

Department	Children's Services Department
Decision	(i) Grant of a lease to a company set up by ARK Academies for the purposes of a free school.
Involved in preparation	Children's Services (Standards and Schools and Policy and Development) Administration (Policy Unit)

<b>Key dates for the assessment</b>
Date for start of EIA process: Start of consultation period Consultation dates: Start of consultation process – 12 <sup>th</sup> April 2011 Completion date for EIA: 15 <sup>th</sup> May 2011

### 1. Aims of the decision?

The aim of this decision is to allow the proposals for the development of an academy on the Bolingbroke Hospital site to proceed.

In order to achieve this aim, the decision to grant leases of the site for academy use and for use as a doctors surgery (subject to separate EIA) has to be made. The implications of the proposed admissions policy and the proposed funding agreement arrangements for the academy are significant.

**2. Rationale behind the decision?**

The Council has a statutory duty to secure sufficient schools in the local area (Education Act 1996 Section 14) and to secure diversity of provision of schools and increase opportunities for parental choice (Education Act 1996, Section 14 (3A) added by (Education and Inspections Act 2006, Section 2)

The Council's policy regarding schools is to promote choice and diversity for parents in the availability of local schools and to ensure that there are adequate school places to meet demographic need. The business case for the school on the Bolingbroke site states that the school will create additional school places for young people who reside in Wandsworth. Supporting the business case for the school at Bolingbroke therefore supports this policy and does not represent a move away from it.

**3. Which organisations will have the opportunity to contribute to the EIA?**

Consultation on the proposals for the Bolingbroke Academy have been hosted by the Council and delivered by Ark (the academy sponsor). These have offered significant opportunities, both in November 2010 and between March and April 2011, for local residents, schools and other organisations to contribute to the development of the proposals. In total 5 public consultation meetings have been held and a number of individual meetings and briefings with specific stakeholders. Around 300 individuals/organisations have participated actively in the consultation by giving written feedback but many more have attended meetings

In addition there have been a number of papers on proposals for the Bolingbroke Site submitted to the Council's Committees and Executives (10-734, 10-957, 10-957A, 11-143, 11-223, 11-233, 11- 328). These have been subject to considerable debate and further questions have also been asked at full Council meeting.

Throughout the process the Council has kept residents up to date with plans for the Bolingbroke site via press releases on its website which have also been taken up by the local media. The Council's website has the facility for residents to comment on news stories and propose changes to Council policy through an e-petition.

The development agreement, business case and draft funding agreement (which were based on these consultations) have informed the development of this EIA.

<b>4. Data held on the likely impact of the decision in relation to protected characteristics</b>		
	List data held	Gaps in information
Overall	<p>Consultation findings from exercises conducted by ARK (November 2010 and March/April 2011). Over the two consultations meetings with six local schools and open meetings for parents and local residents attended by approximately 300 people were held. Electronic circulation of information to over 2000 people was completed and 300 people/organisations gave written responses to the consultation. The findings of the consultations are detailed in the consultation reports.</p> <p>Online feedback on news articles on proposals for Bolingbroke</p> <p>Responses to Committee papers on Bolingbroke</p>	
Race	<p>Ethnic breakdown of proposed 5 feeder primary schools</p> <p>Breakdown of ethnic groups by Ward from 2001 census</p>	<p>Latest census information is not yet available. Information on school population is included to mitigate against this.</p>
Gender	Gender breakdown of 5 feeder primary schools	
Disability	SEN breakdown of 5 feeder primary schools	
Age	The academy will cater for young people aged 11-19	
Faith	Information not currently collected. The proposed school is non-denominational.	
Sexual Orientation	Information not currently collected.	

**5. What does available information show in relation to the potential impact of the proposed policy? What is the impact on different groups? Please give details**

**Race**

The key aspect of the proposals for the Bolingbroke Academy in relation to race is access to the school. An analysis of the proposed admission policy shows that there is no significant adverse impact on potential pupils due to race.

The proposed admission arrangements are based on five feeder schools, the ethnic breakdown of these schools is presented in the table below. The overall Black and Minority Ethnic (BME) potential population of the school is below the average for primary schools in the borough. The biggest variance is in relation to Asian pupils where the average across the 5 feeder schools is 5.3% as compared to the borough average of 16.5%. The borough average includes significant Asian population in the south of the borough which would not be able to access the new school under current admission arrangements. However, changes to the admissions proposals as suggested in the consultation would not alter this situation.

