



## Academy Converter Checklist for Schools

*This Checklist is designed to guide you through the main stages of the conversion process, incorporating steps that must be taken to move forwards with the conversion and some of the things that you should be thinking about or doing along the way. It is for your reference only and DfE will not ask to see a copy at any time.*

*If you have queries or concerns about the conversion process at any stage, please contact your DfE Project Lead.*

***If you are converting as a special school, PRU, sponsored academy, or sixth form centre, you will want to work closely with your DfE Project Lead to ensure you complete any additional steps or documentation that may be required.***

### BEFORE APPLICATION

#### **ESSENTIAL STEPS TO COMPLETE:**

Undertake research into academy conversion (see [our guidance on becoming an academy](#) in the DfE part of the GOV.UK website for further information)

[Register your interest](#) via the website. When allocated a DfE project lead, discuss the process.

Note the [published deadlines](#) for completion of formal documentation for the preferred month of your conversion. Is your preferred conversion date realistic given these deadlines?

Seek a resolution to apply to convert to academy status from your Governing Body (GB) and record this resolution in meeting minutes.

*If you are a Foundation or Voluntary School with a Foundation, you also need to:*

Seek the agreement of your Foundation and Trustees and those entitled to appoint foundation governors

*If your school has a [religious character](#), you also need to:*

Seek approval from your local diocese

*And if prior agreement has been reached with your local authority for an increase in year groups, which would now take place after the conversion:*

Seek confirmation from the local authority that it is content for the funding calculation to be based on the new numbers and for appropriate recoument to take place

Complete the relevant DfE application to convert form ([available here](#)).

Arrange for your head teacher or Chair of Governors to [submit your application](#) on the DfE website. We will allocate a default conversion date of approximately five

#### **THINGS TO CONSIDER:**

Have you spoken to local schools that have been or are going through conversion process? (list of open academies [here](#) – filter by Local Authority (LA))

Are you converting as a [single school](#) school or as part of a [chain/academy trust](#)?

We allocate a default conversion date of approximately five months from application (Academies open on the 1<sup>st</sup> of every month.) Are there any factors of which you are aware that are likely to affect this default date?

Is your school due an Ofsted inspection? A change in [Ofsted status](#) may impact on your application.

How will you support another school to raise standards?

Who owns or has an interest in the [school's land and buildings](#)? Who needs to agree that land and premises can be used for the academy's purposes? If applicable, have you started to gather land ownership and registration documents?

Have you begun compiling lists of contracts, assets and other property, service level agreements and licenses held by (a) the GB of the school and (b) the local authority, or (c) the Trust (for Foundation schools) which will need to be transferred?

Does the school have any SEN or alternative provision? Have you considered the implications of conversion on this provision?

Have you arranged for the employer (the LA in VC and community schools, the GB in VA and Foundation



months after application.

schools) to start informal discussions with [staff](#) about the conversion? Do you need advice on [TUPE](#)?

- What other advice might you want to procure to inform you on aspects of the conversion process?
- Have you got a full understanding of the school's present and historic finances?
- Does your school have outstanding loans (including financial leases) with the local authority, Diocese or any other body? If so, you will need to obtain a copy of the loan agreement, including interest rate and repayment schedule.
- Has the school received any grants from external parties? Are there any conditions attached to the grants? Would this be affected by the change to academy status?
- Is your school part of a PFI contract?<sup>1</sup>
- Is your school part of a BSF contract?
- Have you looked at the school's performance data over the past 4 years and made projections for next year? Relevant performance data will be KS2/KS4 results plus the progress measures in English and Mathematics. Are there significant variations? What are the reasons for these variations?
- Do you share your school site or buildings or facilities with any other parties? What will the arrangements be after conversion?
- If your school has a nursery or childcare centre, who runs them? What is the proposal for these facilities after conversion?

**DOCUMENTS TO BE COMPLETED BY THE END OF THIS STAGE:**

- Confirmation of Governing Body resolution to convert to academy status (retain this for your records)
- Written consent from the Foundation or Trust that appoints any foundation governors (where applicable)
- Written Diocese consent (where applicable)
- Application Form (submit this to the Department )

**APPROXIMATE TIMING OF THIS STAGE:** At your discretion (schools should take the time deemed necessary to be prepared!)

<sup>1</sup> Projects involving PFI contracts can be more complex than others, and therefore can take longer to progress. However, DfE has developed additional guidance to support PFI schools in the conversion project ([here](#)). If your school does have a PFI contract, please make your DfE project lead aware of the nature of the PFI arrangements from the outset, to enable them to offer any additional support that may be needed.



