

Annex A: Next Steps

Having received agreement in principle, you can now work towards your Funding Agreement between the Academy Trust and the Secretary of State. The Funding Agreement will stipulate the date when the Academy will open.

The actions listed below will need to be completed before reaching Funding Agreement:

- set up the Academy Trust, completing the Memorandum and Articles of Association (available on our website);
- use these to register the Academy Trust with Companies House. This normally takes between 8 – 10 working days and costs £20. It can, however, be done on the basis of same day incorporation for a fee of £50;
- review your Management Information System (MIS). When you convert to an academy you can change supplier- there are many firms offering competitive licence and maintenance charges.
- set up a bank account for the newly-formed Trust and appoint an Accounting Officer, who must be the Principal of the academy and be in place from the day of opening as an Academy. Please note that bank accounts can take several weeks to set up. We advise you to identify your preferred bank and obtain the necessary paperwork in order to be able to set up a bank account as soon as possible after registering the Academy Trust at Companies House.
- agree land and building arrangements with the local authority or other landowner where appropriate. Lawyers acting for your governing body and the Academy Trust (when established) must prepare a land questionnaire, providing land ownership and other important details, and send a copy to the DfE project lead **as soon as possible**. It will enable DfE to work with your school and the lawyers to determine what arrangements should be made and what DfE documentation should be completed. A model lease and other model documents, including a land questionnaire, are available on our website and schools are advised to read the advice on land also published on the website;
- agree asset and property transfer arrangements with the local authority or other landowner (if applicable). A model Commercial Transfer Agreement is available on our website;
- the employer of the current staff should continue and complete the TUPE process;
- confirm the membership of the governing body for the academy in line with the arrangements outlined in your Memorandum and Articles of Association;
- ensure that DBS checks are completed as necessary;
- your governing body must, prior to signing the Funding Agreement, consult with the appropriate persons on the proposal to convert to an academy.

Your project lead will support you to complete these steps, and further information and supporting documents are available on our website at <https://www.gov.uk/schools-colleges/schools-types>. There are a number of other actions your school will need to take before opening, including data protection registration and pension registration (see section 4 of the guidance on pre-opening checks).

Minimizing the cost of conversion

There are steps you can take to keep your costs of conversion as low as possible. The following can be used as a checklist but does not replace existing guidance on becoming an Academy:

- Shopping around for solicitors to get the best value for money-. It may help to ask other Academies in your area which firms they used and whether in their opinion they offered good value for money. We would also recommend that you obtain an estimate for the cost of the legal work or if possible, a fixed price for the legal work required.
- Ensuring your solicitors know the requirements for conversion by supplying them with the land transfer advice and 'Convert to an academy: guide for schools' document available on our website: <https://www.gov.uk/guidance/convert-to-an-academy-information-for-schools>
- Our guidance states that converting schools are not expected to make changes to the model documentation. If you consider that changes are required then we suggest you discuss these with your project lead before approaching your solicitors as this can save time and considerable expense.
- Make sure that you have adequate insurance cover in place before the academy opens or have opted into the <https://www.gov.uk/academies-risk-protection-arrangement-rpa>

Support Grant

The Secretary of State has agreed to allocate a grant under **Section 14** of the **Education Act 2002** of no more than £25,000, to contribute towards expenses incurred by your school in converting to an Academy.

The grant is subject to the following conditions:

1. Grant may only be used for the following purposes
 - a) obtaining legal advice in respect of the conversion process;
 - b) the costs of software licence transfers;
 - c) HR/TUPE advice;
 - d) re-branding costs; and
 - e) expenses incurred in setting up the Academy Trust.
2. You should retain records to show that the grant has been used for the purposes outlined in 1 above for 6 years after the end of the financial year in which the expenditure has taken place. The books and records relating to claiming and using the grant will be open to inspection by the National Audit Office and representatives of the Secretary of State as and when they may require.
3.
 - a. In the event of a successful conversion, any unused element of Grant should be transferred to the Academy Trust for the purposes described in its charitable objects, typically the advancement of education. The Chair of the governing body will be expected to sign a declaration confirming how much of the grant has been spent at the point of conversion to academy status and, if relevant, how much has been transferred to the academy budget. The Chair will send a certificate (see Annex) to the Secretary of State declaring this and including the exact amounts of grant spent and transferred. This will still apply if the total amount of the grant has been spent.
 - b. In the event that the conversion does not occur then any unused grant should be repaid to the Secretary of State within 10 working days of notifying us that you are withdrawing your application to convert.
4. When procuring goods and services for the school or academy, you are reminded of the requirement to comply with EU and UK procurement law and regulations when appropriate.