



**Lord Hill of Oareford**

Parliamentary Under Secretary of State for Schools

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Lord Knight of Weymouth  
House of Lords  
Westminster  
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12<sup>th</sup> July 2010

Dear Jim,

**THE ACADEMIES BILL: EXPANSION OF SELECTIVE ACADEMIES**

During the final day of Lords Report I offered to write to you about the points you raised during the debate on the application of the guidance, 'Assessing the Net Capacity of Schools' to Academies and the expansion of selective Academies.

You are probably already aware that the arrangements for maintained schools and Academies are different in this area. Admission numbers for maintained schools are set in relation to the formula within the capacity assessment guidance but this formula was set aside by the former Labour government for Academies.

This was because one of the freedoms that the former administration granted to Academies was a greater flexibility over how they used their buildings. An admission number was agreed on opening following discussion with the sponsor and taking into account the demand for places and capacity of the predecessor school. We have no plans to place greater prescription upon Academies now. However, I would like to reassure you that any maintained schools will retain their current admission numbers on conversion.

This brings me on to your next question about the expansion of selective Academies. The Admissions Code provides that in making decisions about setting an admission number for a maintained school or admitting above them, local authorities and the Schools Adjudicator should have regard to the presumption that proposals to expand successful and popular schools, except grammar schools, should be approved. Of course, this guidance does not apply to the Secretary of State in reaching a decision on any Academy expansions. But it may be helpful to confirm that our intention is to consider any proposals for the expansion of Academies, including selective Academies on their individual merits. Of course, we will also

require Academies to have consulted local parents and other interested parties, and will take into account the views of such consultees in deciding whether to agree to any new provision.

I am copying this letter to all Peers who spoke during Report and placing a copy in the Library of both Houses.

Yours,

A handwritten signature in black ink, appearing to read 'Jonathan Hill', written in a cursive style.

JONATHAN HILL