

Academy Status – FAQ's

Who can become an academy?

All schools (primary, secondary and special) that have been rated outstanding or good with outstanding features by Ofsted can request consideration for conversion. It is planned that all schools will eventually be able to apply. Kimberley Primary & Nursery School is currently Requires Improvement but has a positive HMI Report from July 2017.

How long will it take?

It is expected that most schools will be able to convert in around three months (it may take longer if there are complicating issues). Governors made the decision to convert in June 2017, the academy order has been issued and we now will undertake formal consultation with parents, staff, unions and other stakeholders.

Do converting schools need to have a sponsor?

We are not required to have a sponsor, and do not intend to seek one.

Do schools need to consult before converting?

Yes. All schools are required to carry out a consultation and will consult with parents and carers when we can. There is no specified length of time for the consultation and schools have flexibility in how it is conducted, although the consultation process with staff is defined by employment law in the regulations known as TUPE (transfer of undertaking (protection of employment) regulations).

Do we have to support another school?

No but as many of the schools in the Kimberley and Nuthall area are converting at the same time and joining the same multi academy trust we are committed to continued close partnership work and supporting each other to provide the very best education for our community.

Do we have to cover the full cost to convert to an academy?

No. The DfE will pay a flat-rate grant of £25,000 to the school's bank account. This may not cover the whole costs involved, but we will endeavour to ensure we do not exceed the grant. To reduce potential legal costs the DfE has produced model legal documentation which we can download from their website.

What does the conversion process involve?

The conversion process has been made as simple as possible for all schools. The key steps the school must take are:

- establish a new academy trust as a company by registering with Companies House;
- establish a new bank account for the trust to ensure that the academy will be able to receive funding;
- transfer, renew or procure new contracts, service level agreements and licences and purchase insurance as appropriate;
- transfer under TUPE all contract arrangements for staff.
- transfer the land from the governors to the new academy trust. In our case this will be the present governing body.

Can we withdraw from the conversion process?

Schools are able to withdraw right up until the point that they sign the funding agreement. Once this is signed there is a legally binding agreement between the Secretary of State and the academy. However, conversion back is possible but may involve a long notice period.

Does the school have to change its name or uniform?

The name of the school will not change and the uniform requirements will not change.

Can the school have freedom to set its own curriculum?

Yes, but we will have the obligation to provide a 'balanced and broadly based curriculum'. This allows an academy the ability to design and implement a curriculum that will meet the needs of its pupils as they face ever-changing demands and requirements. Presently, we are content with our existing curriculum provision and see no reason for change.

Do academies have greater freedom over admissions?

Academies have to comply with the Schools Admissions Code and this does not, for instance, permit selection. Schools converting to become an academy will be able to retain the admission criteria they currently use. Governors are committed to a criteria which offers children living in our immediate local community, our catchment area, first priority for places.

Would academies be part of coordinated admissions with the Local Authority?

Yes, all academies continue to be within coordination i.e. the process for allocating school places to children. This means that parents/carers only need to complete one application form (but they can name several schools on it). This also applies to in-year coordinated admissions (when a child moves into the area) and for children who are 'hard to place' such as those who have been excluded from other schools.

Will Local Authorities still have the responsibility for planning for additional places when there is a growth in student numbers within an area?

Local authorities will still have overall responsibility for ensuring that there are sufficient places to meet demand locally. Where individual academies make a request to the Secretary of State to expand their pupil numbers and/or age range, this will only be done following local consultation. The decision taken will be informed by the views of the LA, as the commissioner of pupil places. Presently, there are no plans to increase the size of the school and local demographics would not warrant this.

Can schools convert with a budget deficit or surplus convert?

Yes. However, if schools have a significant deficit, applications may be postponed until it has been managed down to a reasonable level. Schools with surplus balances can carry these over when they become an academy. Kimberley Primary & Nursery School does not have a deficit budget.

How much extra funding would an academy expect to receive?

The funding will be based on the level of Local Authority funding, plus additions for central services that would normally be provided by the Local Authority. This will vary from area to area. Presently Nottinghamshire LA retain approximately 10% of maintained school budgets.

What would we spend this extra money on?

We would have to replace some of the central services the LA provide now, possibly by simply buying them back through a service level agreement. Any surplus we would invest in additional staffing to reduce class sizes or improvements to our resources and school environment.

What funding is available for extra costs incurred in running an academy above that normally incurred in running a school?

Academies will be supported with grants to offset any extra cost due to VAT and extra insurance costs.

Will there be a capital fund or a specific grant for insurance to cover for emergencies in academies?

Academies will be required to cover insurance at specified minimum levels of cover. We would also be eligible to seek an Earmarked Annual Grant from the Young People's Learning Agency (YPLA) for emergencies similar to the way that the LA can support schools with emergency contingent payments.

What process of financial audit will be demanded of academies and to whom will the auditors be responsible?

The main audit will be conducted by an external independent auditor, appointed by the academy. The YPLA monitors academy finances and can audit the academy if it wishes.

What will happen to special educational needs (SEN) support?

Funding for children with additional needs does not change and it will come from the Local Authority, who retain the responsibility for the statutory provision. However, the vast majority of our special needs children do not require an Education Health Care Plan (EHCP) and they will be funded in a different manner. We have to bid to the Kimberley Family of schools, monitored by the Local Authority for funding who determine the level of funding given to the school.

Will academies be free from Ofsted inspection?

The Secretary of State has announced that only schools judged as outstanding will no longer be subject to routine school inspection. We still anticipate being inspected in the 2017/18 academic year.

What are the changes to the Governance of the Kimberley Primary & Nursery School?

The current Governing Body will be dissolved on the date the school changes to academy status. However, the Governors have agreed that all the school's current governors will continue as members of the new governing body, which will have 3 governors elected by parents, 6 appointed as community representatives and 2 staff from the school. In practice most of the appointed governors tend also to be

parents of the school and so currently 6/11 governors are parents of children in the school. The same governors will also constitute the Academy Trust.

To whom are the governors of an academy accountable?

Governors will remain accountable to our parent body. Governors will also be monitored by OfSTED and parents will still be able to trigger inspections by complaining to OfSTED. The Young Peoples Learning Agency (YPLA) would monitor school finances and the LA has the right to refer an academy to the Secretary of State if they have concerns over standards. Parents would also retain the right to complain to relevant ombudsmen depending upon the issue, for instance, such as for admissions. East Midlands Education Trust will also monitor and oversee the work of the governing body.

Are academies exempt from the freedom of information act?

No. The Academies Bill has brought academies into line with other public institutions.