



Education
Funding
Agency

Department for Education
Sanctuary Buildings
Great Smith Street
Westminster
London SW1P 3BT

www.education.gov.uk
Date: 13 December 2013

Mrs M Johnson
Weald of Kent Grammar School
Yudeley Lane
Tonbridge, Kent
TN9 2JP

Dear Mrs Johnson,

Thank you for your proposal submitted to the Secretary of State on 26 July 2013 for the expansion of Weald of Kent 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

We have now fully assessed your proposal, taking into account your original submissions, together with the further information you submitted on 23 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 proposal sets out that the existing site remains single sex and the expansion site would be co-educational. The admissions arrangements under an expansion would need to reflect the gender make-up of the existing school for the relevant age group.

- ii) The proposal required two separate Published Admission Numbers (PANs) – i.e. the number of students that will normally be admitted to the school at year 7. The proposal is for separate PANs at each site, with parents identifying a site preference when they apply for a place. This indicates a separate school. The admission arrangements proposed would also not be compliant with the Admissions Code.
- iii) The proposal does not fully demonstrate integration on staffing arrangements or curriculum. Cross-site provision predominantly focuses on extra curricular activity.
- iv) We note that separate deputy and assistant heads will have day to day responsibility for each site. The level of detail provided on cross site responsibility does not give confidence that management structures are fully integrated.

We have therefore come to the view that, while your proposal contains elements of integration, these are outweighed by other factors, particularly the proposed admission arrangements.

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. 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 proposal is clear that due to increased demand the trust needs to consider a permanent expansion.
- The Sevenoaks site identified by Kent County Council would support the school to expand its provision to serve its existing community. The proportion of students on roll currently travelling from Sevenoaks can be regarded as a factor in favour of the proposal being an expansion of the school within its current catchment area.

2. Admission arrangements

- There would be no single Published Admission Number (PAN). The proposal is for separate PANs at each site, with parents identifying a site preference when they apply for a place. This is not compliant with the Admissions Code.
- The proposal details that the existing site remains single sex and the expansion site would be co-educational. The admissions arrangements under an expansion would need to reflect the gender make-up of the existing school for the relevant age group. Effectively, the proposal is that the school is both single sex and co-educational for the same age group. The school cannot be both. This also creates potential problems under the Equality Act 2010 and is not compliant with the Admissions Code
- The proposal states that governors will consider their obligations under the Equality Act 2010 before deciding upon this matter. The proposal does not provide detail on how gender criteria would be applied to the annexe or the existing site nor does it provide detail on how the school would expect to arrange admission to ensure 3FE boys and 3FE girls at the annexe.

3. Integration of management, facilities and resources

- Several aspects of the proposal on elements of this factor support the case for an expansion – governance arrangements do not need to be changed; there would be a single headteacher; and the house structure would be operated irrespective of site. Specialist staff would teach across both sites and specialist facilities would be available for students irrespective of site.
- However, there is some degree of contradictory evidence that suggests the pooling of resources may be limited in light of the preferred cost option 3, where each site has its own staff, but with some planned shared activities and on-going flexibility. The cross site focus appears to be on extra-curricular activities rather than day-to-day education provision.
- Deputy and assistant heads will have day to day responsibility for one site with cross-site strategic leads. The level of detail provided on cross site responsibility does not give confidence that management structures are fully integrated.