



**THE BUSINESS  
OF EDUCATION**

# **Business Management Services**

## **Key considerations**



Herts for Learning Ltd is a not for profit company owned by Hertfordshire schools and the local authority. Providing achievement and business services, it is dedicated to improving standards of education in Hertfordshire and beyond.

# Key considerations for academy and MAT transition

The conversion of a School to an Academy, or the establishment of a MAT are complicated and often time-consuming processes. Taking the opportunity to understand the tasks that will need to be completed, as well as the new legislative requirements you will face, will ensure that your endeavour will be successful.

Herts for Learning have produced a range of Key Consideration guides, focusing on all aspects of the business of educational settings. These guides are a great starting point to begin to understand the transition process to becoming an academy or multi academy trust. They may also highlight any skills gap you may have within your setting, and the requirements of any assistance you may need.

To view the full range of Key Consideration guides, please visit

<http://www.hertsforlearning.co.uk/content/mats-preparing-for-change>

# Site Ownership

Do you have a comprehensive record of the correct ownership of your site:

Is the title to the land correctly registered at HM Land Registry?

Are there any liabilities, for example, is the school part of a PFI agreement?

Do you have any shared use agreements e.g. A caretakers house which may be subject to a protected tenancy?

Do you have solar panels and who owns them?

# Transfer of legal responsibility for H&S

As the Duty Holder you must have up to date:

- Health & Safety policy and risk assessments
- Asbestos Register
- Control of hazardous substances
- Legionella testing
- Fire safety assessment and monitoring
- Tree safety
- Vehicle and pedestrian segregation

MATs have been successfully sued when the above have not been in place – the RPA does not cover the MAT if it is in breach of H&S legislation

# Seek assistance where needed

The conversion process establishes an organisation with new responsibilities. These range from the compliance with varying legislative requirements to new auditing and reporting processes.

In many environments, these new challenges will require the upskilling of appropriate team members, and can also highlight the need for professional advice.

This is important to ensure that the appropriate protection is in place moving forward and these professional advisory services can include:

- Legal Services
- Project Management Services
- Financial services
- Actuaries
- Marketing Services
- Technology Providers

# Unrestricted and restricted balances

Financial liability for outstanding capital maintenance works passes to the MAT:

- Do you have a current condition survey?
- What is your planned capital maintenance schedule, can any works be completed before conversion e.g. boiler replacement, new glazing etc.?
- Are there any buildings projects ongoing? Your agreement must clarify who will pay for completion and ensure unfunded liabilities do not transfer
- There is an EFA Condition Improvement Fund but bids are competitive and rigorously reviewed

# Insuring the MAT

The DfE Risk Protection Arrangement will provide insurance cover at a cost of £25 per pupil:

- Do you have a complete asset and equipment register in the event of needing to make a claim?
- Are there areas you need insured which are not covered by the EFA Risk Protection Arrangement (engineering inspections, overseas travel)?
- You will need a lettings policy and to request the RPA provide an indemnity to hirers who do not have public liability insurance
- Will the insurance you have in place now cover issues post transfer e.g. an employment claim?



# Consider your contracts

Contracts transfer to the MAT in the Commercial Transfer Agreement:

- Is your contract register up to date and do you have copies of all contracts?
- Are key services fit for purpose in the new MAT: e.g. catering, cleaning, security, ICT?
- Are there areas you want to outsource, re-organise or sharing to achieve economies of scale across the MAT?
- End your existing contract with unsatisfactory suppliers, tender for new services and transfer your contracts that are good value for money

# Contact us

For further information on the support available, and to view all Herts for Learning MAT services, please visit <http://www.hertsforlearning.co.uk/mats>, email [business.matters@hertsforlearning.co.uk](mailto:business.matters@hertsforlearning.co.uk) or call 01438 845111.

