National Governance Association

The expert organisation for school governors, trustees and governance professionals

Browne Jacobson

MAT mergers
A guide for academy trust leaders and trustees

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About this guide

This guide outlines the process for merging two multi academy trusts (MATs). It has been jointly developed by Browne Jacobson and the National Governance Association. Academy trust leaders and trustees can use this guide to:

- explore why and how mergers are relevant to the education system in England today
- understand how mergers can and should be approached in order to be successful
- develop a shared understanding between trustees and trust leaders of the merger process and what's involved

n|g|a National Governance Association

The National Governance Association (NGA) is the membership organisation for governors, trustees and governance professionals of state schools in England.

We are an independent, not-for-profit charity that aims to improve the educational standards and wellbeing of young people by increasing the effectiveness of governing boards and promoting high standards. We are expert leaders in school and trust governance, providing information, advice and guidance, professional development and e-learning.

We represent the views of governors, trustees and clerks at a national level and work closely with, and lobby, UK government and educational bodies.

Browne Jacobson

Browne Jacobson LLP is a national law firm independently recognised as an award-winning, leading provider of legal and HR services for schools and academy trusts. The firm has a genuine, long-standing pedigree as trusted advisors to the education sector and their people are dedicated to helping you do what's in the best interests of your pupils and organisation.

Browne Jacobson has an established client base of over 1,300 education-sector organisations including independent and mainstream schools, academies, FE colleges, diocesan boards of education, education charities and universities. Clients choose them because of their expertise and exceptional client service and benefit from consistent, commercial and pragmatic advice.

Introduction

What is a merger?

A merger combines two or more separate organisations into one single and distinct legal entity. This remains a fairly new concept for the English education system, characterised by a few large, well-established MATs merging with smaller, less successful MATs. However, it is likely that voluntary mergers between MATs will become more prevalent as the education landscape continues to develop.

Mergers can provide a positive and strategic step forward to help secure the realisation of an organisation's vision. The process can be lengthy and complex; not all come to fruition. A successful merger will result in one clearly established organisation with a singular, distinct identity, ethos, culture and set of values.

Government drive for strong trusts

In 2021, the government set out a vision "for every school to be part of a family of schools in a strong multi academy trust". It was stated the government would be investing in "strong multi academy trusts… so they can support even more schools", with a focus on the "strongest leaders" taking responsibility for more schools.

Academy trust mergers are a key element of the Department for Education (DfE) focus on strong trusts, as captured in their Building strong academy trusts guidance. The guidance includes an expectation that trusts will "grow by consolidating with other academy trusts", stating that "increasingly, small academy trusts are choosing to join (or merge) together to form a bigger academy trust which can affect greater change across the area".

Rebrokering

Voluntary collaborative mergers are a distinct and very different form of action from a rebrokered transfer. Rebrokering is usually a form of intervention that requires, as instructed by a regional schools commissioner (RSC), a trust to transfer one or more of its academies to another academy trust. For more information on rebrokering, read Browne Jacobson's FAQ on academy rebrokerage.

Takeovers

While mergers may represent a proactive step toward future success and sustainability, they are often negatively associated with takeovers. Takeovers are a distinct legal activity where one organisation acquires another for commercial gain and are not always entered into voluntarily.

Why merge?

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The rationale for merging has a direct impact on whether or not the merger (and subsequent benefits) come to fruition. While there may be several motivating factors, the benefits for pupils should always be the central focus.

Reasons for merging may include:

- growth through consolidation
- economic sustainability and economies of scale
- school improvement needs and sharing educational excellence
- changes to personnel or leadership succession planning
- futureproofing and organisational resilience
- developing or extending the central team
- improving governance through greater strategic oversight
- greater community or political influence and public profile
- other local and wider community benefits
- responding to the impact of the COVID-19 pandemic

1.1 Merging for growth

Merging for the sake of growth rests on a presumption that a larger organisation will be more capable of leading and managing a group of schools than a smaller one. While this rationale might appear to align with DfE policy, each case needs careful consideration.

