

Central Bedfordshire Parent Partnership Service

Information sheet on Free Schools

What is a Free School?

Free Schools are non profit making, independent, state funded schools.

A Free School is a *new* school that can be set up by a group of people eg. Parents, teachers, charities, businesses, religious or voluntary groups.

The group setting up the school can bring in an 'education provider' to run the school, but these firms are not allowed to make a profit.

These schools are independent of local authorities, so have more control over their curriculum, teachers' pay and conditions and the length of school terms and days.

Free Schools were given approval in the Academies Act 2010 which also allowed existing state primary and secondary schools to become academies.

How can a Free School be set up?

A full business case needs to be submitted to The Secretary of State for Education detailing the type of education the school will provide, its ethos and the capacity and capability of the groups themselves. These business cases are then judged against other free school proposals and scored for strengths and weaknesses. Applicants, if shortlisted, are called to interview to discuss aspects of their proposal.

How are Free Schools funded?

Funding is worked out on a per pupil basis just like other schools. The funding is taken out of the local authority's education budget.

Where are Free Schools being housed?

Free schools can be housed in any suitable building such as an old school site, an old library, disused church buildings or former local authority buildings. A possible site should be identified before the application is submitted, but not necessarily acquired.

Who are Free Schools accountable to?

Free Schools will be subject to Ofsted inspections as other schools are. Their national tests will be published in the same way as other state schools are. However, Free Schools do not have to employ qualified teachers and are not subject to inspection by the local authority. There has to be a qualified teacher in charge of SEN and Looked after Children.

Free Schools are accountable through a 'funding agreement' – a contract with the government. They are free from the local authority.

What are the admissions criteria?

Free schools cannot be academically selective and must be part of the locally co-ordinated admissions process, so places can be applied for in the same way as for other maintained schools.

If a faith based Free School has spare places, every applicant has to be admitted irrespective of their faith. If it is oversubscribed, its oversubscription criteria must allow for 50% of places to be allocated to children without reference to faith.

How will Free Schools meet the needs of pupils with SEN?

The funding agreement for Free Schools mirrors the legislative requirements on maintained schools. They have to use their best endeavours to meet any special needs of their pupils and they must have regard to the SEN Code of Practice. If they were to fail to meet their SEN funding agreement obligations, the Secretary of State for Education would have to ensure those obligations were met. Disability discrimination legislation also applies to Free Schools.

Can a Free School be named on a Statement of SEN?

Yes. Parents can nominate a Free School as their preferred school and the LA has to consider those representations as it would for any other independent school. LA's have a duty to consult with the Free School about admitting a pupil with a statement, and to consider any objections raised, but if the LA considers that the Free School is an appropriate placement then the Free School can be named on the statement and they must then admit the pupil.

Can a Free School refuse to be named on a Statement of SEN?

Just as an academy, a Free School has to be consulted by the LA before naming the school. The 3 criteria a) suitable for the child, b) not incompatible with other pupils and c) efficient use of resources have to be considered. Any objections also have to be considered, but if the school is named then they have to admit the pupil.