

## Academies FAQ's

The aim of this page is to provide brief answers to the questions most commonly asked by heads and governors considering whether their school should become an academy.

It is only a guide and is not a substitute for the professional advice a school should take before registering their interest with the Department for Education.

Further advice is available from the [Department for Education](#) website.

### Q1. What are the key steps in the conversion process?

The key steps are outlined in the chart below:

#### STAGE 1 - Registration

1. School registers interest using the on-line form.
2. Works with DfE through the conversion process.
3. Governing body starts the consultation required by legislation with interested parties (*can start later but must be completed before Funding Agreement*).

#### STAGE 2 - Application / Pre-Approval Checks

1. Governing body and Foundation (if relevant) pass resolution in favour of academy conversion.
2. Plans to support another school to raise standards need to be discussed with DfE
3. LA/ governing body start the TUPE process.
4. Secretary of State asked to approve proposal.

#### STAGE 4 – Pre-Opening

1. CRB checks carried out as necessary.
2. Put new financial systems and contracts in place.
3. Complete academy registrations e.g. with exam bodies.

#### STAGE 3 – Funding Agreement

1. Finalise governance documents based on DfE model documents provided.
2. Register the Academy Trust with Companies House.
3. Agree leasing for school land and buildings.
4. LA/governing body complete the TUPE process.
5. Governors complete required consultation
6. Agreement to Secretary of State for approval.

REGISTRATION TO OPENING

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3 MONTHS

**Q2. How long does the process take?**

The process – from the school first registering an interest with the DfE to opening as an academy – will normally take about 3 months. However, the process can take longer if there are complex property and employment issues to be resolved.

**Q3. Which schools can become academies?**

All schools judged by Ofsted to be outstanding or to be good with outstanding features are automatically eligible to become academies.

All other schools can become academies if they work in partnership with a school that is automatically eligible. Outstanding schools are expected to enter into some form of collaboration with at least one other school to help tackle that school's underperformance. Funding agreements for new academies will include a requirement to promote "community cohesion".

**Q4. Do we need to consult before we register an interest with the DfE?**

The governing body determines whether the school should apply for academy status and there is a statutory requirement upon them to consult with "appropriate persons" which might include parents, staff, pupils and the local authority. If your school is a church school, you must gain the consent of the school's foundation.

**Q5. What changes will there be for the governing body?**

The governing body will be dissolved when the school becomes an academy and a new governing body will be established by the academy trust. The new governing body will have to include at least two parent governors. Members of staff can make up no more than a third of the governing body and there can be no more than one governor from the local authority.

**Q6. Will staff transfer to the academy?**

Yes. All existing staff will transfer under TUPE regulations.

**Q7. Will there be greater flexibility to reward staff?**

Yes. The governing body can set its own pay and conditions but staff who transfer do so with their existing terms and conditions.

**Q8. How does the funding work?**

The funding will continue on per pupil basis and new academies will be able to claim a share of the money that is currently held centrally by the local authority. The amount each academy receives from the local authority 'pot' can vary considerably from one local authority to another.

Academies will be able to apply for capital funding from the government as before.

Academies will be able to reclaim VAT on all (non-business) costs related to providing free education. This will put academies on the same footing as maintained schools whose VAT is recovered by the local authority.

Schools are eligible for a grant of £25,000 to help with conversion costs.

**Q9. How much influence does the local authority have?**

The local authority has no power to intervene in the process. However, the school can still buy services – eg. energy, banking and insurance - from the local authority once it becomes an academy but will be under no obligation to do so.

**Q10. What accounts will the academy have to produce?**

An academy will be required to produce accounts that comply with the Companies Act and comply with charity and company law. The accounts will normally be for an accounting period ending August 31st. The Academies Financial Handbook contains a sample set of accounts.

**Q11. What is the position regarding surpluses and deficits?**

Any surplus or deficit has to be agreed before the school becomes an academy.

Academies are not allowed to run a deficit. Any academy that opens with a transferred deficit will need to have a plan agreed with the Young People's Learning Agency (YPLA) to repay the deficit from its annual grant.

If an academy does develop a deficit after it has opened it will be required to agree a restructuring plan with the YPLA.

**Q12. Can the academy return to local authority control?**

No. Once a school has become an academy, it is not possible to go back to maintained / voluntary status.