Hilary Barnard, NGA consultant, wrote an article for NGA's Governing Matters magazine in 2020 stating that:

"All sectors are littered with examples of mergers that failed. Some could have been foreseen and mitigated at an early stage, or the merger plans could have been abandoned, saving resources. Becoming larger may bring more efficiencies and offer greater influence, but it can also lead to loss of agility and diseconomies of communication".

All growth, whether that be through a merger or gradually taking on additional single schools, carries both opportunity and risk. Trust boards need to decide what is best for their existing pupils – taking on a large number of schools simultaneously as part of a merger may stretch existing capacity and fail to realise the intended benefits.

Lessons from the pandemic

During the COVID-19 pandemic, structural change was not top of anyone's agenda, but trusts increasingly recognised that having a knowledgeable and responsive central team can act as more than a safety net; providing high quality, agile support to school leaders when they need it. Their expertise on finance, premises, human resources and risk has been appreciated, especially when coupled with respect for local knowledge and context.

As a result, many trusts are now looking to further realise these benefits by increasing their central team's capacity – joining with another trust through a merger could help to achieve these aims.

Preparing to merge

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The steps that trusts take before embarking on the merger process or making formal commitments can greatly influence the success of the project.

The governance of a newly merged organisation will likely look different to the existing arrangements for each trust. It is important to ensure that all involved in the governance of both trusts understand the proposals, how it will affect them and the potential benefits – an effective communication strategy between the tiers of governance is key to any successful merger.

2.1 Understanding roles and responsibilities

A secure understanding of roles and responsibilities is fundamental; all parties involved in the merger should have a shared understanding of where decision-making lies.

Chief executive officer

The trust's chief executive officer (CEO) usually instigates the earliest discussions with the board and will drive the merger process forward. Their role as part of the merger is wide-ranging but will include:

- Shaping the rationale to merge and ensuring this is clearly articulated to all stakeholders.
- Identifying, approaching and engaging with potential merger partners alongside the chair.
- Allocating and overseeing individuals involved with the project, including trust staff and any external advisers.
- Anticipating and addressing opportunities and barriers throughout the process, ensuring a robust risk management process is in place.
- Ensuring strong communication and consultation throughout the integration of the merged organisations.
- Planning and overseeing the systems, management and staff integration process, ensuring that the trust's values and culture become embedded.

Trustees

In the context of merger discussions, the role of trustees is to ensure that the merger benefits the trust and serves to further its objects for the benefit of the pupils of the trust.

In practice, the decision to merge will be subject to a number of separate decisions with initial agreement from the trust board to commence and undertake due diligence and investigate further, with later decisions being taken once more information is known and any risks identified. We recommend that a joint working group be established to work through some of the detail of the proposals. Initially, this group may consist of a small number of trustees from each trust, later extending to include executive teams.

Regular updates for the board on discussions will be beneficial – these could take the form of reports from the working group. Trustees would then update their members and academy committees (local governing bodies) as appropriate.

Managing conflicts of interest

Many academy trusts have appointed their CEO as a trustee on the board. In the context of a merger, this may bring into question conflicts, particularly where the individual is intended to take on the role of CEO in the newly merged organisation.

In such a scenario, it would not be practical to exclude the CEO entirely from board meetings where the merger is discussed because their role is pivotal to driving the merger forward. However, the CEO would need to absent themselves and abstain from any final meetings where the trust board are voting on whether to proceed with the merger. The same principles apply should a conflict arise with any other members of the senior leadership team.

Most importantly, the board should acknowledge that there is a conflict and ensure that the merits of the merger are presented by the executive team objectively.

Members

The role of members is to hold the trust board to account for the effective governance of the trust. Any decision to proceed with the merger is for the trustees to determine; it is not one that would be reserved to the members.

