

LEGAL
FOR SUPPORT
ACADEMY
TRUSTS





You are

POWERFUL

Our children’s futures are in YOUR HANDS.

THAT’S A HUGE ASK.

Put that against a backdrop of constant change and it’s an even bigger ask.

Academy Trusts face new challenges every day. Challenges which distract you and take up your time. We want to help you. We’ve built up a lot of knowledge from working with Trusts like yours which we want to share with you.

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OUR VALUES

We are DIFFERENT

We're not your average lawyers. We're fun, empathetic and helpful. We get stuff done. Most of us are governors. We find it helps us understand some of the issues you face. We invest time in building meaningful relationships and our approach is values-led.

Integrity: be honest, transparent, trustworthy and true to your beliefs.

Integrity is at the core of everything we do. As your advisers we will be clear about the advice we give you and when you will get it. We will be upfront and transparent about fees. We will advise on all legal options but we will keep your values at the forefront of our minds when providing you with guidance.

Care: about what you do.

We are passionate, enthusiastic and driven because we care about our colleagues, our clients and the work our clients do. The moment we stop caring is the moment our jobs become a mundane drudgery.

Positivity: be enthusiastic about what you do and what you are trying to achieve.

Whilst our core aim is to support you, become a key part of your team and find solutions, we aim to build positive relationships with everyone we come into contact with.

Aspiration: aim for your best and set high, realistic goals.

As we work alongside you we want to be part of your journey and for you to have high expectations of us. When we are advising on any strategy, we will fully consider every aspect of a situation to make sure we achieve the best possible results.

Resilience: never give up and strive to improve.

Whether it is an academy conversion or a dispute, we never give up until the job is finished. We have adopted the principles of the reflective practitioner and will always seek to improve our performance through critical analysis of our actions.

Accountability: take responsibility for your words, thoughts and actions.

As lawyers we have a formal legal responsibility to give professional advice. But for us, our accountability to our clients goes far beyond this. We pride ourselves on delivering the best client service of any legal firm in the Country. If our standards ever fall below this we want you to tell us. We have no interest in excuses. If something is not delivered to the highest standard we will reflect on this and ensure it does not happen again.



Respect: other people, yourself and your environment.

Our community is at the centre of everything we do. As a team, we ensure our working environment is fun, vibrant and supportive. We support our colleagues, clients and contacts. We run regular social responsibility sessions and look for ways to reduce our impact on the environment.



ACADEMY CONVERSIONS

Having supported over 50 Trusts and schools on over 450 academy conversions, we’ve learnt a huge amount, sharing best practice along the way.

Whilst our preference is to walk every step of the way with you throughout each academy conversion, we recognise that different Trusts have varying preferences when working with their legal advisers. Our approach is flexible and will be tailored to meet your needs.

So what differentiates the Michelmores Education team from other lawyers?

Every conversion is an individual project - we reject the factory conversion techniques used by others.

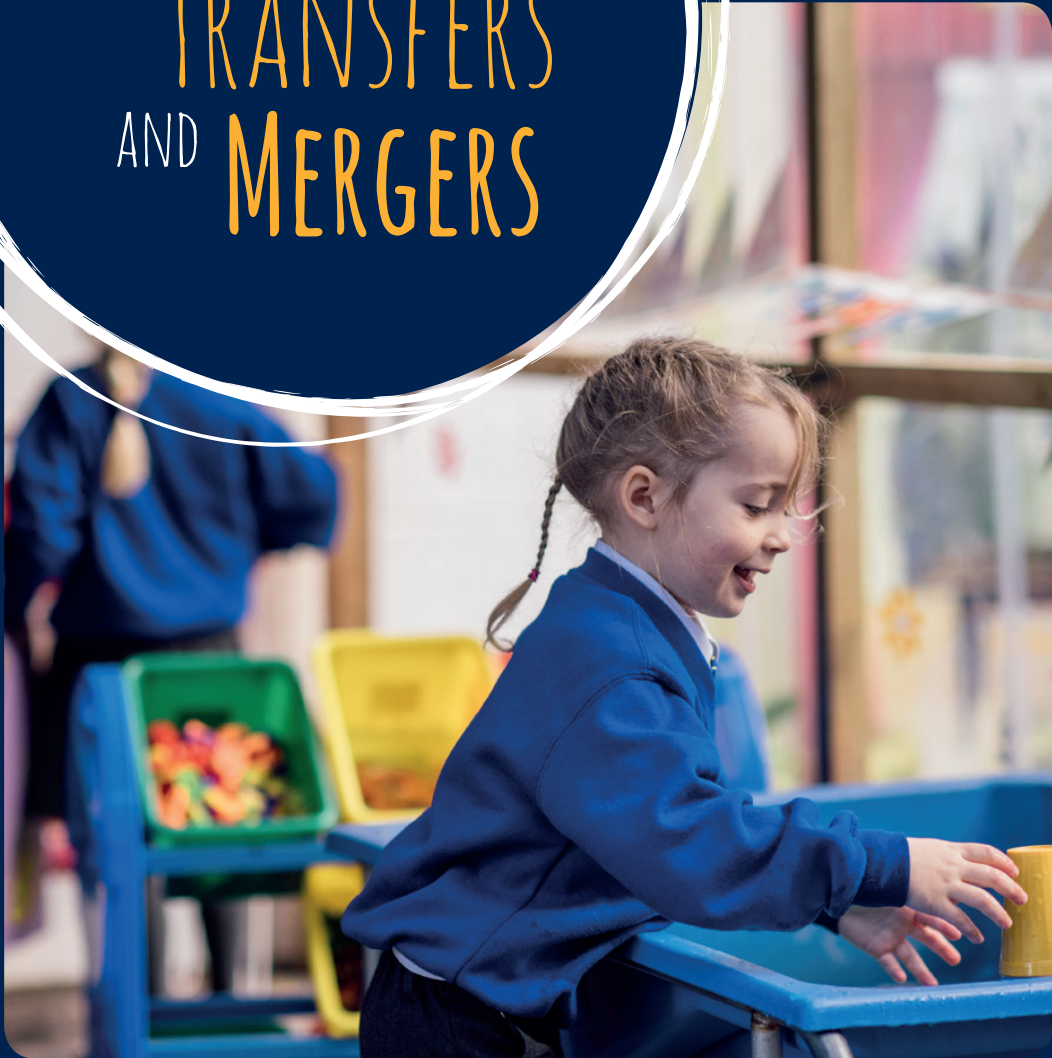
Every aspect of every conversion is delivered by the Education team – we do not farm out the standard elements of a conversion elsewhere.

