



Department
for Education

Free school presumption: Annex C

**Model criteria for local authorities and
proposers seeking to establish new
'presumption' schools**

Local authorities and proposers should refer to this model criteria for presumption schools, when seeking proposals or preparing applications.

The below sections relate to the the corresponding sections in the model application form (annex B).

Section C – Vision

This is your opportunity to tell us in your own words about the overarching vision for your school and how it informs your education plan. You will need to demonstrate in later sections that the vision is both deliverable and affordable within the available funding. Your vision should be coherent and consistent with the other sections of your application.

You do not need to provide details of your intended enrichment programme at this stage; however, if an enrichment programme is crucial to achieving your vision you should mention it in this section and provide more details in the education plan.

If you already have more than one school please provide a brief overarching vision for your chain and your planned expansion strategy (including how many schools you hope to have in total, geographical spread and timescales).

Please attach any letters from any partners you will be working with confirming the support they will provide before and after opening.

Section D – Education plan

This is the heart of your application. Your education plan must explain how your school will achieve its education vision. There are 4 elements within this criterion:

D1 - the curriculum

D2 - measuring pupil performance

D3 - the staffing structure

D4 - ensuring inclusivity

D1 – an ambitious and deliverable curriculum plan which is consistent with the vision and pupil intake

- Demonstrate that your proposed curriculum will be deliverable.
- Offer a broad and balanced curriculum which places a suitable emphasis on English, mathematics and science (pre-16 only) and
 - for nursery provision, set out how you will meet the requirements of the early years foundation stage (EYFS) for nursery and reception classes;
 - for 16 to 19, state what subjects will be covered, the range of qualifications offered and how these will meet the needs and interests of all students.
- Offer appropriate qualifications.
- A list of subjects to be offered.
- The length of the school day, including any enrichment time, making a distinction between compulsory and voluntary activities.
- Details of enrichment and extended services, for example, breakfast clubs, sports clubs, homework clubs and music/art clubs.

We will also assess the **quality** of the curriculum plan by how far it demonstrates that you have:

- An understanding of the expected pupil intake and their needs;
- A rationale for the type of curriculum proposed which is consistent with the vision. Please explain how it meets the needs of the expected intake, whilst having an ambitious approach to meeting those needs. If you are proposing to teach something other than the national curriculum, please reference (but do not

copy and paste) evidence (where it is available) which demonstrates that it is a good and successful model (eg results of academic research);

- A strategy to assess and meet the needs of all pupils including looked after children, those requiring literacy recovery/intervention (including English as an additional language), the most able (gifted and talented), those with differing degrees of SEN and disabilities, and pupil premium;
- Strategies in place to support pupils to be successful when they enter and leave the school;
- For the nursery class element of the free school:
 - considered, where appropriate, offering the local authority funded early education flexibility to meet the needs of working parents; and/or
 - you considered including provision for disadvantaged 2 year olds.

In preparing your application, it is important to note that:

- For primary schools, a broad and balanced curriculum should include, but not be limited to, the core subjects of English, mathematics and science and will need to support progression to secondary education as well as complying with the EYFS for nursery and reception classes;
- For secondary schools, a broad and balanced curriculum should include, but not be limited to, the core subjects of English, mathematics and science, and all pupils should have the chance to be entered for the EBacc when they reach their GCSEs. (The department is currently consulting on how the policy on the EBacc should be applied to studio schools.);
- 16 to 19 free schools do not have to offer a broad and balanced curriculum, but applicants should set out what will be covered, the range of qualifications offered and how these will meet the needs and interests of all students.

D2 – measuring pupil performance effectively and setting challenging targets

- Describe how you will establish a baseline of students' current level of attainment (including external validation of this) and put in place an assessment and data tracking system that will allow pupil performance to be monitored and continuously improved.
- Have ambitious and realistic targets for pupil performance, behaviour and attendance, explaining why they are suitable to measure the delivery of your education vision, and what your strategy will be to achieve them.

- Explain how you will review success measures and targets regularly to improve the school's performance. This could include benchmarking assessment data with other relevant schools.

We will also assess the quality of your plans to:

- Use appropriate data to inform teaching and drive progression and attainment for all pupils;
- Liaise with and report progress to parents.