## START OF THE CONVERSION PROCESS (ONCE APPLICATION HAS BEEN SUBMITTED )

### ESSENTIAL STEPS TO COMPLETE:

- Arrange for your GB to start the statutory [consultation](#) with interested parties about becoming an academy. Keep your DfE project lead informed of any significant objections.
- Notify your local authority of your intention to convert to academy status. Does your LA have a Cabinet Approval process that needs to be considered within your timescales?
- Work with DfE to provide any additional information needed to support your application.

### THINGS TO CONSIDER:

- Start the process of opening a bank account for the academy (cannot be completed until academy is registered as company).
- Identify solicitors to represent you throughout the process – do they represent value for money? *(Please note: schools should not appoint solicitors until after the Academy Order has been granted. DfE will not reimburse schools for any legal costs incurred prior to an AO, if the application is not successful)*
- Do you have an understanding of the [Governance changes](#) and legal implications of becoming an academy?
- What kind of services do you intend to deliver in-house and what you will buy-in from the LA or another provider?
- Do you have an understanding of how [funding](#) will be allocated to the new academy? Have you calculated what the funding levels will be?
- How will the school manage finances and financial reporting as an academy? You may wish to look at [EFA's Financial Handbook for Academies](#).
- If joining a new or existing multi academy trust, what does the trust's proposal means for the school, staff and pupils? Have you communicated this?
- If you are an 'outstanding' rated school, have you considered becoming a sponsor in the future? You may want to convert using [multi-academy trust](#) documentation.
- If you are a [PFI school](#), how will this contract be managed post-conversion? (This could be a complex process so start discussions as soon as possible).
- If you have existing loans, have you sought agreement with the relevant parties for the [loan to be novated](#) to the academy trust?

**DOCUMENTS TO BE COMPLETED BY THE END OF THIS STAGE:** [NONE]

**APPROXIMATE TIMING OF STAGE:** 2-6 weeks from application to receiving an Academy Order (variability depends upon the complexity of the project).



## ACADEMY ORDER GRANTED

*DfE releases £25k Support Grant to School to cover legal advice, consultation costs and other expenses*

### ESSENTIAL STEPS TO COMPLETE:

- Liaise with DfE on how to meet any conditions of the Academy Order (where applicable)
- If you decide to do so, appoint solicitors to act on your behalf throughout the process.
- Arrange for the employer to start the formal TUPE information and consultation process with staff.
- If you are using solicitors, instruct them to complete and return the [Land Questionnaire](#), based on the DfE model document, by 1<sup>st</sup> published deadline (usually 6-8 weeks prior to conversion date). Check that this includes any shared use or leisure facilities, children's centre or nursery provision.
- If you are using solicitors, instruct them to complete the [Memorandum and Articles of Association](#) based on DfE model documents. Send drafts to DfE for approval by 1<sup>st</sup> published deadline (usually 6-8 weeks prior to conversion date).
- If you are using solicitors, instruct them to submit a draft [Funding Agreement](#) to DfE for approval by 1<sup>st</sup> published deadline (usually 6-8 weeks prior to conversion date).
- If necessary, work with your solicitor to revise draft documents as per instructions from DfE and re-submit final version signed, in hard copy, by final published deadline (usually 2-4 weeks prior to conversion date).
- If you are using solicitors, instruct them to make legal arrangements for the land transfer or [lease](#) of the school site, including appropriate searches and title and covenant checks, and any shared-use arrangements

*If your school has received a loan from the local authority*

- If you are using solicitors, instruct them to draw up a [legal agreement](#) with the local authority to transfer responsibility for the loan (can form part of the CTA). Send a copy to DfE.

*If your school has a Diocesan loan*

- Sign an [agreement with the Diocese](#) to continue repayment on the previously agreed schedule. Send a copy to DfE.

### THINGS TO CONSIDER:

- Have you received a signed letter confirming your Academy Order?
- Have you decided on the name of your new academy? Are you introducing new ethos, documentation, logo? How will you do this?
- Are there building works planned or underway at your school? When will they be finished? Who is funding them? If not finished by conversion date, what needs to be agreed to safeguard post-conversion completion?
- Have you received the £25k support grant? Contact your DfE Project Lead if not received within 2 weeks of AO granted.
- How will your support grant be spent? Consider keeping a log of expenditure on conversion process
- Do you need to seek specialist advice on any matters at this point?
- Have you agreed land and building leasing or transfer arrangements with the current landowners?
- Have you decided on the exact composition of the Board of Governors/Directors of the academy trust? This must be agreed between the academy trust and the Secretary of State and set out in the Articles of Association, which will be attached to the Funding Agreement for every academy.
- Has the statutory consultation been launched? When will it be completed? How are you handling responses?
- Are the support arrangements with the partner school(s) in place?
- How will pensions and payroll for staff be handled?
- Have you received an indicative funding statement from EFA? Does this reflect your understanding of funding post-conversion?



