



Lawn  
Primary  
School

## FAQs re Academy Conversion

**Q. Is there a requirement for staff or parents at a school to be consulted prior to academy conversion?**

A. There is no legal requirement at all for consultation with either parents or staff. However, it is good practice for parents and staff to be consulted before an application is made for academy conversion and we intend to do this. If a school is converting to become an academy, although staff do not have a right to be consulted on the principle of becoming an academy, staff do have a separate right to be consulted on the impact of any change in the status of school under the TUPE Regulations relating to their conditions of service.

**Q. How can parents make their views known about the school becoming an academy?**

A. Parents who wish to make their views known should email the school via the specific email address provided, write to the school, attend any of the parent/carers consultation meetings or speak directly to any governor or senior member of staff:

Email contact: [governors@lawn.derby.sch.uk](mailto:governors@lawn.derby.sch.uk) [s.allison@lawn.derby.sch.uk](mailto:s.allison@lawn.derby.sch.uk)

**Q. Is it true that all schools must be academies by a certain date?**

A. In its White Paper, Educational Excellence Everywhere, the Government stated that every school should be an academy or part of a Multi Academy Trust (MAT) by 2022 and planned to introduce the legislation it needed to make this happen.

However, following opposition, this proposal was dropped by the Government on 6 May 2016 and there are now no plans to take forward legislation on this matter. However there are still rumours that all schools will become academies.

**Q. What is the difference between academies and maintained schools, between academies and free schools and between stand-alone academies and MATs?**

A. Academies are publicly funded independent schools that are able to set their own pay and conditions for staff and have freedom to determine their own curriculum. Academies exist in a number of forms including free schools, studio schools, university technical colleges and sixth form colleges. An academy can either be a stand-alone school or part of a MAT.

Norbury Close, Allestree, Derby DE22 2QR  
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Website: [www.lawn.derby.sch.uk](http://www.lawn.derby.sch.uk)



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**Q. Which types of school can become an academy?**

A. All schools are eligible to become academies.

In the case of Church of England and Roman Catholic schools, agreements exist with the DfE which ensure that the faith dimension is retained.

**Q. Can a Headteacher make the decision to convert a school to academy status?**

A. No. A Headteacher has no individual power to determine whether a school becomes an academy and so cannot make the final decision. The decision rests with the governing body and if the school is a voluntary aided or controlled school, with the relevant religious authorities.

**Q. Do schools need to have a sponsor to become an academy?**

A. If a school or academy is underperforming and needs an intervention strategy, then to become an academy it will require a sponsor. Sponsors require approval from the Department for Education to support an academy or group of academies

If on conversion the school intends to start a MAT to support other schools, then it will have to have a sponsor.

**Q. What happens to the role of the local authority?**

A. If a school becomes an academy, the local authority will retain certain statutory roles in the school. Some academy schools choose to maintain a relationship with the local authority and, for example, continue to buy certain services. However, the role of local authorities has changed considerably since 2010 and the introduction of the Academies Act and the process of academisation across England.

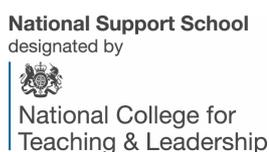
This has impacted on the services and support that are available from local authorities, particularly as academisation has also coincided with cuts to local authority funding.

Under proposals currently under consultation by the Government, changes to the national funding formula for all schools, including academies and non-academies, would mean that from 2019/20 all schools will be funded directly from the Government. Local authorities would no longer passport funding to schools in the authority.

**Q. How quickly can a school become an academy?**

A. There are certain steps that must be taken when a school converts into an academy. These include TUPE consultation on the transfer of staff terms and conditions and agreements with the local authority. Consultation has to take place on the land

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arrangements and there may be consultation with stakeholders. All of this takes time and the length of time can vary, depending on the complexity of the issues in individual cases. The time required for a conversion to occur therefore varies from school to school. When an application is made, it is a minimum of two weeks before the Department for Education grants an academy order. It can take longer. Once the order is granted, timescales vary from two months to much longer for the conversion to take effect.

**Q. Does the local authority have to be consulted on an application by a school for conversion to become an academy?**

A. Governing bodies do not have to consult with the local authority on applying for conversion to academy status.

**Q. As an academy, will schools have more freedom?**

A. Schools, regardless of their status, already enjoy considerable autonomy over their affairs, whilst remaining accountable for their use of public money. All schools are subject to the same inspection regime. All schools are subject to the same test and examination performance measures.

All schools are subject to primary legislation, including employment law, health and safety, and equalities legislation.

**Q. How are academies funded?**

A. Academies are funded in almost the same way as maintained schools; maintained schools have part of their budgets kept back by their local authorities and academies pay part of their budget to their trust to make provision to replicate the range of services (finance, personnel, legal, insurances, etc) previously provided by the local authority.

**Q. Will schools that convert to academy status get a new building?**

A. There is no additional money to support new buildings or refurbishment to existing buildings for schools that become an academy.

