

Converting a single academy into an academy group

As the level of support provided by local authorities falls away, increasing numbers of schools are considering engaging with the academies programme by working with existing academies with a view to the creation of academy groups. With careful planning academy group structures can provide support for all phases of school as well as spare capacity to enable new academies, free schools and university technical colleges (UTCs) to be established in the future.

So what do schools need to be aware of when considering forming an academy group and what options are available?

Choosing to work together - three key questions

When looking at forming an academy group, existing academies need to consider the following questions:

1. Which schools?

The type, number and phase of schools in a group may determine which group model is used and the benefits that the group can provide to each school. For instance:

- the shared governance arrangements in some group models would prevent faith and non-faith schools from working together
- some group models call for regular shared meetings to be held which would be difficult if the schools in the group were geographically far apart
- where a pyramid of schools (i.e. several feeder primaries and a secondary school) choose to work together, the secondary school may find that it still has to purchase some specialist services not used by the primaries by itself and that it benefits less from the economies of scale than the primary schools in the group.

The schools in a proposed group should be honest with each other about what they expect to achieve from the group and which group structure is the most practical and beneficial in the circumstances.

2. How to meet the DfE's requirements?

Although any school can now apply to the Department for Education (DfE) for permission to become an academy, schools applying to convert in a group will need to demonstrate the following in order to all be granted their academy orders:

- that at least one school in the proposed group has been assessed by Ofsted in their most recent inspection as either outstanding or good with outstanding features; or

- at least one school in the proposed group as assessed by Ofsted is performing well, is able to demonstrate an upwards and constant trend in exam results, has capacity to improve and has an effective leadership team.

The school demonstrating the above factors need not be the existing academy but could be one of the converting schools. As with schools converting alone, the DfE will also take account of the financial situation of the academy and the schools considering converting.

3. How to change the existing academy's structure?

The existing academy may have been set up using stand-alone legal academy documentation and during the creation of the academy group, thought will need to be given to how to change the academy's existing legal documentation to suit a group structure without the existing academy sacrificing key clauses which may not be available in current precedent documentation.

For instance, transformational and early converter academies had a generous clause in their funding agreements which meant that the DfE could be approached to pay part of the redundancy pay out if an individual was made redundant by the academy. The same clause does not appear in the precedent documentation for more recent academy converters.

Additionally if the new group is to have a shared governing body, the governing body of the existing academy may need to be substantially changed in order to allow for the new converting schools to share it.

Choosing a group model

Although there are three basic group models recognised by the DfE, schools are free to propose more bespoke models to the DfE if they prefer. The three basic groups models are:

1. Multi-academy trust model

The equivalent of a hard federation, this model has one governing body, known as an 'Executive Committee', shared by all the academies in the group. The Executive Committee is legally responsible for employing all the staff at the academies, managing all the land and buildings, acting as the admissions authority and overseeing all the academies in the group. Responsibility may be delegated down to a local governing body in each academy but the amount and degree of responsibility delegated is entirely within the control of the shared executive committee.

This model has the most scope for financial savings and shared processes and personnel. However due to the need for a shared executive committee, the model is not suitable where the schools are a mix of faith and non-faith and can be difficult to manage when schools are located geographically far apart, making sharing meetings, staff and practices challenging.

2. Umbrella trust model

The equivalent of a soft federation, this model allows each academy to retain its own legally accountable governing body which employs the staff, manages the land and buildings and acts as its own admissions authority. A shared company, known as the 'umbrella trust' links all of the academies in the group together.

Educational improvement is driven via the umbrella trust. The stronger academies in the group appoint more directors to the board of the umbrella trust and have few or governors appointed by the umbrella's board; the weaker academies have more of their governors appointed by the umbrella trust but have little or no right to appoint directors onto the umbrella's board.

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Because each school has separate governing bodies the scope for financial savings and shared processes and personnel is less in their group model than in the case of a multi-academy model. However, this model can be used where schools in the group do not have the same governance arrangements, i.e. faith and non-faith schools.

3. Collaborative partnership model

Like the umbrella trust model, the academies in a collaborative partnership model have separate governing bodies. However, rather than having an umbrella company to link them together, the schools sign a legally binding contract, known as a 'partnership agreement', which sets out how they will work together and what each academy must do to raise achievement and strengthen governance in the group. The terms of the partnership agreement will be scrutinised by the DfE to ensure that each school is accountable and that there is sufficient capacity within the group to elicit the changes required.

Conclusion

Existing academies considering converting to group status should carefully consider all the options available to them and the ramifications for themselves and the other proposed partners. There is no 'one size fits all' approach to academy groups and, after bearing in mind the DfE's basic requirements, existing academies should be encouraged to spend time drawing up a bespoke model to ensure that the benefits they already have are not lost when moving into a group structure.

talk to us...

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