Members should approach merger discussions having understood that a new organisation will arise. They will therefore need to think objectively about what the governance arrangements will be for the new organisation and particularly who the members of the newly merged trust will be.

NGA guidance on the role of members within an academy trust further explains the remit and limitations that members have.

Regional schools commissioner (RSC)

Any potential merger will be subject to the RSC considering and approving a proposal to merge before it can go ahead. Talk to your relationship lead at the RSC's office at an early stage. They will be able to advise you on the paperwork and timelines for RSC consideration and approval as well as any further work you might need to do to strengthen the merger proposal.

2.2 Identifying potential merger partners

One of the most critical decisions a trust will make in the context of mergers is to identify a suitable merger partner. The best place to start is to engage in a detailed self-assessment of:

- your trust's strengths and weaknesses
- your strategic and operational goals
- the reasons why you are considering a merger

During this early stage, trusts are encouraged not to rely on self-assessment alone. The DfE recommends that trusts commission an independent external review of governance where a trust is considering undergoing any significant change, including mergers, as this can be a powerful diagnostic tool.

As you embark on this process, you may already have a potential partner trust in mind. Partners may be identified through:

- organisations that are already working together in some form of collaborative relationship
- members of the executive and board of trustees suggesting potential trusts for consideration based on local knowledge and connections
- a direct approach from another trust interested in potentially merging

2.3 Assessing potential merger partners

The next step will be to make an assessment of potential partners. Start with considering the extent of your existing knowledge and thereafter carry out some market research. Websites can be useful sources of information and you can also talk to others in your community that know the trust.

You should then engage in a more formal assessment – evaluate areas of difference that are complementary to one another, as well as ways in which you are similar. Some themes that can be considered include:

- Do the trusts have similar strategic visions and goals?
- Are the trusts' organisational cultures compatible?
- Have the trusts collaborated before and if so, what was learnt from the experience?
- What skills and assets can the trust bring to the merger and to what extent do they complement your trust's needs, and vice versa?
- Does the trust's educational outcomes or financial status raise any red flags?
- What is the career status of the CEOs of the trusts, are they likely to want to retain control of the new trust and how does that fit with each CEO's priorities?
- What is the geographical spread of academies within the trusts? Does this support your aims and objectives? Sharing resources may be more challenging across a trust that is geographically dispersed.

As you engage with and consider all of these themes, bear in mind that the overriding duty of the trust is to ensure that a proposed merger is in the best interests of your current and future pupils.

Through the process of assessing potential merger partners, it is likely that some initial potential partners will naturally fall away and one or two will be identified as strong prospective partners.

2.4 Engaging with potential merger partners

The next step is to begin preliminary engagement with the trust(s) you have assessed as strong prospective partners. This might be initiated by way of a phone call or more likely an informal meeting of a small number of key leaders from each trust. It is often best to ease the process of starting your discussions by avoiding explicitly referring to a wish to explore a potential merger, instead referencing the two trust's perceived common interests and a desire to come together to explore the potential for a closer relationship. Establishing the reasons behind each trust's consideration of a merger at an early stage will help to develop shared understanding, supporting each stage of the subsequent process.

While the trust's CEO will have some involvement, the chair on behalf of the trust board will play a particularly important role during these initial discussions. The nature and quality of these early engagements with potential merger partners are very important and you should bear in mind that establishing positive and transparent ways of working with your potential future colleagues early in the process is key. It is sensible to make sure that the parties leave an initial meeting with a clear agreement on next steps so that momentum can be maintained.

Compatible cultures

Arguably the most important consideration at this stage is whether the two trusts have compatible organisational cultures: the shared values, expectations and practices that impact on performance and which guide arrangements, decisions and individuals' response to circumstances.

The trust board is responsible for determining what sort of organisation it wants to be – this should be a shared and accepted collective endeavour that unifies all the academies within the group. Common ethos and vision are required to make the most of the opportunities afforded to merging trusts together as one organisation.

