



A new school of thought

Converting your school to an Academy



Why convert?

Schools that convert to Academy status are able to benefit from greater flexibility and freedoms.

- **The freedom from Local Authority control**

The budget for Academies comes directly from the Government, in contrast to maintained schools where a proportion of the school's budget is held back by the Local Authority to provide certain services. Academies will now benefit from ultimate control of their finances, and may allocate the budget and target resources in the most appropriate and effective manner as determined by the relevant Academy.

- **The freedom to set pay and conditions for staff**

Academies have the freedom to decide the salaries paid to their staff, such as teachers and teaching assistants. This can be seen as a real opportunity to enhance standards in Academies by rewarding members of staff whom deserve financial recognition for their efforts.

- **The freedom around the delivery of the curriculum**

Academies have the autonomy to adapt, deviate and even depart from the National Curriculum. This provides the opportunity for each Academy to determine the scope of the education provided, as well as setting its own targets for excellence.

- **The freedom to change the lengths of terms and school days**

Academies are now free to adapt the lengths of terms and school days if and when they feel it is appropriate to do so. This may assist Academies to achieve changing goals and targets, for example, to enhance participation and performance in identified extra curricular activities.

“ The service was excellent – the team is always accessible and is prepared to go the extra mile. Howes Percival led us through the process from start to finish. The team was on hand to resolve any complications immediately and ensure that the conversion process was as painless as possible. ”

Colin Hinds – Sir Christopher Hatton Academy

The steps to Academy conversion

1 Step 1 Registration and Application

- The school registers an interest in becoming an Academy by submitting an on-line form
- A contact from the Department for Education (“DfE”) will be assigned to the school as the project lead
- Consultation will begin with all interested parties
- The Governing Body must meet to pass a resolution approving the conversion to an Academy Trust
- The school must complete an ‘Application to Convert’ form and send this to the DfE
- Faith Schools will need the approval of the relevant Diocese
- The school will receive an ‘Academy Order’
- The school will obtain a grant
- Early discussions/other actions
 - Begin informal discussions with staff
 - Collate information and documents relating to land ownership, shared facilities or properties, contracts, service agreements, licences and assets

2 Step 2 Completion of Legal Formalities

- Draft Memorandum and Articles of Association and submit to DfE contact for approval by Secretary of State
- Draft Funding Agreement and Supplemental Funding Agreements
- The Academy Trust is created and registered with the Registrar of Companies
- Deal with the lease or transfer of the land
- Draft Commercial Transfer Agreement which transfers all of the assets and contracts from the school to the Academy
- Prepare a Deed of Novation to transfer any existing contracts

3 Step 3 Final Preparation

- Negotiate new or transfer existing contracts
- Open the bank accounts
- Ensure insurance policies are in place
- Complete any remaining operational formalities such as data protection and exam centre registrations

4 Step 4 Academy opens

- Post conversion support

Practical tips

Here are our top five tips for Academy conversion:

1. Be organised

The conversion process requires a great deal of organisation and there are several key deadlines that must be met if the school is to convert on the intended date. Consider creating a 'project plan' to identify the tasks, allocation of the budget, deadline dates and who is responsible for each task.

2. Ask for help

After a school registers an interest in becoming an Academy they will be assigned a contact at the DfE who will provide support during the conversion process. Schools should take advantage of this assistance. The Local Authority may also be able to provide advice on many aspects of the conversion process, including pensions and the transfer of staff members.

3. Communicate

Communication with staff, parents and other key stakeholders in the community is crucial. Use the consultation process and any earlier opportunities to engage with these parties, and to send out a clear message as to why conversion is the best option for the school.

4. Shop around

Don't be afraid to shop around and ask other Academies for recommendations when choosing professional services for the school. Whether you are choosing accountants, lawyers or bankers, ensure that you make enquiries with a number of different providers so that you can select the most suitable partner for you, both in terms of service and value for money. Many of our clients would recommend us for legal services and we would be happy to put you in touch with them.

5. Change management

Immediately following conversion, it may be tempting to use an Academy's new found freedom to make a number of changes. However, as there are a great deal of changes taking place during conversion, it may be best to try and keep some areas consistent. For example, it may be beneficial to continue to buy insurance or HR services from the Local Authority until the Academy has an opportunity to consider other alternatives.

“ We can always count on the team at Howes Percival to be proactive and to provide prompt and practical answers to all of our questions regarding Academy conversion. Howes Percival's experience of handling conversions really shone through. ”

Helen Smart – Brookvale High School





How we can help

Howes Percival is a leading full service commercial law firm with a network of offices throughout the UK in Leicester, Manchester, Milton Keynes, Northampton and Norwich.

Our Academies team is specifically designed to deal with school to Academy conversions, and comprises highly trained individuals who specialise across the wide range of legal disciplines involved in the conversion process including corporate and commercial, employment, property and construction law. The team has advised on the successful conversion of over 100 Academies to both Single and Multi Academy Trusts.

We understand that Academy conversion is a new and daunting process for schools. This is often overlooked by advisers, yet we see it as a key consideration. We guarantee a senior

solicitor as your single point of contact leading a dedicated conversion team throughout your conversion, although our services do not disappear post conversion. We are always on hand post conversion to provide an after-care support service to deal with any further queries that you may have, whether it be company secretarial support or advice relating to commercial contracts or employment issues.

Importantly our conversion services are tailored to meet your individual requirements, and operate within a fixed fee structure in order to ensure transparency and enable you to budget for your costs.

“ We thoroughly appreciated the outstanding professionalism and support of Howes Percival, which gave us confidence in our negotiations with the Department for Education. **”**

Margaret Buck – Diocesan Education Service

Our recent conversions

Asfordby Captain's Close Primary School
Asfordby Hill Primary School
Blessed George Napier Catholic School
Brookvale High School
Frisby Church of England Primary School
Great Dalby Primary School
Groby Community College
Hastings High School
Holy Trinity Catholic School
Lady Jane Grey Primary School
Mercenfeld Primary School
Middleton Primary School
Mount Grace High School
Old Dalby Church of England Primary School
Sir Christopher Hatton High School
St Edmund's Catholic High School
St John Fisher Catholic High School
St Mary and St John's Catholic Primary School
St Michael's Catholic Primary School
St Teresa's Catholic Primary School
St Thomas Aquinas Catholic Primary School
Stanton Under Bardon Community Primary School
Swallowdale Primary School
The Giffard Catholic Primary School
Thornton Community Primary School
Woodhouse Middle School

“ It was due to the invaluable support of Daniel Banton and Howes Percival that we were able to achieve our Academy conversion within a ten-week period. Through a calm, efficient and judicious approach, five single schools were steered through a wealth of requirements, achieving all deadlines and subsequently converting to become a Multi-Academy Company. Daniel was reliable, dedicated to the conversion and exceptionally hardworking. We would highly recommend Howes Percival to others who are converting to Academies. ”

Tasmin Davis – St Teresa's Catholic Primary Academy (Bishop Cleary Multi-Academy Company)



Want to know more?

If you are considering conversion then we would be happy to meet with you on a free, no-obligation basis to discuss the steps involved. For further information please contact:

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