

Converting to an Academy?

Chattertons Solicitors recognise that the transition into becoming an academy can be daunting. We have experience of the academy conversion process and are fully conversant with the procedures. The legal aspects of the conversion process involve various different areas of law and we have specialists with experience in each area to ensure that you receive a quality service. With offices across Lincolnshire and one in Newark, we can offer you a service that is both professional and local. We have set out below profiles of the members of our Academy Team.

Meet the team.....Liz Hopkins is Head of the Team and works closely with both **Peter Lawson** and **Caroline Cropley**.



Liz Hopkins is a Partner based at the Wide Bargate office in Boston. She qualified as a Solicitor in 1988 and joined Chattertons in the same year. She deals with all types of commercial, agricultural and residential property matters as well as general commercial work including the sale and purchase of businesses and partnership matters. Liz served as a school governor for 12 years at a local secondary school.



Peter Lawson became a partner in 1983, having completed his training with the firm. His background has been in general litigation, becoming more specialised in employment work in recent years. Peter is head of the Specialist Employment Team and is based at the South Square office in Boston. He is a former Vice Chairman of Boston Chamber of Commerce and Industry. As well as a local knowledge of Boston, Peter was a governor at a local Primary School for 4 years.



Caroline Cropley is a specialist corporate solicitor. She trained and qualified at a City firm and subsequently joined a high profile West End firm. Caroline advises on all aspects of corporate and commercial law, including shareholder agreements, commercial contracts, corporate governance and business asset and share acquisitions and disposals. Caroline is also a Trustee of the Lincolnshire & Nottinghamshire Air Ambulance.

Commercial Property

The commercial property aspects would be handled by Liz Hopkins. These involve either the freehold transfer of the school land and buildings to the Academy Trust or, alternatively, the grant of an 125 year Lease of the land and buildings to the Academy Trust. Liz would also deal with the Funding Agreement, which is a contractual agreement between the Academy Trust and the Secretary of State, and the Asset Transfer Agreement which deals with the transfer of all assets other than the land .

Employment

The employment aspects would be handled by Peter Lawson. We can assist in advising you of your requirements under the Transfer of Undertakings (Protection of Employees) Regulations 2006. This involves consultation with employees and service providers. It is imperative that contracts of employment and employment policies are reviewed prior to any transfer. Employers need also be aware of potential changes to an employees terms and conditions post-transfer.