One of the main reasons partnerships of all kinds fail is because there is a mismatch in organisational culture, so this element needs to be assessed both at this stage and later during due diligence.

This assessment is largely carried out through meetings and discussion between trustees, trust staff, pupils and other stakeholders. Spending time in the potential partner's schools provides an opportunity to experience culture and ethos first-hand. Informal discussions between counterparts (such as between chief finance officers) may also be a useful way of exploring culture. The nature and extent of these interactions will vary based on the relationship that may or may not already exist between parties.

Engaging with more than one trust

You may decide to begin initial engagements with more than one trust simultaneously. If you take this approach, it is recommended that you be honest and courteous with all the trusts and disclose that you are also having initial discussions with other trusts. It is also important to manage your trust's resources prudently: establish a clear timeline for discussions so as to ensure good progress. Be prepared to move on promptly to explore other potential merger partners if you are not making sufficient progress with another trust.

2.5 How long will the merger take to complete?

Each merger is unique and so there are no definitive timescales. Taking into account the initial 'courting' period, governance conversations and due diligence, which could be undertaken at the same time as the legal process, a merger could be completed in as little as 6-12 months. However, many will require significantly more time, with early relationship-building taking several years in some cases.

Implementing the merger

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Once your trust has identified a partner organisation that has a strong common ethos and culture, the merger implementation process can begin. The process requires one trust to be identified as '**transferring**' and the other as '**receiving**' and culminates in one trust transferring its schools to the receiving trust, then closing.

The process consists of the following steps:

A. Set out your expectations

B. Agree the new governance structure

C. Complete due diligence

D. Consult with stakeholders

E. Execute the legal transfer

F. Transfer of funds and preparation of final accounts

There will be differences in the context of church or faith schools. Such schools should contact the relevant religious authority at the outset to understand any differences in the process and any additional consent requirements or other required involvement of the religious authority.

Appointing an external adviser

We recommend that trusts appoint an external adviser or consultant who can act as a valuable, independent voice throughout the process. Such an adviser usually acts for both parties, helping them to reach consensus, particularly when agreeing future governance arrangements. The adviser must have sufficient expertise in MAT governance and a good working knowledge of the merger process. This role could be fulfilled by an NGA consultant.

The role of external adviser as described is distinct from that of legal adviser, whose services will be required to execute the legal transfer.

A. Set out your expectations

It is important that both parties document their expectations at an early stage in the process, identifying any 'dealbreakers' before either party commits significant time, effort and costs to the project. This can be achieved through Heads of Terms (a legally binding agreement) or a less formal Memorandum of Understanding (MoU).

Such documents are an appropriate place to set out:

- the approach to due diligence
- the establishing of a joint working group
- an agreement as to sharing any costs incurred during the early stages of engagement
- the approach to governance and leadership, those being key issues where the parties need to be aligned in order to successfully complete the merger

Schools are by their nature busy organisations with everchanging pressures to deal with; a project plan with timescales will also help to keep both parties on track.

B. Agree the new governance structure

Before getting into the legal mechanics of any transfer, the governance structure of the newly merged organisation needs to be agreed by both boards acting collectively. This would likely be achieved through the joint working group. Given both boards will need to work together, we recommend that this work is facilitated by your appointed external adviser.

The composition of the new board will need to be carefully considered, taking into account:

- The skills, knowledge and expertise of trustees – this can be evaluated using a skills audit.
- Their experience and understanding of the communities served by the new trust.
- The optimum size of the newly formed trust – the board should not be so large such that it is unwieldy and a barrier to decision-making, but it does need to have enough people to ensure a diversity of opinion and to carry out the tasks required.
- The willingness of trustees to take up the position on the newly formed board.

Once agreed, the trustees who will make up the new board may wish to consider working as a shadow board before the merger is completed. This involves meeting to discuss issues relevant to the new trust and ensures the board is ready to assume its position.

