



EBOR ACADEMY TRUST



Conversion guide

For schools converting to academy status
and joining Ebor Academy Trust

Excellence | Belonging | Opportunity | Respect

March 2017

This guide is for school leaders and governing bodies of schools considering becoming an academy and joining Ebor Academy Trust.

It outlines the process of conversion and gives summary information for each of the activities involved. It also outlines who is responsible and details the different phases of the conversion process.

Because each school is different, each academy conversion is different and we work with school leaders and governors to ensure the most effective, efficient and well communicated conversion for each school.

The first step is to have your governing body resolve to convert to academy status, with Ebor Academy Trust being the multi-academy trust you would prefer to join. This should be minuted at a meeting of your governing body.

If you are a school who would become a sponsored academy, this decision is likely to have been made for you.

Our website, www.ebor.academy, contains a wealth of information about the trust including statutory information all our schools need to know. It is updated regularly. The website also contains a staff resources section, open for all to see, which your school will find essential on conversion and becoming part of the trust.

OVERVIEW: PHASES OF THE CONVERSION PROCESS



Project meetings

Project meetings are held at various key milestones throughout the conversion process. These have set agenda items, documents required to be presented and considered and required attendees (see Appendix 1).

Meeting Title

- | Meeting | Title |
|---------|---|
| 1 | Project Kick-Off meeting |
| 2 | Project Update 1 – Conversion phase begins |
| 3 | Project Update 2 – Implementation phase begins |
| 4 | Project Update 3 – Pre-conversion analysis and post conversion planning |
| 5 | Project Update 4 – Review implementation and post conversion update |
| 6 | Project Update 5 – Project close down. |

Each project meeting is to be led by the Executive Lead for Ebor Academy Trust (usually the CEO or Executive Headteacher) or the Ebor Project Manager in their absence. While no formal minutes are taken, actions and decisions are agreed at the end of each meeting.

The project meetings are designed to ensure key decisions are made, management is kept informed and clear lines of responsibility are agreed and communicated. They should not prevent decisions being taken outside of the meetings, for example if notice needs to be given on a contract.

Attendees required for the Project Kick-Off meeting comprise the project team and constitute the decision-making group as far as management of the conversion is concerned. This group should consist of; Executive Lead for Teaching & Learning from Ebor, Ebor Project Manager, Headteacher and the Chair of Governors of the converting school.

Additional decisions, if necessary, may need to be escalated to the Ebor Academy Trust Board of Trustees as the most accountable group within Ebor. It is the Trustees who would agree to the relevant legal documents governing the school once converted and part of Ebor.

Due diligence

Due diligence is split into two levels of detail. There will be an initial due diligence undertaken by the Executive Lead and a member of the finance team from Ebor Academy Trust usually on the morning of the project kick-off meeting. This will look at the following areas;

Teaching & Learning	
T&L 1	Detailed analysis of current state of T&L
T&L 2	Independently reconcile current Ofsted grade
T&L 3	Review current data
T&L 4	Review of systems and structures in places
T&L 5	Identify strengths and weaknesses in T&L
T&L 6	Agree T&L assessment with Head before being circulated

Finance	
FIN 1	Review overall financial position of the school
FIN 2	Review staffing levels (benchmarking)
FIN 3	Review budget forecasting already completed; minimum three years
FIN 4	Pupil number trends and forecast; including previous five years and three years forecast
FIN 5	Review previous 12 months monitoring statements
FIN 6	Listing of all financial contracts in place

Other key risk areas	
KR 1	HR issues – performance management, on-going disputes, tribunals, vacancies etc
KR 2	Current/committed capital works/ expenditure
KR 3	Ongoing H&S investigations
KR 4	Broadband connectivity
KR 5	Governance assessment

Depending on the assessments made, further due diligence may be undertaken within two weeks before progressing the conversion.

However, if no material risks or weaknesses are identified, the conversion process will continue. Assessments of other areas related to the management of the school will be looked into as part of the implementation phase, including; ICT, Estates, H&S, HR, and Administration.

Due diligence should be seen as a 'getting to know you' exercise rather than an investigation or audit of how the school or individuals at the school are performing.

Aspects of the due diligence might result in actions for both the school leadership or Ebor Academy Trust, for example in providing additional Teaching & Learning support or training.

Applying to becoming an academy and receiving an Academy Order

To become an academy the school must submit an application to the Regional Schools Commissioner. We have a partially completed version of the application form with additional instruction for the Headteacher and/or Chair of Governors to complete. Once completed this will need to be sent to the relevant contact at the DfE.

