

## 5.2 Consultation

When an application for a Free School is approved, the Academy Trust will be expected to carry out a **statutory consultation**. In this section of the application you must outline your plan for the consultation as set out under Section 10 of the Academies Act 2010 (<http://www.legislation.gov.uk/ukpga/2010/32/contents>). The plan for consultation is to show the DfE you have thought through how you will complete your legal duty to ‘consult such persons as [you] think appropriate’. Describing your plan for consultation at this stage will also allow the DfE to give you guidance in advance of the consultation.

While there are no rules regarding the precise structure or content of your consultation, NSN recommends that you submit a full and comprehensive plan for your consultation for the following reasons:

- The consultation allows you to engage with more of the community than you will have had time or resources to do up to this point;
- It is a great opportunity to market your school; and
- It is a potential area for legal challenge by opponents.

### ***Consultation requirements***

In this section you need to set out your *plans* to consult on whether to enter into academy arrangements – i.e. whether to sign a funding agreement and set up a new school. You should consider three things in this section:

- Who will you consult with?
- What information will you provide them with and how?
- How will you respond to feedback?

You do **not** need to do the consultation before your application is accepted. Should the consultation demonstrate objections to your Free School this does **not** necessarily mean that your school will not be set up.

### ***Your consultation plan***

#### Who will you consult with?

Groups you may wish to consult include:

- Parents and carers;
- The Local Authority (LA);
- Community groups;
- Potential feeder schools and nurseries;
- Local schools and education providers;
- 6<sup>th</sup> form and FE colleges; and
- Higher Education institutions.

**Note: If your school is likely to attract students from nearby LAs, you should consult them too.**

What information will you provide them with and how?

The documents and information you provide should provide an overview of what you are proposing, including proposed dates for implementation. You should also make clear:

- What question you are asking i.e. should we set up the proposed Free School?
- How long groups have to respond;
- Your mission and values;
- Your 'offer' – in terms of curriculum, age range, etc; and
- Your admissions policy;

You will be supported by the DfE in doing your consultation so do not spend any money on writing these documents at this point.

You should consult in various ways – through written documentation, open meetings, and discussions with councils and local schools.

### ***Further information***

Contact NSN for tailored specialist advice: [info@newschoolsnetwork.org](mailto:info@newschoolsnetwork.org)