C. Complete due diligence

Due diligence is the process of investigating an organisation prior to entering into a contract with it – in this case, a merger of two trusts. Some trusts choose to appoint a project manager at this stage given that due diligence can be a time consuming and complex process, particularly on mergers involving larger trusts which demand significant time and resource.

Due diligence is undertaken to:

- obtain sufficient information about the joining schools to decide whether the project should proceed
- identify the assets that will be transferred
- identify and evaluate any potential risks and liabilities at an early stage
- use the information revealed to agree appropriate terms for the implementation of the merger

Fundamentally, the due diligence undertaken should assure both parties that they are taking a decision in the best interests of their trust and the pupils that they are responsible for.

When to start due diligence

Trusts should undertake due diligence before they commit to completing a merger and it should be an ongoing process up to the point of transfer. Before sharing any confidential data, a formal agreement should be put in place to ensure the recipients of such data are bound by contractual obligations to keep it confidential.

Who carries out due diligence?

Due diligence is usually planned and coordinated by a working group, consisting of trustees and executives. Ordinarily, it is the receiving trust who carries most risk and so will likely initiate the process and complete the bulk of the activity.

The process involves both internal personnel (finance director, business manager, estates officer, human resources director and IT staff) and external advisers (legal and accounting services, building surveyors and insurance providers).

The level of due diligence undertaken will be dependent on individual circumstances; it should be proportionate to the potential risks identified.

Which areas are scrutinised?

Due diligence undertaken by an academy trust would normally fall within one of five main headings. Examples of areas explored include:

Educational performance
- Curriculum design
- Effectiveness of school improvement strategies

Legal and regulatory compliance
- Insurance, public liability and related claims
- The outcome of external reviews and audits

Organisational
- Staffing structure
- Existing contracts, providers and end dates

Finance
- Historic and future budget forecasts
- Reserves
- Metrics such as staff expenditure

Commercial
- Land and buildings
- Historic and forecast costs
- Condition survey

Due diligence shouldn't just be a desktop exercise. The working group should visit the transferring schools to see if practice matches up with what the paperwork states.

The DfE provide best practice guidance on due diligence for maintained schools, local authorities and academy trusts.

Due diligence reporting

Effective communication and planning is key; we recommend that the working group agree milestones for reporting back to the trust board. Part of the process will be ensuring there is effective feedback from the board so that the working group can refine their approach if required.

Once due diligence is complete, the working group normally collate the findings into a single report with recommendations to inform the board in their decision-making process.

D. Consult with stakeholders

If the due diligence process has been completed without any significant concerns having been raised, it is at this stage in the process that trusts should consult with stakeholders on the proposal to merge.

While there is no statutory duty to carry out a consultation, there will likely be a public law duty to run a consultation exercise. We advise that engaging with stakeholders at this stage is fundamental to the success of the process and an essential feature of effective governance.

When conducting a consultation, the general law on public consultation applies and so the trust must operate the process in accordance with the principles set out below.

The consultation should:

- Be undertaken when proposals for the subject of the consultation are at a formative stage and concluded before any final decision is taken.
- Provide enough information to those consulted to enable them to comment intelligently on the proposals.
- Allow enough time for those consulted to enable them to properly consider the proposals – we recommend a consultation period of four to six weeks which should take place during term time.
- Ensure that consultation responses are specifically considered by the decision maker (the trustees) when deciding whether or not to implement the proposals.

The easiest way to consult and provide the relevant information to stakeholders is via the trust and academies' websites. In addition, you may wish to send letters to the parents of pupils, briefly outlining the proposal. We also recommend that meetings are held with trust staff.

Responses must be formally considered before the final decision to proceed with the transfer is taken. If a significant number of responses are received, these should be summarised in a report and made available to the trust board.

