



Department
for Education

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Letter by email to:

[REDACTED]

9 March 2015

Dear [REDACTED]

FREE SCHOOL APPLICATION: THE ROYAL SCHOOL, WOLVERHAMPTON

I am delighted to inform you that the Secretary of State for Education has decided that your application to establish The Royal School, Wolverhampton should proceed to the next stage of the free schools process. This is a significant step towards opening your school.

Pre-opening

Your application has been approved to enter the “pre-opening” stage. In pre-opening, you will need to develop your plans in detail in order to ensure that your school is in a position to open successfully, provisionally in **September 2015**. Through your application, you have demonstrated a range of capacity and skills within your group, and you will need to draw on these attributes in order to turn your plans into reality. From our experience of working with groups, we know that the scale and range of tasks you will need to undertake over the coming months will be challenging, but ultimately very rewarding.

Entry into the pre-opening stage of the process is an important step, **but this should not be taken as final approval or as confirmation that we have agreed all aspects of your application**. Approval does not constitute endorsement of your site, budget or opening date and is subject to the Secretary of State’s discretion to prioritise funding for the free schools programme as she sees fit.

The final decision to go ahead with the proposal depends on the Secretary of State formally entering into a funding agreement with the academy trust. The Secretary of State will consider signing a funding agreement only if you are able to develop your plans to the required standard during the pre-opening stage.

It is open to the Secretary of State to decide to cancel or defer a project at any point during the pre-opening stage. It is of course particularly important that prospective schools are in a position to be able to attract parents in time for the annual admissions round, we will review the situation and decide whether to defer the project in order to give clarity to local parents and prospective pupils or students.

You should be aware that as you run an existing school, if one of our education advisers or officials raises any concerns about it, we may need to reconsider the approval of this project, as a result of which it could be deferred or cancelled.

Conditions

This approval is subject to some very precise and strict conditions. Failure to meet these conditions would mean that the Secretary of State would be unlikely to enter into a funding agreement with you, meaning that your school would not open. These conditions are set out at **Annex A**. This should not be taken as an exhaustive list of issues that will need to be resolved. As plans develop, further conditions may be set during the pre-opening stage.

Our expectation is that, if the Secretary of State approves the proposal, all free school proposer groups – including existing trusts that have already set up free schools and academies – will adopt in full the department's model funding agreement and model memorandum and articles of association.

Capital and site

The continued approval of your application is also conditional on the capital costs representing good value for money and being kept to a minimum. During the pre-opening phase we will seek to deliver your school with the lowest possible capital cost (ie acquisition and property costs, plus the costs of necessary works and fit out). You will be assigned a project director from the department's Education Funding Agency (EFA) who will discuss this with you in due course.

Nursery provision

If you plan to continue offering nursery provision, we will need to discuss these plans with you specifically, including how this might be funded.

Admission arrangements (mainstream)

Although we will offer you advice on developing the school's first set of admission arrangements, you should bear in mind that, as the admission authority for its school(s), it is the trust which is responsible for getting these arrangements right. You will therefore need to understand your responsibilities under the [School Admissions Code](#) and the [Appeals Code](#). We have developed [comprehensive guidance](#) to help you develop your first set of arrangements.

In previous rounds a large number of admission policies and application forms submitted to the department have not complied with the Admissions Code. We want to ensure that this is no longer the case. We are therefore making it clear that:

- Apart from any boarding schools (to which we will send a separate template), you must use the template at this link in drafting your admission policy: <https://www.gov.uk/government/publications/free-schools-admissions>. If you admit to various phases (such as reception and year 7), the model documents also at this link will assist you in amending the template.
- Schools must ensure that they comply with the School Admissions Code, particularly paragraphs 1.9(a) to 1.9(o) and 2.4 in drafting any application forms: <https://www.gov.uk/government/publications/school-admissions-code--2>.

We know that pupil recruitment is always a challenge in any school's first year of operation. Having clear and fair admission arrangements will support recruitment and help the school to reach capacity. Getting the admission arrangements wrong can hinder recruitment, and could damage the reputation of the school.

Please remember that admission arrangements include not only your admissions policy but also your application process, application form (if you operate outside co-ordination in the first year) and any catchment map (if you decide to operate catchments).

Project development grant

You will be paid a project development grant to cover appropriate pre-opening costs in the run up to the opening of your school. The grant is set at a level commensurate with the type of school you are proposing to open and the nature of the academy trust. This is of course public money and you must be able to account for having spent the grant properly and seek the best value for money at all times.

The payment of this grant does not in any way affect the Secretary of State's final approval for the free school to open. That remains subject to the Secretary of State entering into a formal funding agreement with the academy trust.

We will need to agree arrangements to enable you to access the grant as a matter of urgency. We will therefore be writing to you shortly with the formal grant agreement which you will need to sign and return **by Friday 20 March at the latest**. If you have not already done so, you will also need to ensure that the trust sets up a bank account to receive the grant.

Launch event

You should already have received an email asking you to save the date for the pre-opening launch event, which is due to be held on Tuesday 17 March in central London. A draft agenda for the day is enclosed. DfE representatives will be available during the day to answer questions and there will be an opportunity for groups to meet their key DfE contacts.

To confirm your attendance and receive further details, please contact New Schools Network, who are helping us to organise the event, by emailing events@newschoolsnetwork.org. We look forward to seeing you there.

Conclusion

We will be in touch again shortly to confirm arrangements for liaising with the department during the pre-opening stage – including your named contacts in Free Schools Group and the Education Funding Agency – and to finalise the grant payment process. In the meantime I would like to thank you and your colleagues for the commitment and energy that you have shown in developing your application and at interview. I wish you every success with your project.

We will be informing the relevant local authority and local MP about your successful application.

Yours sincerely,

A handwritten signature in black ink that reads "Mel Watt". The signature is written in a cursive style with a long, sweeping tail on the final letter.

MELA WATTS CBE
Director, Free Schools Group

Annex A – Conditions to be met

- 1) The department will approve the school's admissions criteria which includes the boarding provision and consideration of pupils who attract pupil premium within the over-subscription criteria.
- 2) Capital costs must represent good value for money and be kept to a minimum. During the pre-opening phase the department will seek to deliver your school with the lowest possible capital cost (acquisition and property costs, plus the costs of necessary works and fit out). Your EFA project director will discuss this with you in due course.
 - a) The school must provide land endowment details, possible site solutions and clarity on what the existing independent school intends to include in the transfer prior to phase one meeting.
 - b) Financial liabilities, including TUPE arrangements, must be provided prior to phase one meeting.
- 3) By the end of phase one, the school must provide evidence that the free school has robust financial management controls, including:
 - a) a robust financial plan excluding all income and expenditure streams related to boarders and swimming pool
 - b) an income and expenditure account for the boarding facility and swimming pool to include all relevant overhead costs.
- 4) By the end of phase one, the school must provide an updated staffing structure after a full review of staff costs.
- 5) By the end of phase one, the school must provide evidence that partnership arrangements with an outstanding secondary/primary academy/school is on track and that a robust monitoring and evaluation plan for teachers has been implemented successfully.
- 6) By the end of phase two, the governing body must include representation from outstanding secondary and primary academies/schools.