



Department
for Education

Free Schools Group
Sanctuary Buildings
Great Smith Street
London SW1P 3BT
Tel: 0370 000 2288
www.gov.uk/dfe

Alternativeprovision.FSAPPLICATIONS@education.gsi.gov.uk

Lesley Spuhler
Foundation of Light
Stadium of Light
Sunderland
SR5 1SU

Letter by email to:
[REDACTED]

9 March 2015

Dear Mrs Spuhler,

FREE SCHOOL APPLICATION: SUNDERLAND CENTRE OF OPPORTUNITY

I am delighted to inform you that the Secretary of State for Education has decided that your application to establish Sunderland Centre of Opportunity 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 2016. 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.

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.

Admission arrangements/referral policy (alternative provision)

The majority of children, if not all, will be admitted to the school through commissioners referring pupils to it. It is therefore essential that you develop a clear referral policy which complies with the advice set out in the admissions section of the guidance document for proposer groups (see above).

Although we will offer you advice on developing the school's referral policy, you should bear in mind that it is the trust which is responsible for ensuring that this policy continues to remain clear and fair once it is open. You will therefore need to develop a referral policy which commissioners can easily understand.

We know that pupil recruitment is always a challenge in the first year of operation. Having a clear referral policy will support recruitment and help the school to reach capacity. Developing an unclear referral policy can hinder recruitment, and could damage the reputation of the school. For schools due to open in September 2016, **we are therefore asking the trust to submit the proposed school's draft admission arrangements no later than 30 April 2015**. This will enable us to advise you on these arrangements in a timely manner.

Please remember that you should include a draft application form for commissioners with your policy.

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,



MELA WATTS CBE
Director, Free Schools Group

Annex A – Conditions to be met

1. The continued approval of your application is conditional on capital costs representing good value for money and being 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.
2. By 26 June 2015, your group providing an updated financial plan and full review of the staffing costs and structure. This should include revised SENCO expectations and evidence of service level agreements.
3. By 29 May 2015, your group demonstrating that you have a formal partnership with an outstanding or good secondary school, to provide further expertise in leadership and readiness for the state sector and preferably with a background in AP or similar. You must specify how much time per week this partner will commit to the project and what support they will provide.
4. By 29 January 2016, your group demonstrating how you plan to use data tracking and assessments to baseline and profile pupils and how targets will be measured and reviewed to improve the school's performance.
5. By 29 January 2016, your group identifying the PD, or at least demonstrating that you have secured the services of an outstanding secondary headteacher who will support development of the curriculum plan, perhaps as consultant.
6. By 25 March 2016, your group providing clear plans on how the provision would meet Ofsted safeguarding requirements for pupils, whilst located in a wider community hub with free access to all.