E. Execute the legal transfer

At this stage, the board will need to instruct a legal adviser(s) to support with the legal mechanics of the transfer. Ensure you appoint legal advisers who are education sector specialists and who have experience in supporting academy trust mergers.

The transfer agreement

The transfer of any academy from one trust into another involves the transfer of the business and assets of the academy/ies from one legal entity into another. That means all of the assets, property, contracts and employees will be transferred to the receiving trust and that is documented in an agreement commonly referred to as a transfer agreement.

It is important to understand what assets, contracts and liabilities are being transferred across. In a merger, the receiving trust normally accepts all liabilities relating to the operation of the academies, meaning due diligence is paramount before undertaking any final decisions to proceed.

If the transfer proceeds, it will be necessary to retain some funds to deal with the orderly winding up of the transferring trust's affairs (after which the balance would then be paid to the receiving trust).

Transfer of funding agreements

The transferring trust's current funding agreements for each academy will need to be transferred to the receiving trust. This will be achieved through a deed of novation and variation that will also terminate the master funding agreement for the transferring trust.

Transfer of land and buildings

The leasehold/freehold transfer deeds will transfer the ownership of the land and buildings for each academy site from the transferring trust into the receiving trust. This will include any subleases that are already in place.

Transfer of staff

The transfer will involve the transfer of staff to the employment of the receiving trust by way of the Transfer of Undertakings (Protection of Employment) Regulations 2006 (TUPE). The TUPE regulations require that a formal process is followed on the transfer of staff. There are significant financial (and reputational) penalties if this is breached so it is essential to ensure that the process is carried out correctly. Keeping employees informed of progress (or even that there is no progress) helps to reassure staff as to what is going on, as does keeping an open door for questions throughout the process.

F. Transfer of funds and final accounts

Following completion of the transfers, the following matters need to be addressed:

- The transferring trust will need to agree the final transfer of funds with the acquiring trust.
- The transferring trust will then need to prepare a final set of audited accounts, consulting the Academies Accounts Direction, which provides instruction for an existing academy trust becoming inactive.
- Finally, the transferring trust needs to be formally closed via a voluntary strike off or a members' voluntary liquidation. In most cases, a voluntary strike off will be sufficient but in some cases where there are significant residual risks, a members' voluntary liquidation may be more appropriate.

Integration post-merger

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The Association of Chief Executives of Voluntary Organisations (ACEVO) in their Guide to Mergers for Third Sector CEOs identify three merger stages:

1. Negotiation – from intent to decision
2. Implementation – from decision to legal reality
3. Integration – making the organisation into one

A successful merger will place the correct amount of emphasis on each phase. To be effective, each phase will overlap to some extent, ensuring the trust is always planning ahead. The integration phase will take the most time and as identified by ACEVO, will involve the integration of governance, management, staff and systems.

Embedding the new governance structure

The newly merged organisation will have one trust board, which governs the organisation in its entirety. The governance principles will be the same as for any established MAT, but it is likely to take time for the governance structure to become embedded and effective, especially if the merged trust board is newly constituted.

The governance structure must establish effective working practices to help the trust meet its strategic priorities. This means having the right checks and balances in the system without duplicating effort at different governance levels and ensuring good communication from the trust board to the local tier and vice versa.

Delegation to the local tier (academy committees) may be different to that in place before the merger – these arrangements need to be clearly recorded and communicated effectively through the scheme of delegation.

The trust board should be aware that:

- strategies mapped out at the start of the merger process may need to adapt and evolve as the merged organisation takes shape
- substantial changes to the way the trust operates may be needed to achieve the strategic objectives of the merger and to realise the organisation's potential
- rapid progress demands lots of space for team building, strategic planning and board training

Mergers in the third sector are often accompanied by a board retreat, involving the instigation of a new strategic planning process.

Values, ethos and strategy

Board behaviour should reflect the fact that the trust is now one organisation – conversations that embrace the singular vision and ethos of the trust will indicate the health of the merged trusts' identity. All governance decisions should now be made in the interests of every school within the trust.