**ESSENTIAL STEPS TO COMPLETE (cont'd):**

*If your school has a PFI contract*

Instruct your solicitors to draw up (or novate to the academy trust) an agreement between all parties to the PFI contract about the management of the contract post-conversion.

*If there is shared use of facilities on the site of the school*

Draw up (or novate to the academy trust) a shared-use agreement for the facilities on the site of school, and send a copy to DfE.

*If there is any building work due to be completed after a school converts to academy status*

Obtain agreement on responsibilities for completing the building work (for example with the local authority), to ensure that unfunded liabilities do not pass to the academy trust. Send copies of agreements to DfE.

Once they are agreed by DfE, instruct your solicitors to file your Memorandum and Articles of Association at Companies House. Add the company number to your Funding Agreement.

**THINGS TO CONSIDER (cont'd):**

Have you researched insurance to cover the school from the day of opening? Academies must be adequately covered by insurance from midnight on the day they open. From September 2014 the EFA will introduce [Risk Protection Arrangement](#) which academies can opt into. For risks and/or items that would not be covered within this arrangement, the [CPC framework](#) to help you procure insurance.

**DOCUMENTS TO BE COMPLETED BY THE END OF THIS STAGE:**

- Land questionnaire – to be submitted to lawyers once Academy Order has been approved
- Funding Agreement (Master Funding Agreement plus Supplementary Funding Agreements for Multi Academy Trusts)
- FA Annexes including Memorandum and Articles of Association
- Deeds of Variation (where applicable)
- Schedule of Changes (where applicable)
- Supplemental land agreement (where applicable)
- Trust Modification Order (where applicable)
- Direction to transfer (where applicable)

**APPROXIMATE TIMING OF STAGE:** 6-8 weeks from AO granted to completion of legal documentation (depending upon time allowed within DfE published deadlines and any factors that constrain the school. )



## ACADEMY TRUST ESTABLISHED

### **ESSENTIAL STEPS TO COMPLETE:**

- Send two final signed (undated) hard copies of the Funding Agreement (plus annexes and supplemental agreements) to DfE by published deadline.
- Open a bank account for the newly-formed Academy Trust and [provide details of the account](#) to EFA
- Conclude the statutory consultation with interested parties. Inform DfE of the outcome.
- Confirm with DfE that the TUPE consultation is complete.
- Agree arrangements for novation of contracts, if applicable, between the local authority and external suppliers.
- Discuss and agree the Commercial Transfer Agreement (for the transfer of staff, assets and contracts to the Trust), and send confirmation to DfE
- Confirm with DfE that the lease has been agreed and signed, including any sub-lease or service level agreements.
- Put in place arrangements for pension registrations, obtain the details of the relevant pension authority which presently administers the LGPS scheme, and make contact with *Teachers' Pensions* about the Teachers' Pension Scheme.
- If applicable, confirm with DfE that the Diocese has given their final consent for conversion.

### **THINGS TO CONSIDER:**

- Have you reviewed any contracts held with external suppliers, for such services as catering, cleaning, security, and ICT products and services? If you wish to maintain a contract with an existing supplier, you will need to discuss with the supplier how it could be transferred to the Academy Trust.
- Have you decided how to procure services previously provided by or bought from the local authority?
- Have you discussed renewal or transfer of software licenses with your software supplier(s)?
- Carry out any required [Disclosure and Barring Service](#) (DBS) checks and disclosures for new staff including Trust staff (where applicable)
- Are the school's existing financial systems suitable for the requirements of your new Academy?
- Have you registered, or asked your pensions administrator to register your Academy Trusts with Teachers' Pensions? This enables you to use the Secure Transfer Utility (STU) to send sensitive data about your teaching staff. Email a request to: [tpstu@teacherspensions.co.uk](mailto:tpstu@teacherspensions.co.uk)

### **DOCUMENTS TO BE COMPLETED BY THE END OF THIS STAGE:**

- New Bank Account Details Form (sent to EFA)
- Report on statutory consultation (for school's records)
- The lease is in place and has been signed
- The CTA has been agreed and signed
- All PFI paperwork is in place (where applicable)
- Any other relevant legal agreement has been agreed and signed