Local resident population data, as provided by Greater London Authority population projections 2010, suggest that the borough average BME population for 10-19 year olds in 2011 is likely to be 36.7%. The BME pupils population in the five feeder schools is higher than this (43.1%).

The stated aim of the Bolingbroke Academy proposal is to create a local school and as such the expectation is that pupils will live within walking or cycling distance. Therefore a focus on the wards surrounding the school provides a better assessment of the likelihood of the admissions proposals having a positive or negative impact on potential pupils in terms of race. Ward level ethnicity data is only available from the Census and the latest published information dates from 2001. As such extreme caution should be used when interpreting this information. The 2001 Census shows that 11% of the resident population of the surrounding wards were from a BME background, significantly lower than the current BME population of the feeder primary schools.

The school has proposed a number of measures to ensure that pupils from different backgrounds are able to access the curriculum once they become pupils at the school. These include:

- Ensuring great teaching supports every child to access the curriculum and make progress towards achieving ARK's aspirational outcomes.
- Appointing staff who believe that every child, whatever their starting point, can succeed in education and are prepared to do 'whatever it takes' for their pupils to succeed.

- Developing a knowledge-based curriculum that includes relevant as well as challenging cultural references.
- Focussing on depth before breadth to ensure that all pupils master the core subjects of English and mathematics in order to access the wider curriculum.

During the consultation one respondent suggested that the inclusion of Falconbrook in the agreed feeder school would enable the new school to more closely reflect the local ethnic diversity. There were no other specific issues raised in relation to the impact on potential pupils in terms of ethnicity during the consultation.

	Asian	Black	Mixed	Other	BME total	White	Unknown
Belleville Primary School	3.3%	13.7%	12.7%	3.6%	33.3%	64.8%	1.9%
High View Primary School	8.9%	57.6%	12.7%	1.6%	80.7%	16.1%	3.2%
Honeywell Infant School	2.1%	2.7%	10.8%	0.6%	16.2%	83.8%	0.0%
Honeywell Junior School	3.4%	7.4%	5.7%	0.6%	17.1%	82.3%	0.6%
Wix Primary School	7.3%	23.4%	16.5%	4.2%	51.3%	48.7%	0.0%
Falconbrook Primary School	11.2%	59.0%	9.0%	4.7%	83.8%	16.2%	0.0%
<b>Average across feeder schools</b>	<b>5.3%</b>	<b>23.9%</b>	<b>11.3%</b>	<b>2.6%</b>	<b>43.1%</b>	<b>55.7%</b>	<b>1.1%</b>
<b>Primary school average in Wandsworth</b>	<b>16.5%</b>	<b>25.3%</b>	<b>11.9%</b>	<b>3.5%</b>	<b>57.3%</b>	<b>41.8%</b>	<b>0.9%</b>

## Gender

Census data is not a good comparator to use for primary school pupils given when the census was conducted. No projection census data is available for wards and therefore borough-wide primary school pupil population is the best comparator available although this does not take into account the differences between wards. The borough average for male pupils is 50.3%. The table below shows that the five feeder schools have an average male pupil population of 49.6%, which is marginally below the borough average. This suggests that the decision, particularly the proposed admission arrangements, would not have a negative impact on either gender.

There were no specific issues raised in relation to the impact on potential pupils in terms of gender during the consultation.

	Male	Female
Belleville Primary School	53.4%	46.6%
High View Primary School	47.2%	52.8%
Honeywell Infant School	48.2%	51.8%
Honeywell Junior School	45.7%	54.3%

Wix Primary School	48.3%	51.7%
Falconbrook Primary School	50.4%	49.6%
Average across 5 feeder schools	49.6%	50.4%

## Disability

Information on the impact of the decision on disabled potential and future pupils is based on an analysis of the schools proposed admission policy and the standard Academy funding agreement.

The admission criteria proposed ensure that if the school is over-subscribed children with the school named in their statement of educational will be given priority. The make up of the pupil population of the feeder schools suggests that there will be no negative impact from the wider remaining admissions criteria. The table below shows that the number of pupils with some form of special education need is broadly similar to the borough average.