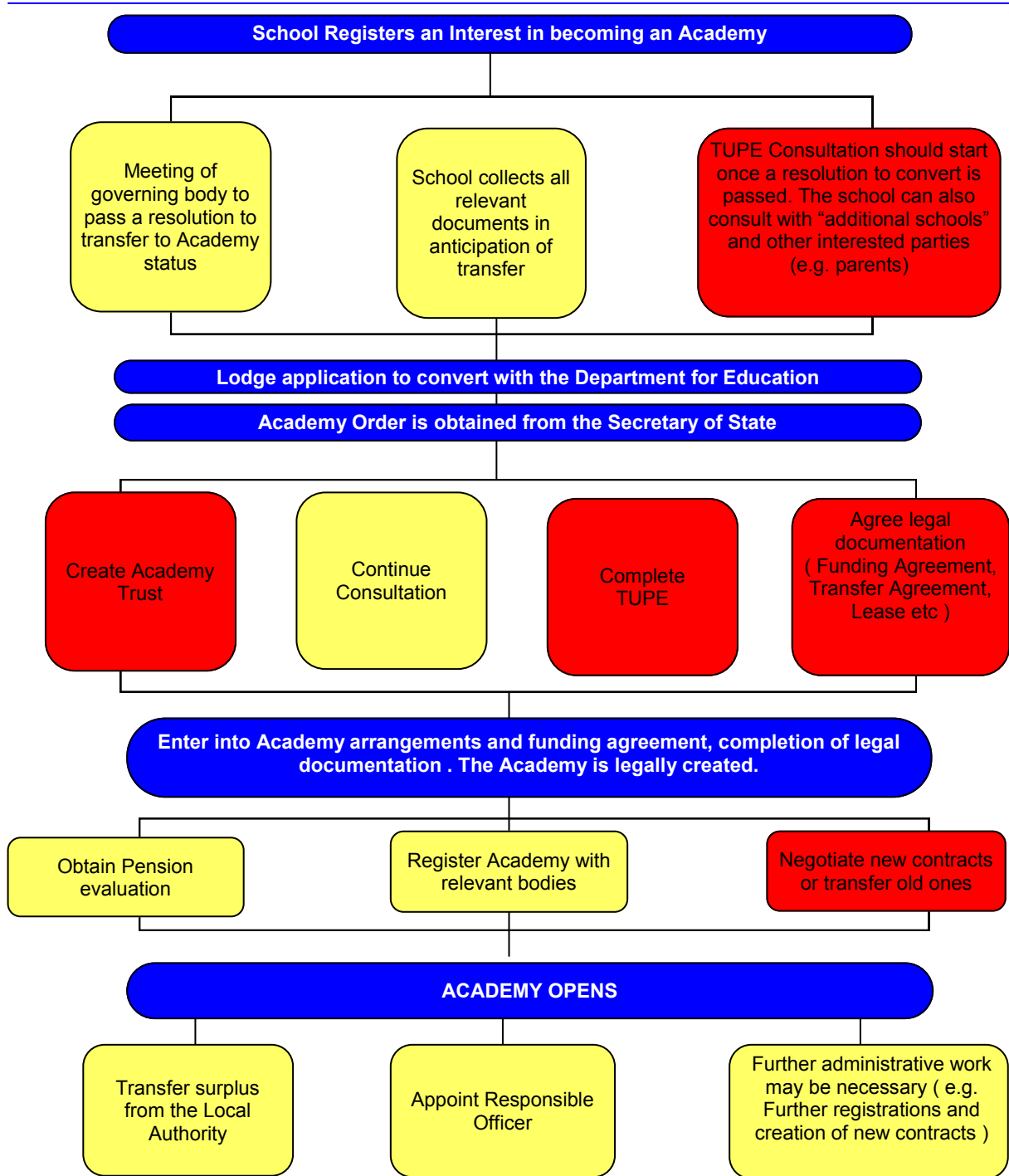
Company

The corporate aspects of the conversion would be dealt with by Caroline Cropley. These involve the formation of a company limited by guarantee to be the Academy Trust and the registration of the company at Companies House. Caroline would also deal with the preparation of the Articles of Association of the company and the appointment of members and governors and she will advise throughout on the governance aspects generally.

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The table below shows the process of conversion to an academy. The areas highlighted in red represent the stages at which Chattertons can assist. It is difficult to estimate the timescale for conversion particularly where the school is dependant on third parties for further information such as the Local Authority, however the starting point should be to aim for the conversion process to be completed in roughly three months, although this should be kept under constant review. Below are details of the various stages Chattertons can assist with.



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Documents required

Before starting the process it is important to obtain the following information and documents;

- Confirmation of ownership of the property
- Full details of any agreements with third parties, for example cleaners, canteen staff, office equipment suppliers
- Contracts of employment

Once Academy status has been obtained the Governors will be responsible for the strategic direction of the Academy. Chattertons can assist with ongoing legal advice on a range of topics. Employment policies and procedures may need updating and amending. There may be ongoing disciplinary matters that need to be addressed.

The school will also need to ensure outside auditors are appointed and that year end accounts are produced in accordance with the requirements of the Companies Act. Chattertons can continue to advise and guide the school.

About Chattertons Solicitors

The firm has been established for over 200 years and has steadily expanded over recent years and now has offices in 8 locations across Lincolnshire and in Newark.

Our professional, experienced and knowledgeable specialist teams can offer you help and advise on an extensive range of Legal Services. We also have an Financial Services department offering true independent financial advice.

Chattertons employs over 170 staff, including 24 partners and is one of the largest firms of Solicitors in the East Midlands.

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