**APPROXIMATE TIMING OF STAGE:** 1-2 weeks from final DfE clearance of legal documentation to establishment of Academy Trust (can be quicker if CTA and lease are in place earlier)



## FUNDING AGREEMENT SIGNED AND SEALED

### ESSENTIAL STEPS TO COMPLETE:

- Ensure you have opted in to the EFA's [Risk Protection Arrangement](#), or arrange other insurance, which must start from midnight of the date of conversion, for:
  - premises and contents
  - business interruption
  - employer's liability and public liability insurance
  
- Arrange other insurance risks not covered by the RPA such as motor insurance or trips abroad. The [CPC framework](#) will help you procure this insurance.
  
- Arrange for the Governors to notify the Information Commissioner's Office (ICO) in writing that the Academy will now be responsible for processing personnel and pupil data. A fee of £500 is payable to the ICO. More information is available online at <http://ico.org.uk>
  
- Transfer any surplus money from the school bank account to new Academy Trust account and close school bank account.
  
- Send a starter notification to Teachers' Pensions for each teacher, including part-time teachers, using form TR6, which is available online at: [www.teacherspensions.co.uk](http://www.teacherspensions.co.uk)

### THINGS TO CONSIDER:

- Check EDUBASE for your Unique Reference Number. Contact DfE if it doesn't appear a week after conversion.
  
  - To whom should the final signed hard copy FA be sent? To the school, Trust or solicitors?
  
  - When and how will the FA be uploaded to the school's website?
  
  - Have you prepared for day of opening? Do you need to roll out new signage, logos, website etc.? Are pupils and parents aware of opening day?
- If you are a secondary school*
- Have you notified the National Centre Number Register, run by Oxford, Cambridge & RSA examinations (OCR) on behalf of all the Joint Council for Qualifications (JCQ) awarding bodies, to let them know about your change of status to an Academy, and any change of name?

### **DOCUMENTS TO BE COMPLETED BY THE END OF THIS STAGE:**

- Insurance policy documents and certificate (retain for own records)
  
- Starter notification for Teachers' Pensions

**APPROXIMATE TIMING OF STAGE:** 1 week



## ACADEMY OPENS – 1<sup>st</sup> DAY OF MONTH

### ESSENTIAL STEPS TO COMPLETE

- Arrange for your Chair of Governors to send the completed support grant certificate to DfE.
- Register with National Centre Number Register for status/ name change (for Secondary schools)
- Ensure your Academy has a complaints procedure which is compliant with *The Education (Independent School Standards) Regulations 2010*
- Receive your first payment and a welcome letter from EFA.
- Submit your budget forecast return to EFA within six weeks of receipt of final funding letter. See <https://www.gov.uk/academies-financial-returns#submit-your-budget-forecast>
- Submit your financial management and governance self-assessment to EFA within 4 months of opening. See <https://www.gov.uk/information-for-new-academies#financial-monitoring-and-assurance-requirements>
- If you have not prepared financial statements for the previous year, you will need to prepare and submit a March accounts return. More information at <https://www.gov.uk/academies-financial-returns#submit-your-accounts-returns>
- By specified deadlines from EFA, you should complete your other financial returns including your financial statements; accounts return and value for money statement.
- In the first term of operation, you should appoint the Accounting Officer, who must be the Principal of the Academy for a single academy, and the Chief Executive in a multi-academy trust.
- In the first term of operation, you should appoint external auditors and a Data Protection Officer .
- Set up (or instruct your payroll provider to set up) process for teachers' pensions contributions deductions and paying employer pension contributions. All payments should be recorded on a payment slip, available on Teachers' Pensions STU, and submitted to Teachers' Pensions by the 7th of

### THINGS TO CONSIDER:

- Have you procured services previously provided by the local authority? Are there additional services you now need, as an Academy?
- Could you act as a case study to other schools wishing to convert to Academy status? Or as a mentor to other schools?
- Have you completed the DfE Customer Satisfaction Survey on the conversion process?
- Do you know how to contact the EFA with any funding queries ([academyquestions@efa.education.gov.uk](mailto:academyquestions@efa.education.gov.uk))? Check the DfE website for advice and guidance on other Academy-related matters.





each month (or earlier if the 7th is not a working day).

**COMPLETED DOCUMENTS AT THIS STAGE:**

- Budget projections
- Certificate of Spend for support grant (sent to DfE Project Lead)
- Complaints procedure
- Financial returns to EFA

**APPROXIMATE TIMING OF STAGE:** Within deadlines provided by EFA or specified above