D3 – a staffing structure that will deliver the planned curriculum within the expected income levels with a focus on outstanding teaching (including strategies for effective performance management) and a commitment to children

If you have (an) open state-funded school(s) with a strong track record and are planning on replicating the staffing model, please:

- Provide an organogram based on the school you are replicating (or on your trust-wide staffing model if you are comparing the new school to your whole cohort), showing the proposed staffing structure for teaching and support staff each year until the school is at full capacity in line with planned pupil numbers (including for nursery and sixth form provision, where applicable). You can either provide one organogram and colour-code which members of staff arrive in which year, or you can provide several organograms if that is clearer;
- Show how you would focus on measuring and improving quality of teaching;
- Tell us whether you intend to use any of your existing staff in the new school(s) and if so how will this work in practice.

We will also assess the **extent to which** your staffing model matches the curriculum you have proposed.

If you do not have (an) open state-funded school(s) with a strong track record or you are not planning on replicating an existing staffing model, please:

- Demonstrate that as the school grows to full capacity, you will have an affordable staffing structure and sensible phasing plans that deliver a suitable (interim/developing) curriculum plan. Provide an organogram showing the proposed staffing structure each year until the school is at full capacity in line

with planned pupil numbers (including for nursery and sixth form provision, where applicable). You can either provide one organogram and colour-code which members of staff arrive in which year, or you can provide several organograms if that is clearer;

- Show how you would focus on measuring and improving quality of teaching;
- Demonstrate that at full capacity, your staffing structure is sufficient to deliver the curriculum plan; consistent with the information provided in the budget plans; affordable; and includes strategies for effective performance management;
- Demonstrate that at less than full capacity, your staffing structure is sufficiently flexible to respond to reductions in funding and can still deliver a sufficient curriculum, including an overview explanation of how you would approach making savings. To do this you should explain the actions you would take to reduce costs; the reasons for these actions; and the reason you have prioritised the actions as you have. You should explain how your amended plans would continue to support delivery of your education vision and plan and any changes you would have to make to the education plan;
- If you have existing schools but are still completing this longer information (eg because your existing schools are for a different age-range), you should also tell us briefly whether you intend to use any of your existing staff in this school and if so how this will work in practice.

For any nursery element of your free school:

- State whether or not your early years provision will be led by a qualified teacher. Please refer to the statutory framework for the early years foundation stage for staff-to-child ratio options, as there may be implications for funded early years places, depending on the staff-to-child ratio applied. Please speak to the local authority about this.

We will also assess the **quality** of the staffing structure through the extent to which:

- It includes an appropriate balance of roles, experience and expertise eg senior leadership team, middle managers, SENCO, subject leaders, teachers, support staff, personal coaches etc;
- You have credible contingency plans to adapt your staffing structure and still deliver a sufficient curriculum if income were less than expected;
- The changes proposed, if there were a reduction in income, would result in an affordable, good quality education plan which would be consistent with the vision for the school; and reflective of its particular characteristics.

D4 – The school will be welcoming to pupils of all faiths/world views and none.

All applicants must demonstrate:

- That the school will be welcoming to pupils of all faiths/world views and none; and show how the school will address the needs of all pupils and parents;
- How the curriculum will be broad and balanced and prepare children for life in modern Britain including through the teaching of spiritual, moral, social and cultural (SMSC) education. Consideration must be given to relevant issues, for example how the school will teach PHSE, adhere to the Prevent Duty and have appropriate policies on safeguarding and welfare;
- How the school will promote fundamental British values of democracy, the rule of law, individual liberty, and mutual respect and tolerance of those with different faiths and beliefs;
- How the school will aim to attract pupils from different backgrounds and different communities so that they all feel welcome and play a full and active role in the school;
- How the school will aim to encourage pupils from different communities, faiths and backgrounds to work together, learn about each other's customs, beliefs and ideas and respect each other's views.

In order for us to assess your application for a school with a **religious ethos** or **religious character** or a **distinctive educational philosophy**, please also provide:

- A brief explanation of how the school's religious ethos or character will be reflected in the curriculum.
- This should include: the proportion of the school's timetable devoted to religious education and other subjects that include some faith-based teachings or use faith-based materials; how the planned approach will help to prepare children for life in modern Britain; elements of subjects that could overlap with faith teaching (for example, if a proportion of language teaching includes faith-based material); what time will be devoted to worship, reflection time and prayer and how this will be inclusive to pupils of different faiths or none;
- A brief summary of the alternatives to prayer and religious study that will be available for pupils of a different faith or of no faith;
- A brief summary of how school policies affect pupils of other faiths or of no faith. This must include consideration of the school's uniform and school meals policies, including the wearing of religious symbols; and any dietary requirements. It must also address the religious education curriculum, the

arrangements for collective worship, and the criteria for staff appointments to the school;

- Information about engagement and consultation with diverse local community groups, faith authorities and parents demonstrating how you will seek to attract pupils of different faiths and backgrounds to the school.