**Q. Who owns the land when an academy converts?**

A. This will depend on the type of school and the current ownership of the land:

- community schools – generally the land is owned by the local authority. The academy trust will occupy the school site by way of a 125-year lease and the local authority will become the landlord of the academy trust;
- voluntary aided schools – land ownership is often split between the local authority and the diocese. For any land owned by the local authority, the academy will occupy that part of the school site through a 125-year lease;

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- trust schools – the freehold of the land will be transferred from the current foundation to the academy trust, so that the academy trust will be the outright owner of the land.

**Q. Do academies have greater curriculum freedoms?**

A. Academies are not required to adhere to the National Curriculum but all schools have freedom of how they implement curriculum provision.

**Q. Who has oversight of academies?**

A. In part, this depends upon the nature of the academies themselves. For example, academies that are part of a MAT will have a layer of oversight from the academy trust.

All academies are overseen by the Secretary of State for Education, through a National Schools Commissioner and a network of Regional Schools Commissioners.

Ofsted is responsible for inspection of individual academies, as is the case for all other state-funded schools.

**Q. What is the role of Regional Schools Commissioners?**

A. Regional Schools Commissioners (RSCs) play a key role in securing an academised school system, under new powers resulting from the Education and Adoption Act 2016.

RSCs are responsible for securing new academies and intervening in underperforming academies in their areas.

**Q. How will academy conversion affect the educational provision pupils receive?**

A. Structural change does not of itself raise standards. There are outstanding academies and outstanding community and foundation schools.

Academies have freedom to vary the curriculum and there are concerns that this has led to the narrowing of the curriculum in some schools and the loss of subjects, particularly creative subjects and the arts.

**Q. Do pupils achieve better in academies?**

A. There is no evidence that structural change such as academy conversion will result in better educational standards or outcomes for children.

There are high-performing academies and there are academies that have been judged 'inadequate' by Ofsted.

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It is not what a school is called but how it supports high-quality teaching and learning that is critical to success.

**Q. Will there be any changes to admissions?**

A. Academies are their own admissions authority and, therefore, set their own admission policies. They are required to abide by the fair admissions code. The Local Authority retains oversight of the admissions process.

**Q. Will parents have more influence with academy schools?**

A. Some MATs intend to continue to work closely as possible with parents/carers, for the benefit of the children.

**Q. Once a school becomes an academy, what can parents do if they are not happy with any decisions made?**

A. In the first instance, as now, parents can complain to the school. An academy should have a clear complaints procedure. Future processes for making a complaint will be very similar to the present policy.

**Q. What happens if an academy experiences difficulties?**

A. This will largely depend on the nature of the difficulties.

Matters concerning perceived underperformance fall within the remit of the Trust and Ofsted or the RSC who has wide-ranging powers to intervene and may choose to move an academy into a MAT or move the academy into another trust if it is already a member of one.

Financial problems/irregularities may be dealt with by the Education Funding Agency or the Department for Education, depending on the nature and severity of the difficulty faced.

**Q. What is the difference between a sponsored academy and a convertor academy?**

A. Convertor academies are schools that are considered strong and able to handle the responsibilities of academy status. Lawn is an outstanding school therefore a convertor academy. A sponsored academy is typically a school that has had a history of under-performance that needs the support of an external organisation, called a sponsor, to secure the necessary improvements.

**Q. Why would a good/outstanding school need to change?**

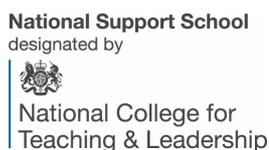
A. All schools need to continually improve and the multi academy trust will enable this more effectively than if the school remained as individual Local Authority maintained schools due to the declining role of the LA.

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**Q. What happens if one school in a MAT gets into difficulty? What happens if one school fails an Ofsted?**

A. The purpose of the MAT is to prevent schools, getting into difficulty through greater scrutiny, challenge and support. The MAT Board has a responsibility to intervene when schools are under-performing and has a number of powers to enable rapid improvement.

**Q. How will schools be inspected by Ofsted?**

A. Academies are inspected in the same way as maintained schools. The Secretary of State has announced that schools and academies judged to be '*Outstanding*' will no longer be subject to routine school inspection. The performance of all schools will continue to be monitored and if there are signs of deterioration, or other factors are a cause for concern, these could trigger an inspection. There are plans for MATs to be inspected but it is not clear whether this means all schools are inspected at the same time.

Current policy is that academies are not inspected for the first two years after conversion unless there are causes for concern.

**Q. Will the MAT have to publish its financial accounts?**

A. Yes. The MAT must publish its Trustees Report and Financial Statements on its website, as well as submitting them to Companies House, the Department for Education and the Education Funding Agency.

**Q. Could a single school convert on their own to a stand alone academy?**

A. No – Government policy is clear that schools should form working MATs to share good practice and hold each other accountable.

**Q. Will staff have to apply for their jobs?**

A. No. Staff will transfer employment under TUPE Regulations, which protects their jobs, pay and other terms and conditions.

**Q. What is the difference between a free school and an academy?**

A. Both are free from local authority control but whilst any existing maintained school could apply to become an academy, a free school is essentially a new school set up in response to local demand. Structurally they are almost identical but are provided through different routes.

**Q. Would academy status affect the SEND provision?**

A. No, SEND services would stay exactly the same and we would continue to provide SEND services as we do now.

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