The application will be considered at a meeting of the respective Headteachers' Board, which the Regional Schools Commissioner attends. This group meet regularly throughout the year and we will find out the relevant deadlines for the submission of applications to ensure your school's application is on the agenda. The deadline for submission of documents is usually around four weeks before the meeting date.

Prior to being considered at the meeting of the Headteachers' Board, your DfE contact might request further information or clarification from either Ebor or the school. It is important to respond to these queries promptly to avoid unnecessary delay.

Following the relevant meeting, the outcome of your application will be communicated to the Headteacher of the applying school and the named lead from Ebor, usually the Ebor Project Manager. This normally happens within two working days.

If your application is successful, an academy order will be issued which will give an indicative conversion date (this is usually the earliest date possible). This date can be negotiated with the DfE.

Receiving an academy order releases a £25,000 conversion grant which Ebor Academy Trust will use to fund the conversion process.

Conversion phase

The conversion phase contains all the legal, compliance and DfE requirements of the conversion. This can be divided into three core activities; legal, TUPE, and consultation. A fourth activity of PFI is added as appropriate.

Legal

There are a number of legal documents which need to be prepared and submitted to the DfE. These are to be agreed between various stakeholders who can vary depending on the school but are likely to include; Ebor, the converting school, the LA, the DfE, and the Diocese, where applicable.

Legal aspects of the conversion are led by the Ebor Project Manager who manages the relationship with Ebor Academy Trust's solicitors. For the most part, the school does not need to become involved in this part of the process other than to provide information and answer questions on the school. This is because the LA provides much of the information required, for example land deeds or contractual obligations.

The preparation, agreement, signing and submission of legal documents takes a minimum of three months and is likely to be more than that. If a school has a PFI contract it is more likely to take a minimum of six months.

When final drafts of the legal documents are complete and agreed, these are signed by the Trustees of Ebor Academy Trust and the Secretary of State for Education.

TUPE

TUPE (Transfer of Undertakings: Protection of Employment) is the process under which all those members of staff currently employed at the converting school would transfer to the employment of Ebor Academy Trust. Under TUPE their contractual rights, terms and conditions, and lengths of service are all protected.

Ebor Academy Trust will work with the relevant LA as well as the school leadership to undertake the TUPE process. Ebor has prepared a number of documents, (for example Frequently Asked Questions), regarding the TUPE process to help alleviate any concerns staff may have.

We recommend a timescale for TUPE consultation with staff of six weeks, subject to agreement with the LA and Governing Body of the converting school. This may be extended if there are school holidays during that timeframe. All staff will have the right to representation from their union, all of whom will be invited to TUPE meetings.

Representatives from Ebor Academy Trust will hold meetings with staff at the converting school to answer any questions they may have. It is important that the leadership of the school feel able to ask questions as part of this process. The contact details of relevant Ebor staff will be made available for any confidential or discreet questions staff may want to ask.

Conversion phase

Consultation

There is a legal requirement for the school to undertake a consultation with its stakeholders as part of the conversion process. This is specified as a "reasonable" period of time which most schools consider to be four to six weeks. At the end of the consultation period, the Governing Body should hold an Extraordinary Full Governing Body meeting to decide whether to continue with considering the move to academy status and joining Ebor, or halt the process and not continue.

Stakeholders can include parents, the LA, local councillors and local MP, local residents and other local schools. The intention is to allow these groups to becoming involved in the consultation should they so wish. It is appropriate for the converting school to be seen to be reaching out to such groups so governors can consider any responses they may wish to make before arriving at a decision.

Ebor Academy Trust has template plans, letters and communications which it will provide to the school to assist with the consultation process. We also recommend parent meetings and a timescale for completing the consultation. This includes how to gather the feedback, answer questions and communicating outcomes.

The consultation should also be seen as a way of engaging with parents, and others, about the conversion process. Experience has taught us that different groups can react to a school's exploration of academy conversion in different ways. It is important to regularly and sensitively communicate with parent groups and we can help you with this.

Implementation phase

The implementation phase of the conversion process is where Ebor staff work closely with the converting school to align policies, systems and process. The vast majority of this work is in relation to non-teaching and learning aspects of running the school, including ICT, Finance, HR, Estates and Facilities, and Administration.

Ebor has a detailed action plan of each of these areas which will be worked through at the relevant project meeting. Visits by members of the Ebor team will be made to the school to find out more about what is currently in place and what work needs to be done to ensure the school can operate effectively from the conversion date.

This phase will also be used to identify any training needs on new systems, sign post to Ebor policies and processes, and identify additional risks as required. It is not a critique of how the school and its staff are currently working.