	School Action	School Action+	SEN Statement	Any SEN provision
Belleville Primary School	15.1%	6.2%	1.1%	22.3%
High View Primary School	11.2%	12.9%	1.6%	24.8%
Honeywell Infant School	16.8%	12.3%	1.2%	30.7%
Honeywell Junior School	14.1%	4.5%	1.7%	19.8%
Wix Primary School	22.0%	4.3%	1.5%	28.0%
Falconbrook Primary School	8.4%	5.4%	0.7%	15.3%
<b>Average across 5 feeder schools</b>	<b>15.0%</b>	<b>7.2%</b>	<b>1.3%</b>	<b>23.5%</b>
<b>Borough Average</b>	<b>14.3%</b>	<b>8.4%</b>	<b>2.0%</b>	<b>24.7%</b>

The ARK business case contains a large amount of detail regarding the support it will put in place for SEN pupils. The ARK Business Case states “Children with special educational needs will benefit from the high amount of curriculum time dedicated to fully mastering English and maths skills and curricula”. It also states

*“The academy will comply with the statutory code of practice and other guidance issued by the Secretary of State as it applies to maintained schools, relating to special educational needs. We will provide a stimulating learning environment across the whole curriculum which maximises individual potential and ensures that pupils of all ability levels are well equipped to meet the challenges of education, work and life. We will achieve this by designing a balanced and relevant curriculum where the emphasis*

*is on depth to enable breadth and which promotes a full range of learning, thinking and personal and interpersonal skills. We will use flexible and responsive teaching and learning styles and differentiate the curriculum so that it meets the needs of all pupils, individuals and groups, by setting suitable learning challenges for each pupil and overcoming potential barriers to their learning and assessment. A full time special educational needs coordinator (SENCO) at lead teacher level will be appointed in the first year of opening to lead, oversee and co-ordinate all matters regarding special and additional education needs. The SENCO will hold the appropriate qualifications. The SENCO will liaise with key staff at the four feeder primary schools to ensure that the right support is given to each pupil transferring at secondary level. He or she will also work with all necessary agencies to ensure the needs of all pupils are met, such as: speech and language support, education welfare officer, school nurse, educational psychologists, social services and CAHMS. Many of these agencies will have a statutory duty to support our children. However, where necessary, we will actively seek to partner with alternative agencies in response to particular local needs as they arise. The SENCO will ensure that pupils with special needs are identified early and will support teachers to write Individual Education Plans, or where necessary, Personal Behaviour Plans. These will be communicated to families and monitored termly. It is our expectation that these IEP targets will be addressed through targeted differentiation in lessons as well as, where appropriate, additional targeted classes”*

The funding agreement requires the proposed academy to have regard for the Special Educational Needs Code of Practice (2001) and any guidance issues relating to sections 316 and 316A of the Education Act. It also requires the proposed academy to “use its best endeavours to, in exercising its functions in relation to the school, to secure that, if any registered pupil has special educational needs, the special educational needs provision which the pupil’s learning difficulty calls for is made”.

The general conditions of grant for the proposed academy also require it to have an emphasis on the needs of the individual pupils, including pupils with SEN both those with and without a statement of SEN.

There were no specific issues raised in relation to the impact on potential pupils in terms of disability during the consultation.

## **Faith**

The proposed academy is a non-denominational and therefore is unlikely to specifically have a negative impact on pupils with regard to their faith or beliefs. It will provide religious education and collective worship provision in line with that offered in other non-denominational maintained schools.

Information on the faith of pupils at the feeder schools is not collected and therefore it is not possible to estimate the potential impact of the proposals on the school population.

During the consultation it was suggested that the use of a feeder school approach, rather than a straight line distance model, would mean that parents of pupils attending local Church of England primary schools would be negatively affected.

## Age

The proposed school provides secondary and post-16 education to statutorily defined age groups and therefore age is not considered as part of this assessment.

## Sexual Orientation

Information on sexual orientation is not collected so it has not been possible to assess the impact in this area.

6. What does your review of the information show?	Evidence for your answer
a )No impact continue with policy	Data in relation to gender, ethnicity and disability shows that the likely cohort of the school is broadly in line with the average for borough schools. The evidence suggests that proposed arrangements, in terms of admissions and the funding agreement for the proposed academy, would have no significant impact on young people and their families in relation to the protected characteristic groups.
b) Adjust policy in light of impact	
c)Continue with the policy despite impact	
d) stop policy	

7. Have you identified any actions that will improve the proposed policy or mitigate any negative impact?
The academy has proposed a number of steps to ensure that the school will be able to meet the needs of pupils from different ethnicities and those with special education needs. These actions will help to ensure the academy does not have a negative impact on protected characteristics groups.

8. What future monitoring and evaluation tools will be appropriate and effective?	
Race	Admission details and attainment performance indicators



Gender	Admission details and attainment performance indicators
Disability	Admission details and attainment performance indicators
Faith	Collected
Age	Not required
Sexual Orientation	Not collected

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