Fixed fees – we stick to them to give you cost certainty.

Exceptional client service standards – we commit to these even if it impacts us financially.

Face to face meetings – they give us a chance to really get to know you and your Trust.

ACADEMY TRANSFERS AND MERGERS



As funding constraints continue to bite, it is becoming increasingly common for small Trusts to merge with others to form larger, financially-sustainable organisations. In addition, the number of Trusts which need to be re-brokered is rising.

We have unrivalled experience in transfers and mergers having supported our first merger in 2011 (one of the first in the Country), and in excess of 50 transfers and mergers since.

We firmly believe that forensic legal due diligence is important, but that it should not outweigh the wider strategic context.

There are various factors which impact the level of legal support required. Consequently we don’t offer a one-size-fits-all approach. But rest assured that we are committed to keeping our legal costs to a minimum and recognise that there isn’t a conversion grant available for academy transfers.

HEALTH CHECK

Ensuring that the governance arrangements and the wider procedures and policies of a Trust are fit for purpose is a never ending task. Trusts must keep up-to-date with the latest developments and best practice. Breaches of regulatory requirements can lead to criticism by regulators, cause reputational harm and expose the Trust to legal risk. This is an area that can't be ignored. Our Health Check service helps to lift this burden.

The Health Check looks at your Trust's current governance arrangements, decision making and processes then assesses risk and provides practical solutions to mitigate them. In addition, we share examples of good practice which we've gathered nationally from the education sector. Our Health Check service covers the following areas:

Review

We will conduct a comprehensive review of your Trust's main legal risks. In particular we will assess:

- governance structures, arrangements and Trust policies
- roles and responsibilities of members, trustees and LGBs, accountability i.e. the role of the CEO and how to carry out an effective performance

- management review
- role of the Clerk
- effectiveness of meetings (trustees and LGBs).

Report

We will report on the key findings of the review. The report will include a short summary of recommendations for consideration by the Trust's Board.

Rectify

We will provide bespoke training to the Trust's Members, Trustees, LGBs and senior leadership team to help you rectify any areas of concern identified.



“ The support my schools have received from Michelmores has been incredibly valuable, both from an Education Law and HR perspective. ”

Kathleen Williams – Executive Head Teacher – Holy Cross, Servite and St Francis of Assisi Catholic Primary Schools



JustCoSec helps Academy Trusts cope with the additional administrative burden that comes with being a company.

From just £250 per year, this cost effective company secretarial service offers different levels of support designed to suit your specific needs and budget. It enables you to pass your Trust's company secretarial function to us to manage on your behalf.

The service includes:

- providing a Registered Office - Michelmores' address as the company's registered office address
- providing a Corporate Nominee Company

Secretary – Michelmores Secretaries Limited acting as company secretary

- keeping the company's statutory books in Michelmores' strong-room for safekeeping
- updating and maintaining the company's statutory books
- ensuring that all routine documentation is filed with Companies House e.g. annual return and accounts
- changing up to five directors and/or members each year including the corresponding board member resolutions
- forwarding all correspondence received on behalf of the company to the desired addresses.



For the past few years, I have recommended that our schools speak to Michelmores when a legal issue arises. From an Education and HR perspective, I have found their pro-active and responsive support to be invaluable.



Mike Pittendreigh – Assistant Director of Education –
Diocese of Westminster Education Service



JUSTASK

JustAsk is our telephone service which gives you instant access to a friendly lawyer in our Education team. For a fixed annual cost, you can raise an unlimited number of queries that can be dealt with during a 30 minute phone call. That said, we're not going to send you a bill because the call was 35 minutes!