During the phase the majority of the significant changes to working practise are identified for those non-teaching staff. This can be a challenging time for colleagues at the converting school and we will work with you to ensure you are getting the support needed.

The school's final Full Governing Body meeting prior to conversion must contain a minute agreeing to academy conversion and joining Ebor Academy Trust, as well as adopting all Ebor policies from the point of conversion.

Post conversion

Following the conversion date, the needs of each new academy can be quite different. As a result, Ebor will work with the leadership of the school to ensure that appropriate actions are taken to ensure the school is operating effectively.

Whilst the project team will remain the same for this phase, the leadership of the new academy will take more of a steer in identifying operational issues and risks following conversion. These can then be communicated with the CST and other Ebor colleagues to meet the needs of the school. Examples might include; additional training on pupil data systems, sign-posting to Ebor processes or policies, identifying weaknesses in teaching and learning.

The process will end with the final meeting of the project team. At this point the conversion process will be considered to have ended, but it does not mean that the new academy will not continue to receive support from Ebor colleagues. The final meeting should be used to identify any learning points, highlight outstanding issues from the conversion, and 'mop-up' any last parts of the implementation not yet completed.

An induction video for staff new to Ebor is on the Ebor Academy Trust website. We have used some of our children to present it, to make the process more engaging.

Appendix 1: Project meetings

Project Kick-Off meeting		
Discuss conversion process, timeline and responsibilities	Education plan, three year financial plans, staff list	Executive Teaching and Learning lead from Ebor, Ebor Project Manager, Headteacher of Converter, CofG from Converter
Initial due diligence phase to highlight key issues and need for full due diligence		
Deliver 'Academy Order Request' form to school and instruct on how to complete		
Agree communication plan		
Review financial information		
Any other business		
Agree actions and decisions		

Project Update 1: Conversion phase begins		
Instruct solicitors	Conversion detail populated with DfE deadlines, consultation communications, implementation plan	Executive T&L lead Ebor, Ebor Project Manager, Headteacher of Converter, CofG from Converter, SSM Ebor, Director of Communications Ebor, Other converter reps
Circulate DfE deadlines		
Schedule TUPE timeline and meetings		
Stakeholder consultation planning including parents		
Discuss implementation phase		
Outcomes of due diligence		
Any other business		
Agree actions and decisions		

Project Update 2: Implementation phase begins		
Update on conversion phase – Legal	Implementation plan, proposed budget, list of contracts and services currently purchased by the school, any consultation and TUPE feedback, support plan (if required)	Executive T&L lead Ebor, Ebor Project Manager, Headteacher of Converter, CofG from Converter, SSM Ebor, Senior Admin from converter
Update on conversion phase – TUPE		
Update on conversion phase – Consultation		
Propose budget for the remaining academic year		
Schedule implementation visits from Ebor staff		
Agree additional support if required – due diligence actions		
Agree any changes to signage, name and uniform if relevant		
Any other business		
Agree actions and decisions		

Project Update 3: Pre-conversion analysis and post conversion planning

Outcomes of TUPE and agree actions	Relevant summary information from TUPE and consultation, Summary of Implementation progress, updated proposed budget and forecast, Contract changes to be considered, Template readiness for opening assessment	Executive T&L lead Ebor, Ebor Project Manager, Headteacher of Converter, CofG from Converter, SSM Ebor, Senior Admin from converter
Outcomes of Consultation and agree actions		
Update on proposed budget and outstanding items		
Implementation – Progress update		
Implementation – Agree changes to services and contracts		
Readiness for opening assessment		
Any other business		
Agree actions and decisions		

Convert

Representative(s) from Ebor will attend the school on the conversion date

Project Update 4: Review implementation and post conversion update

Review implementation and collate outstanding issues	Final implementation update, budget and forecast, update on support in place	Executive T&L lead Ebor, Ebor Project Manager, Headteacher of Converter, CofG from Converter, SSM Ebor, Senior Admin from converter
Agree budget for remaining academic year and 5 year forecast.		
Update on Post Conversion Phase - identify knowledge gaps, continuing issues, communication requirements.		
Update on support in place if relevant		
Identify on-going Risks		
Any other business.		
Agree actions and decisions		

Project Update 5: Project close down

Project review	Project review summary	Executive T&L lead Ebor, Ebor Project Manager, Headteacher of Converter, CofG from Converter
Identify continuing issues and / or weaknesses		
Identify on-going Risks		
Schedule subsequent review (if required) and agree agenda		
Any other business.		
Agree actions and decisions		