There should be a mission statement declaring the organisation's core, legal purpose (what it exists to do), which brings clarity and fundamental meaning to a strategy for improvement. This should be supported by a set of values which underpin the trust's culture, strategy, policies and procedures as well as being a reference point for decisions. Those values should clearly speak to every member of the merged trusts' community – not just be taken automatically from one of the individual organisations.

The principles of formulating a vision and strategy are further explored in NGA's Being Strategic guidance.

Developing the central leadership team

The role of the CEO and their central leadership team is to deliver the vision of the trust. MATs can struggle to establish themselves if the understanding of each school's individual identity and local context negates the focus on the trust-wide vision and efficiencies. The same will apply for a newly merged trust; the CEO needs to be someone who can facilitate a consistent trust-wide focus.

Success depends on building and developing a new central leadership team for the trust that fully aligns with the vision and the strategy to get there. Your trust's central team should facilitate the transition from two operating models to one way of doing things. It is unlikely that this will be a fully refined approach from the outset, but an effective approach should evolve over time.

Strong brand and clear organisational identity

The trust board is responsible for determining organisational identity, which should be a shared and accepted collective endeavour, unified in and owned by all academies. Being a part of the newly merged MAT brings a fundamental change to the identity of all the schools within it, and a successfully merged trust will ensure the two previous trusts are no longer seen as separate entities.

The way the trust identifies with stakeholders will be key to its early success. The branding of the trust must not confuse stakeholders. While some have suggested a merged trust can retain two individual identities in order to retain local or regional presence, this could ultimately halt the trust's development as a single organisation.

It may be more appropriate to seek to establish a whole new brand and identity for the trust. Taking a fresh approach through the creation of a new identity will help the newly merged trust develop its own traditions and story more quickly.

Winning hearts and minds

The ability to communicate well with stakeholders not just through the (relatively short) consultation process, but throughout the integration period is key.

The most successful mergers place long-term public benefit at the heart of the process. If what is communicated has a narrow focus on structural organisational advantages through financial gain and economies of scale, then the likelihood is that you will lose people along the way.

Those most invested in either organisation need to be able to relate to the purpose and goals of the newly merged trust – communicating these goals and involving those individuals in development of a new strategy is likely to be a more effective approach.

A successful merger builds a culture of transparency that continues throughout the legal process and beyond. The merging of two organisations is likely to make some people involved in the leadership and management of either organisation nervous and vulnerable. Consistent communication is key to dealing with this.

The real business of integrating as one organisation is only just beginning. The trust board and CEO should ensure the newly merged organisation continues to bring people together – pupils, staff and those governing – to help those who have come from two separate organisations to adapt and flourish.

Further reading and support

Browne Jacobson's FAQ on academy rebrokerage:
www.brownejacobson.com/education/training-and-resources/guides/2017/08/faqs-academy-re-brokerage

NGA guidance on the role of members:
www.nga.org.uk/mat-members

NGA skills audit for trust board self-review:
www.nga.org.uk/skills-audit

NGA Being Strategic guidance – a framework for strategy development and review:
www.nga.org.uk/being-strategic

NGA scheme of delegation guidance:
www.nga.org.uk/mat-schemes

Comission an external review of governance:
www.nga.org.uk/ERG

DfE Building strong academy trusts guidance:
www.gov.uk/government/publications/multi-academy-trusts-establishing-and-developing-your-trust

DfE best practice guidance on due diligence:
www.gov.uk/government/publications/due-diligence-in-academies-and-maintained-schools/due-diligence-best-practice-guide-for-maintained-schools-local-authorities-and-academy-trusts

DfE Academies Accounts Direction:
www.gov.uk/guidance/academies-accounts-direction

National Governance Association
36 Great Charles Street
Birmingham B3 3JY

0121 237 3780

@ngamedia

socialNGA

national-governance-association

nga.org.uk