

[FreeSchool.SPECIAL@education.gov.uk](mailto:FreeSchool.SPECIAL@education.gov.uk)

[REDACTED]  
[REDACTED]  
[REDACTED]

Letter by email to:

[REDACTED]

29 March 2018

Dear [REDACTED]

SPECIAL SCHOOL COMPETITION: **Herefordshire**  
TRUST: **Barrs Court Academy Trust**

I am pleased to let you know that the Secretary of State for Education has decided that your application to establish a special school in Herefordshire should proceed to the next stage of the free schools process – the “pre-opening phase.” This is a significant step towards opening your school.

In the pre-opening phase, you will need to draw on a wide range of skills within your group – and work closely with the department and the local authority – to ensure that your school opens successfully. The scale and demand of the tasks you will need to undertake over the coming months will be challenging, but ultimately – we hope – rewarding.

The final decision to open any free school depends on the Secretary of State formally entering into a funding agreement with the academy trust proposing to set up the school. Approval into the pre-opening phase does not mean the Secretary of State will automatically sign a funding agreement for your project. The Secretary of State will do so only if he is satisfied that; (a) that the school will be ready to deliver at least a good standard of education, with a viable and sustainable number of pupils from its first day of operation; and (b) we have found a suitable site on which we can construct and open a school on an agreed date and in a way that provides good value for money.

If the current peppercorn site earmarked by Herefordshire cannot be delivered for any reason, then the local authority will need to provide an alternative peppercorn site. If an alternative site is not delivered by the local authority, then the Department

reserves the right to cancel the project. Similarly, if during the pre-opening phase Herefordshire are unable to commit to the commissioning of all the pupil places as agreed, then the department also reserves the right in these circumstances to cancel the project.

We will actively work with you and the local authority to manage the opening date of the school. In most cases, we will agree the provisional opening date only after a site has been confirmed, and once we have assessed the time needed for obtaining planning permission and completing necessary building works or refurbishment.

We will write to you separately with the formal grant agreement for the project development grant, which will be paid to the trust to cover appropriate pre-opening costs in the run up to the opening of your school. You will need to sign and return the grant agreement to the department. 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. Without a bank account, we will not be able to pay you this money.

Your project is subject to some precise and strict conditions, which are set out at **Annex A**. A condition relates to a specific risk to a project that must be effectively addressed if the project is to proceed through the pre-opening stage and result in the opening of a successful free school. Failure to meet any of these conditions would make it unlikely that the Secretary of State would be in a position to enter into a funding agreement with the trust in respect of the relevant school. Further conditions may be set during the pre-opening stage.

One of my team, based in the regional unit led by [REDACTED], will normally be responsible for your project on a day-to-day basis. They will work closely with a project director, based in the department's Education and Skills Funding Agency (ESFA), who will lead on site and capital issues, reporting to [REDACTED] as regional head. In addition, you will be allocated an education adviser who will provide expert educational advice on certain issues. You will also have a contact at Herefordshire local authority who will be confirmed in due course. We will be in touch soon to confirm arrangements for liaising with the department and local authority during the pre-opening stage, including via an initial kick-off meeting.

I am copying this letter to [REDACTED]  
[REDACTED] and Christine Quinn (RSC).

Yours sincerely



**MELA WATTS CBE**

**Director, Free Schools Group**

Conditions

- 1) That MAT governance structures are compliant and established in a way that supports the introduction of other schools.
- 2) The trust should partner with an established MAT with an open free school to understand the process of opening a school.
- 3) The trust to use pre-opening development grant to purchase project resource to support the executive head to deliver the new school.