


Be Connected: Schools and academy trusts November 2024

22 November 2024  Nick MacKenzie

Welcome to Be Connected for schools and academy trusts.

As always, this issue is packed with the latest legal updates, sector insights, expert advice and guidance from our dedicated team of education lawyers and HR consultants.

- [Sector developments](#).
- [Legal and regulatory updates](#).
- [Employment](#).
- [Support and guidance](#).
- [Events and training](#).
- [And more!](#)

Sector and policy developments

Views on the Autumn 2024 budget announcements

Earlier this month, the Autumn 2024 budget revealed significant government investment aimed at addressing pressing needs in education, we offer analysis on the potential impacts.

With £1.4bn allocated annually for rebuilding schools, we highlighted the longstanding demand for such updates, amplified by safety concerns from the reinforced autoclaved aerated concrete (RAAC) crisis. We also consider expanding free breakfast clubs, employer national insurance adjustments, SEND funding increases and more.

[Read more](#) →

What will the new RISE Scheme mean for schools and trusts?

The DfE's newly unveiled Regional Improvement for Standards and Excellence (RISE) Scheme has been met with a mixture of anticipation and scepticism. The scheme seeks to 'provide consistency and support' across each region when it comes to school improvement.

The DfE will clearly need to provide further clarity on the role and powers that will be vested in the RISE teams and how this will fit with the legal status of academy trusts.

[Find out more](#) →

Funding withdrawn for trusts and academy conversions

Schools that are considering converting to academy status should be aware there are now further Department for Education (DfE) cutbacks following the change in eligibility criteria for the support grant earlier this year.

The support grant for schools to voluntarily convert to an academy will end on 1 January 2025 and in a double blow, the trust capacity fund (TCaF) for bidders in window 4 has been withdrawn.

[Find out more](#) →

Silence persists on gender questioning guidance

We still don't know when the DfE's highly anticipated non-statutory gender questioning guidance will be published to help schools address difficult gender-related issues.

It's clearly important for the guidance to be consistent with other areas of law, whether that be the Equality Act, the Data Protection Act, the Human Rights Act or safeguarding requirements – but the delay in publication is frustrating for the sector.

[Find out more](#) →

Legal and regulatory updates

Changes to attendance requirements for schools

The DfE recently released their updated guidance 'Working together to improve school attendance' which outlines significant changes to the attendance and registration requirements for schools for this academic year. To help you get up to speed we've published a series of articles offering support, bespoke training and a free webinar to help you to understand and implement these changes this term.

- [Understanding the changes to attendance requirements](#)
- [Implementing the new attendance monitoring requirements](#)
- [The latest penalties for school non-attendance](#)
- [Expanding the role of attendance mentors](#)
- [School attendance and absence management training](#)
- [School attendance - getting to grips with the new regulations \[on-demand webinar\]](#)

[Find out more](#) →

New guidance for intervention in schools

The DfE has released new guidance relating to the support and intervention for schools, following the scrapping of single-word judgements. Updated statutory guidance on intervention in schools was published on 1 November 2024 and fills in many of the gaps and provides further clarity on the implications of the latest developments for intervention.

[Read more](#) →

How trusts can make the most of the Procurement Act delay

The Procurement Act 2023 has been delayed and will now come into force on 24 February 2025. While this delay gives some much-needed breathing space to enable trusts to get up to speed on the new regulations, there's much to prepare for. We're providing a range of best practice resources which will stand you in good stead.

[Read more](#) →

New High Court case on exclusion reconsiderations

The High Court has recently considered the role of a governing board reconsideration panel in circumstances where an independent review panel had quashed its decision.

The pupil had been excluded for several instances of sexual misconduct which the governing body upheld on the basis that they were serious and readmitting the pupil to the school would cause serious harm, supported by the fact that the pupil did not accept that he had done anything wrong.

[Read more](#) →

Employment

Preventing Sexual Harassment at Work Toolkit

The new Worker Protection (Amendment of Equality Act 2010) Act 2024 and accompanying EHRC technical guidance mark a game-changing a game-changing shift in employer duties, demanding immediate action to prevent sexual harassment and protect staff.

Schools and trusts will need to take reasonable steps to prevent the sexual harassment of employees as employment tribunals now have the power to increase compensation for sexual harassment by up to 25%. Find out how we can help you navigate the new law and protect your organisation and its employees from sexual harassment.

[Find out more](#) →

Support and guidance

Practical guidance for challenging Ofsted inspections

This year has brought major changes to Ofsted and we're hopeful that we're moving in the right direction, but there may still be occasions when a school is unhappy with the inspection process and/or outcome. That's why we've been working in close conjunction with the National Union of Head Teachers (NAHT) to bring together some practical, up-to-date guidance for schools facing these challenges.

This guidance is now available to download and covers the who, why and when of raising concerns, your rights to pause to inspection, making formal complaints and seeking injunctions and when to resort to legal action.

[Access the guidance](#) →

Five steps to turn the SARs tide

No school staff member ever said "brilliant, another SAR to process". Yet there are several actions schools can take to reduce that sinking feeling when you get yet another request for a copy of "everything you have" about them.

Subject Access Requests (SARs) pose an increasing burden on schools, often leaving staff in schools feeling on the backfoot when it comes to achieving data protection compliance. In this article we provide five practical steps to mitigate the impact these requests have in your setting.

[Find out more](#) →

Gain leadership insights from sector influencers

Ever wonder how childhood curiosity can shape a career in educational leadership?

