposed admission arrangements do not explain how a co-educational annexe could be integrated into the current admission arrangements and the impact this would have on all campuses in light of the trust's obligations under the Equality Act 2010. I note your intention to review the accommodation at the Maidstone campus for future years to reflect need and equality legislation. However, current arrangements do not give confidence that this is an integrated proposal and the evidence here suggests that this is a separate school.

### 3. Integration of management, facilities and resources

- There are some factors which demonstrate a degree of integration between the sites e.g. one headteacher, sharing of facilities across the sites for library, arts and sports provision, and single policies across each site. Although there are plans to place teachers and students at different campuses at different times, it is clear that this will not be on a day to day basis which would indicate a lack of integration.
- There is no evidence provided to suggest day to day movement of staff and students between the sites. A deputy head at each site responsible for the day to day management of the site, the duplication of curriculum provision at each site and no evidence that the school day at the Sevenoaks site would be the same as that at Maidstone indicates a lack of integration.