

Presumption competitions

Guidance for local authorities

Spring 2021

**New
Schools
Network**

Local authorities wishing to run presumption competitions

Free School presumption process

Local authorities (LAs) have the duty to ensure that there are sufficient school places within the borough or county. If it is determined that the need for places requires a new school to be built, a presumption competition can be run to seek proposers to establish the new free school. Presumption competitions can be run for mainstream, special or alternative provisions schools for all phases. The key differences between the central mainstream route and the special and alternative provision routes, and the presumption route is that the LA is responsible for deciding the key requirements for the school, assessing prospective proposers and funding the new school.

Running the presumption competition

As the competition becomes live, key documents should be added to the LA's website, providing all of the information that proposers need in order to understand what type of school the local authority wants and to write and submit strong applications. These include the specification, assessment criteria and the application form. The Department for Education (DfE) provides templates for local authorities to use, including a [model specification template](#), a [model application form](#) and [model criteria](#).

It is up to the LA to determine the length of time that the competition remains open, however it is important to note that the longer the competition is live, the greater the opportunity for more potential sponsors to write and submit high quality applications.

Funding

The LA is responsible for providing the site for the new school and meeting the associated capital costs. They must also meet the revenue costs of the new provision, including the per-pupil revenue funding (which the ESFA recoups from the local authority and pays directly to the school), all funding for pre-opening development costs and post-opening funding required to address diseconomies of scale as the school builds up to capacity (which local authorities should make provision for in their growth funds).

Ideally, LAs should publish these figures as part of the specification. This allows potential sponsors to assess whether it is financially viable for them to apply to open the school and saves time in negotiating during the pre-opening phase. While there is no set figure that a local authority must provide for pre-opening costs, for comparison, through the central route a primary school would receive a project development grant (PDG) of £220,000 and a secondary school or all-through school would receive £300,000.

The DfE also expects LAs to provide sustainable underwriting agreements to support the agreed pupil forecasts.

Assessment

The LA is responsible for the assessment of proposals and submitting a preferred bidder to the Regional Schools Commissioner (RSC). The Department for Education can be involved in the assessment process too, either in the shortlisting of applications or as an observer or active member of the interview panel. Having the department involved at this stage ensures that the LA and department have access to all of the same information and can make the assessment process run more smoothly. The LA is responsible for conducting due diligence on the applicants so that the RSC, on behalf of the Secretary of State, can be assured of the suitability of the preferred bidder to open the new school. The LA can decide whether or not to hold interviews and the format that these will take, e.g. presentations, interview questions, youth panels, etc. Ultimate approval will come from the RSC, on behalf of the Secretary of State.

Quick links

[Establishing a new school: free school presumption](#)

[Free school presumption: Departmental advice for local authorities and new school proposers.](#)

[Click here to provide feedback about this resource](#)