

Legal services for Academies and Schools



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A little bit about us...

Muckle LLP is a business minded, commercial law firm, providing specialist legal services to public sector and private sector clients. Our dynamic cross firm Education Team gives legal advice and support to an extensive range of schools, independent schools, academies and higher and further education establishments across the UK. This level of expertise and experience places you in an advantageous position if you choose to work with us.

The firm has 28 partners, over 90 fee earners and a total team of over 150, of which 20 lawyers belong to our Education Team.

We place a high priority on our ability to give commercial advice in addition to robust legal assistance. We appreciate that clients need their lawyers to understand the practical and commercial drivers in any matter, not just the legal issues.

We will commit to provide greater value for you in the following ways:

Working together

- you will have a dedicated team for your requirements;
- your objectives will dictate how we work with you;
- you will enjoy our award winning service excellence;
- you will find us available 24/7 for whenever you need us; and
- we are confident that our service out-performs any other provider.

Providing value and efficiencies

- you will benefit from our commercial approach to decision making;
- you can rely on us to meet our commitments on time;
- you can manage your budgets more easily with our fixed and capped rates; and
- you will only be invoiced for fees that you agree are fair for the value we delivered.

What education means to us

Every single member of the our team is a product of our education system. Firms like us benefit from the fruits of your labour. Muckle, which was established over 100 years ago, cannot survive as an independent regional practice for the next 100 years without an annual influx of young talent which you have nurtured.

Our values are important to us and at the core of everything we do. Being a responsible business matters to us and to our clients. Education is the cement that binds the community in which we live and work. To this end we encourage all our people to take on roles and responsibilities in the community outside of work. We value community contribution when assessing career development. Many of our people act as governors, trustees and voluntary workers providing their time free of charge across the community. As a firm we donate a percentage of our profits each year to our charitable fund which we distribute to worthy causes across our region.

Education is integral to community and that is why we have been happy to sponsor Schools North East since its inception and to provide our time for outreach projects across schools in the region; from smoothie making competitions in junior schools to work experience projects in secondary schools. We regularly speak at school career conventions and our people mentor students. We are delighted that our efforts were recently recognised by us being awarded a number of national awards. We are currently working with other businesses in the region to promote employability skills amongst students.

Our experience

We have considerable experience advising schools, independent schools, academies and multi-academy trusts on legal matters.

We provide legal support to all types of schools ranging from the pre-school nursery to the independent boarding school. The school system has gone through a period of significant change with the introduction of the academy programme, free schools and studio schools. This has taken place against a backdrop of public sector cuts that have radically affected the services historically provided by local authorities. These changes will continue to impact all schools, independent schools, studio schools, free schools or academies.

We have worked with schools and academies to manage these changes. The legal challenges facing the sector are unique, requiring sector knowledge combined with a sensitive and commercial approach to problem solving. We provide day to day support for all the legal challenges you may face no matter what your size or where you are located. We also have access to the UK's most respected legal counsel on education matters should the need arise.

In the past 12 months alone we have advised schools and academies in respect of tribunal claims, industrial action, safeguarding issues, Ofsted inspections, contracting issues, disciplinary and grievance procedures and Equality Act issues, to name but a few.

As well as advising schools and academies on day to day legal issues we have also acted for some of the biggest education projects including the merger of Sedbergh and Casterton Schools, the creation of the first free schools and studio schools in the region, the formation of foundation trusts and the creation of academy and multi-academy trusts.

We are regularly appointed to handle complex school enquiries and disputes and were invited by Northumberland County Council to address all of its schools' governors and its middle and high school heads on academies, academy conversion and the legal process.

Please do not take our word for it. Feel free to contact the principals of any of our schools. We will happily provide their contact details if you do not already know them.



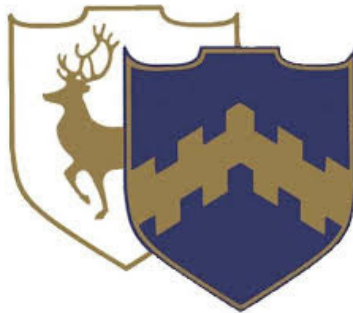
Some of our clients



Cramlington Learning Village



St Thomas More RC Academy



Richard Hale School



Park View School



Conyers School



Our services

1. Employment

We provide full service, practical and commercial advice for schools and academies in relation to all aspects of employment law. The team promotes best practice and has a “can do” approach to resolving issues in this very technical and constantly changing area of law.