Section E – Capacity and capability

You need to demonstrate that your group has the capacity and capability to set up and run the school(s) you are proposing and that you have access to appropriate educational, financial and other expertise, either within your group or externally. We will assess the **quality** of your plans to fill the gaps you have identified, and where applicable, the track record of any individuals you have already identified to fill the gaps.

E1 – the necessary experience and credentials to deliver the school to opening

Please providing the following:

- Who will be in charge during pre-opening and provide their CV;
- Who will be your principal designate, if you already know who this is, and provide their CV. Similarly, who will be your executive head, if there will be one. If you do not yet have a principal designate (and likewise if you intend to have an executive head, but they are not yet recruited), you should provide a short timeline (less than one page) for your planned recruitment exercise(s);
- You should outline the missing skills and experience (if any) from your team, including: managing school finances; leadership; project management; marketing; human resources; safeguarding; and health and safety. You should consider gaps at an operational level and gaps in your board of governors/trustees and how you plan to fill those gaps. Where you have identified people to fill these gaps, please provide the CVs. We expect you will probably have more gaps to fill if you are proposing a type/phase of school that does not already exist in your trust.
- Demonstrate that you have, or have access to, individuals with strong relevant education expertise (for example, strong school improvement experience, a headteacher of a school that meets the definition of a strong track record as outlined in the introduction) and finance expertise with specific and sufficient time commitments. You will need to include: managing school finances; leadership; project management; marketing; human resources; safeguarding; and health and safety include.
- Information about each individual who is part of your group, including:
 - Name;
 - Where they live (ie town/city);
 - Role in pre-opening and once the school is open (if any). Please include whether the individual is part of the core applicant group or someone

whose support you are accessing. If the latter, please indicate whether you would expect this support to be provided on a paid, at cost, or voluntary basis;

- Summary of all relevant expertise (eg educational, financial, including any relevant educational results/achievements) – this can be via a CV;
- Approximate time commitments for all the individuals named in pre-opening (in hours per week).

We will assess the quality of:

- Your skills gap analysis and your strategy to fill the gaps you have identified;
- The track record of the individuals you have listed as experts in the areas named above;
- The individuals with education and finance expertise form part of your core group.

E2 – a governance structure, and roles and responsibilities that will ensure accountability and effective decision making in this academy trust and drive improvement in the new free school

Please provide the following:

- What changes, if any, you need to make to your existing governance structure, roles, and responsibilities, or schemes, or delegation in order to ensure your trust continues to exercise strong accountability for your free school(s) both before and after they open, and for the rest of your trust.
- Include a brief description of any specific conflicts of interest and an explanation of how you intend to manage them. Declare any financial transactions that are likely to take place between any member/trustee (or a connected party/business) and the academy, the nature of the transaction(s) and that they will comply with the 'at cost' principles set out in the Academies Financial Handbook;
- We will assess the quality of your plans to manage conflicts of interest (if any) and whether any changes you are proposing will help ensure your trust continues to exercise strong accountability.
- A diagram, in line with accepted academy trust models and in line with the Academies Financial Handbook, showing your proposed governance structure, including lines of accountability between the company members, the school's trustees, any local governing bodies or committees and the school's senior

leadership team. The governance structure should cover all elements of the proposed school, including nursery, where applicable;

- A brief explanation of the roles and responsibilities of the company members, the trustees, any proposed committees and the principal;
- A strategy for avoiding and minimising conflicts of interest and for securing independent challenge to members and trustees;
- A plan to recruit and train any high-quality individuals you need, particularly those with education, school governance, and finance expertise (this will apply to your whole trust board if you do not yet have one; if you already have a governing body / trust board you should set out how you plan to recruit and train high quality individuals for any skills gaps you may have);

We will also consider the proposed size and structure of your board of trustees and whether it will enable effective decision making.