Recent questions we have answered under JustAsk include:

- Can we prevent a child from attending a school trip due to their behaviour?
- What are the legal requirements for a teacher to administer medication to students?
- Is a persistent breach of uniform policy sufficient for exclusion?
- Can we ban a parent from the school site following abusive behaviour?

The annual cost of JustAsk is based on pupil numbers.



JUSTHR

If you are looking for responsive, commercial and practical solutions to your personnel queries, JustHR is the answer. With the peace of mind that comes from a fixed annual cost, JustHR covers all day-to-day HR issues, including telephone support, email queries, drafting/review of letters, contract and policy interpretation/amendment, strategic and technical legal advice, severance negotiations and settlement agreements.

Recent queries we have advised on under JustHR include:

- The application of TUPE in connection with the conversion of two primary schools to academy status, including attendance and presentation at TUPE consultation meetings with a union representative
- Successful defence of a claim by the NUT for Protective Awards on behalf of 18 members of teaching staff for alleged failure to consult on an academy conversion
- A multi-academy trust's restructure of its senior leadership team and a settlement agreement for its Deputy Head Teacher
- Human resource management post-academy transfer, including dealing with long-term sickness absence and redundancy procedures.

The annual cost of JustHR is based on staff numbers.

JUST GDPR

Data protection for Trusts will become even harder this academic year when the EU General Data Protection Regulation 2016 (GDPR) comes into force in May 2018.

Trusts must not ignore the introduction of GDPR because:

- Ofsted is likely to continue its policy of heavily criticising Trusts for data protection breaches under the new legislation
- parents are increasingly privacy literate and know their rights
- maximum thresholds in respect of breaching data protection legislation are increasing to €20m
- individuals can sue Trusts for breaches through the courts.

We recognise that at a time of restricted funding, Trusts don't have a readily available pot of cash to pay for some

of the expensive products on the market to support Trusts in becoming GDPR compliant. We've designed affordable packages that will keep Trusts safe but at a fraction of the cost.

Starter service:

We will provide your Trust with an internal data protection policy and external privacy notice and give practical training to staff on how the policies work.

Core service:

Incorporating the Starter service, we will also hold a detailed discussion with you about specific aspects of the data protection policy for your Trust and tailor the data protection policy and privacy notice to its needs.

JUSTPR

JustPR supports Trusts with a range of PR and communication issues.

Our PR team works closely with our Education team to provide outstanding PR and communications advice with unrivalled knowledge of the education sector.

We developed this service in response to Trusts finding themselves in the spotlight more than ever before, especially with the increasing use of social media.

Our services include:

- press releases
- risk management strategies
- training on the benefits and pitfalls of social media
- a 12 month PR plan to help promote all your positive stories
- crisis management following a serious incident
- marketing strategies to increase pupil numbers
- media campaigns to raise the profile of Trusts
- internal and external communication strategies.



COMPLIMENTARY SERVICES

We provide a number of services to our clients completely free of charge.

Vision Shaping – A vision shaping day is a chance for the key stakeholders in your Trust to meet in an open forum to discuss what makes the Trust unique, what binds it together and its direction of travel. The day is split into various workshops and we facilitate the discussion. The aim of the exercise is to develop the Trust's strategy, vision and mission statement.

Conferences – This is a great opportunity for Trusts looking to expand. We will organise a conference for your Trust which provides information to schools considering academisation and showcases your Trust. From the venue and the logistics to speakers and invites, we will help you every step of the way. On top of that, we will pick up any associated costs!

MATch – This service also supports Trusts looking to expand. It's a version of Blind Date but for schools! We will run an initial session with your Trust to identify its key drivers and ethos. Following this we will identify up to three schools that match your Trust's requirements and organise a time for your Trust to present to the schools. Hopefully you find a match and the rest will be history!

Training – We deliver a range of training for our clients. The training can be for members, trustees, the senior leadership team, finance staff, teaching staff or a combination of all these groups. We have a long list of training topics you can choose from or we can deliver bespoke training tailored to your specific needs.

“ We have worked with Michelmores for the last year, and their assistance has been extremely valuable thus far, in addition to this their response time in providing advice is expeditious. ”

Muna Whitaker – Business Manager – St Ignatius College





A LITTLE MORE ABOUT US

Established in 1887, Michelmores is a leading law firm with offices in Exeter, Bristol and London. We now have over 60 partners, more than 160 lawyers and 475 staff in total. Despite our size, we ensure every client receives a tailored service provided by individuals you will get to know.

Our dedicated Education team provides education-related legal advice across a number of disciplines spanning employment, HR, property, commercial, corporate, SEN and technology. The team supports over 70 academy trusts and over 700 schools including community, foundation, VA, VC, academies and free schools.

“ Michelmores has represented us for all our legal matters; we have found them to offer both a highly reliable, informative and intuitive service, matching customer need and advice. Equally we have found them attentive to detail building a strong relationship with us as the client, and importantly they have provided rapid advice when needed. Whilst quick to respond, they never compromise on standards and I would wholeheartedly recommend them to anyone.

Anne-Marie Holdsworth –
Rodillian Academy

MEET THE TEAM



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