We are proactive advisers who believe in straight-talking and clear communication. We take time to understand your concerns so that we can devise a strategy that is specifically designed to achieve your desired outcome.

We are very experienced in all aspects of school teachers’ pay and conditions, including grievances, disciplinary, performance management and tribunal representation. We are used to managing significant projects, including large scale TUPE transfers and reorganisations where we are required to work hand in hand with schools’ senior management teams.

We cover all aspects of employment and industrial relations law, including pensions advice, as set out below:

- Contracts of Employment;
- Consultancy agreements;
- Disciplinary issues;
- Discrimination;
- Employee benefits;
- Equal pay;
- Equality and diversity;
- Health and safety;
- HR training;
- Immigration and work permits;
- Maternity and paternity rights;
- Pensions advice;
- Policies, procedures and contractual documentation;
- Recruitment;
- Redundancy and reorganisations;
- Safeguarding and DBS checks;
- Settlement agreements;
- Sickness and absenteeism;
- Trade union relations;
- Tribunal claims;
- TUPE and outsourcing;
- Volunteers;
- Work life balance;
- Working time; and
- Wrongful and unfair dismissal.

Employers are finding it increasingly difficult to keep up to date and comply with their statutory obligations, but it makes good business sense to manage your employment risk in a cost effective manner. The stakes are high if you get things wrong:

- unfair dismissal - maximum compensatory award of the lower of 52 weeks’ pay or £76,574 plus a maximum basic award of £13,920. In some cases there is an uplift in compensation of 25% for failure to comply with the Acas Code of Practice;
- breach of contract/wrongful dismissal - no maximum award (although limited to £25,000 in the employment tribunals);
- claims for constructive dismissal, for example, as a result of bullying and harassment;
- discrimination claims (sex, race, disability, sexual orientation, religious or philosophical belief, age, marriage and civil partnership, pregnancy and maternity and gender reassignment) - potentially unlimited compensation; and
- compensation for injury to feelings of up to £30,000.

2. Commercial Contracts

Academies are contracting directly with suppliers and third party organisations. Local authority schools are increasingly doing this too.

We understand the importance of trading relationships and take a practical approach when considering those contracts for you. We have significant experience and expertise across a wide range of contractual requirements including:

- Service level agreements;
- Community use arrangements;
- Outsourcing including cleaning and catering arrangements;
- IT and software agreements;
- Facilities management agreements;
- Procurement;
- Collaboration arrangements;
- Consultancy and marketing arrangements;
- Supply and purchasing agreements;
- Fundraising arrangements; and
- Confidentiality and non-disclosure agreements.

Our services

3. Property

We can take any project, large or small, through from inception to completion by combining the expertise in our development, property, planning, construction and property finance teams. We have been involved in a large number of high profile education developments, both inside and outside the North East region, in the last few years. Every project irrespective of its size, is equally important to us though.

We cover a wide range of property services including all aspects of development transactions, investment purchases and disposals, and asset management work.

Below is an illustrative list of services that we can provide:

Property development

- Selling land for development including applying for EFA consent;
- Advising on covenants, rights and other issues affecting land;
- Advice relating to obtaining planning permissions, planning obligations ("Section 106 agreements") and other town and country planning issues;
- Site acquisitions for future expansion including funding if necessary;
- Advice for granting tenancies on your site;
- Advice for disposals of playing fields;
- Advice for 'Sport England' and 'Big Lottery' funding; and
- Advising on the Schools Sites Act 1841.

Dispute resolution

- Boundary disputes;
- Rights of light disputes;
- Recovery of rent arrears and other sums owed;
- Dilapidation disputes; and
- Public rights of way.

Landlord and tenant

- Advising on the rights and obligations of the landlord and the academy or school;
- Negotiating leases and associated documents such as licences to alter, assign, sublet, share occupation, etc.;
- Caretakers' homes;

- Drafting and advising on rent deposit deeds and other means of securing tenants' obligations; and
- Landlord and tenant dispute resolution.

4. Construction

- PFI and BSF projects;
- Negotiating, preparing and drafting building and engineering contracts and sub-contracts;
- Negotiating, drafting and preparing professional appointments, novation agreements and collateral warranties;
- Drafting and advising on ancillary project documents including bonds, guarantees and escrow agreements;
- Claims negotiation and preparation;
- Dispute resolution (on construction projects) including litigation, mediation and adjudication; and
- Institutional funding of development projects.