The latest episode of our popular #EdInfluence podcast features Lauren Thorpe, the Chief Transformation Officer at United Learning, who shares her unique path from tinkering with toys under the guidance of her engineer father to spearheading transformative initiatives in schools.

You can access the podcast to hear more from Lauren and subscribe to future episodes via [your preferred podcast channel](#).

[Listen now](#) →

Events and training

How schools can grapple with new employment law to thrive in a new era, On-demand

The Employment Rights Bill 2024 heralds a new era in employment law so it's imperative that schools and academies prepare now for the changes ahead.

[Watch now](#) →

Shaping a culture of respect and safety – preventing sexual harassment, On-demand

The new Sexual Harassment and Harassment at Work guidance marks a game-changing shift in employer duties, demanding immediate action to prevent sexual harassment and protect staff.

[Watch now](#) →

Managing safeguarding allegations against staff, 12 December, 10-11am

Dealing with safeguarding allegations against staff is one of the trickiest personnel challenges employers can encounter. Get a clearer view of the options available if your school receives safeguarding allegations - particularly criminal allegations - about a member of staff.

[Register now](#) →

#EdCon2025 – save the date!, March 2025

Register now for your free place at our four-week virtual conference. Join online workshops, listen to our experts via on-demand sessions and explore topics such as innovation, collaboration, creativity, and development in education.

Our four themes offer something for everyone: horizon scanning, collaborating and connecting, creativity and innovation, and developing people.

[Register now](#) →

Training and CPD opportunities

All of our interactive online training programmes have been updated for 2024-25 and we have places available on the new training cohorts starting this academic year. Places are limited and courses tend to get booked up quickly, especially as we now offer group booking discounts, so it's worth registering now to secure your place.

CPD for school leaders on the Equality Act

Gain the knowledge and confidence to understand your legal responsibilities and make informed decisions on equality issues, helping you to effectively support pupils with protected characteristics.

[Find out more](#) →

School attendance and absence management training

Make sure your team can confidently meet the latest requirements for monitoring and managing attendance in schools.

[Find out more](#) →

Managing parental complaints

For school and trust leaders and their teams to gain the skills, knowledge and confidence to effectively manage parental complaints.

[Find out more](#) →

HR Pathway

Designed for newly appointed head teachers, school leaders and managers or those aspiring to move into a school leadership. The programme will help you get people management right.

[Find out more](#) →

Data Protection Officer CPD

Our Data Protection Officer (DPO) CPD programmes provide school and trust DPOs with all they need to keep their knowledge up to date throughout the academic year.

[Find out more](#) →

Safeguarding training

Designed for governors and trustees, with an extended version for leads, steering away from operational safeguarding matters and focusing on strategic safeguarding and good safeguarding governance, meeting the latest requirements of Keeping Children Safe in Education.

[Governors and trustees](#) →

[Lead safeguarding governors and trustees](#) →

You may be interested in...

Browne Jacobson voted one of the top education law firms

The Times has published its Best Law Firms list and we were voted by the profession as one of the top three 'Best for education' law firms (alongside Mills & Reeve and Simpson Millar) in recognition of the depth and quality of our education offer.

[Find out more](#) →

Top employer for social mobility

We recently secured the number one position in the Social Mobility Foundation's prestigious Social Mobility Employer Index for 2024, marking our third time in the top spot and fourth consecutive year as the leading law firm for social mobility.

[Find out more](#) →

Data Protection Champion of the Year

Our new legal director and data protection expert Claire Archibald has been announced the winner of the Champion of the Year Award in the PICCASO Awards Europe.

The PICCASO (Privacy, InfoSec, Culture, Change & Awareness, Societal, Organisation) Awards recognise the people making an outstanding contribution and are shaping the present and future of data, privacy, and information security.

[Find out more](#) →

We've appointed Professor Janice Kay CBE as our special adviser

We're pleased to welcome Professor Janice Kay CBE to the team as our special adviser for our growing education practice. She has deep experience in the sector and will provide strategic input and support engagement, predominantly with the higher education sector, as her experience includes two decades in senior positions at the University of Exeter, including as Provost and Senior Deputy Vice-Chancellor.

However, she also chairs the Board of Trustees of U-Maths, the University Maths Schools Network of 11 schools (KCL, Exeter, Liverpool, Lancaster, Imperial, Cambridge, Leeds, Nottingham, Aston, Surrey, Durham) and is Deputy Chair of the Teaching Excellence Framework (TEF), so will also be well placed to contribute to some of our activities in support of schools and academies too.

[Find out more](#) →

Organisational approaches to ESG matters

In an innovative move to address the pressing Environmental, Social and Governance (ESG) challenges facing organisations today, we've embarked on a pioneering research project in partnership with the University of Nottingham. This collaboration aims to delve into the intricacies of how organisations navigate their ESG impacts, leveraging the expertise of legal and academic specialists to forge pathways towards sustainable and responsible business practices.

As part of this research, we're inviting you to participate in a brief survey. The findings will shape best practice guidelines for effective ESG communication, helping organisations achieve their goals and meet their obligations.

[Find out more](#) →

In the media

- [Browne Jacobson achieves record rankings across full service offering](#)
- [Schools need greater clarity on performing social media checks | Schools Week](#)
- [What will Labour do about funding new schools and fixing RAAC crisis? | Tes](#)
- [New ministers can and must help stem rising complaints | Schools Week](#)
- [Pupil absence: new regulations on fines | Tes](#)

Key contact

Nick MacKenzie

Partner

nick.mackenzie@brownejacobson.com

+44 (0)121 237 4564