5. Governance

School governors owe certain legal duties to their school. It is therefore important that governors are aware of their constitutional powers and how they lawfully make valid decisions. For maintained schools this requires an understanding of the school's instrument of government; for academies and independent schools governors will be subject to the articles of association and any schemes of delegation. We provide governor training and access to all our Muckle legal training programmes. We provide bespoke advice to governing bodies on:

- Powers and duties;
- Identifying and managing conflicts of interest;
- Correct procedure for meetings;
- Committees and decision-making;
- Amending the governing document; and
- Obligations under the Companies Act 2006, the Charities Act 2011 and schools' governing documents.

6. Company Secretarial Services

We provide corporate compliance services to academy trusts, independent schools and other educational companies. We will provide an annual compliance service consisting of the following;

- Maintaining the company's statutory registers;
- Preparing and filing the annual return;
- Filing accounts and reminding you of deadlines for the filing of the annual accounts;
- Preparation of notice and minutes of the ordinary business to be held at the annual general meeting;
- Preparation of board minutes to deal with the appointment and resignation of governors and other routine business such as the appointment of auditors, change in accounting reference date, etc; and
- Preparing and filing documents at Companies House to make changes to the company structure.

7. Non-legal support

Although primarily a legal practice, we have an excellent in-house Business Development Team that can help advise in respect of marketing and branding strategies, public relations, social media strategy and other related support.

8. Education law

We advise on all aspects of education law and have access to the best specialist education counsel in the United Kingdom, should the need arise. We adopt a pragmatic and understanding approach to issues. We regularly advise on a broad range of statutory obligations as well as complaints procedures and the statutory framework governing the provision of education in England and Wales. Areas we advise upon include:

- Admissions and appeals;
- Discipline and exclusions;
- Ofsted inspections;
- School transport;
- Special Educational Needs; and
- Appeals.

“

The service we have received has been exceptionally professional and efficient, with all involved taking time to communicate with the school personally and to talk through measures. At crucial times, personnel have attended meetings at Park View, presenting to governors and providing updates to senior staff, as well as working alongside us on issues which are pertinent and, perhaps, unique to our situation. All have been knowledgeable and exceptionally personable, providing valuable legal advice without ever being patronising or condescending.

Iain Veitch, Headteacher at Park View School

”

Your options

We know that senior leadership teams in schools want as much certainty as possible – whether this involves the advice that they receive or the budgets they manage. We can provide the full range of legal services required for your school or academy. We can provide this on a fixed fee basis or on hourly rates if preferred. We have also created two legal support packages to provide greater certainty and value for money for the legal advice you receive throughout the year.



Unlike other firms, we do not try to sell you services you may not require. Instead, we provide options to help you. We will always listen to what you will need and, if you prefer, we can tailor our services specifically to meet your requirements.

Schools often prefer the peace of mind associated with knowing that we are always there to help whenever legal questions and needs arise. We have therefore developed two fixed priced retainer services that provide this peace of mind, along with greater certainty of annual costs – ideal for helping you to manage your new budget in the coming year. These two packages are called Mi School and Mi Staff.

You can use these packages separately or you can combine them. It's entirely up to you, based upon your needs for the year ahead. Also, if you are mid-way through a year when you want to begin the package, then we will be pleased to discuss how we can split the payments between your two financial years.

Your options are as follows:

1. Instruct us on standard hourly rates as and when required;
2. Choose the annual Mi School package;
3. Choose the annual Mi Staff package; or
4. Choose both the annual Mi School and Mi Staff packages.

	 Muckle School Support	 Muckle Staff Support
30 hours' legal advice on all matters, excluding HR and employment. This includes reviewing and drafting documents, dealing with enquiries by telephone and email, documenting plans of action and advice, etc.	✓	
Unlimited telephone helpline support on day to day employment issues including: <ul style="list-style-type: none"> ■ Employment support; ■ Policies, procedures and contractual documentation; ■ Disciplinary and grievance handling; ■ Changes to terms and conditions; ■ Redundancies and reorganisations; ■ Performance and absence management; and ■ Settlement agreements. 		✓
Discounted fixed rates for any complex issues that extend beyond the helpline service, including any immigration, pension or employment tribunal claims (from the point at which an employment tribunal claim form is received). The helpline is expected to resolve the majority of issues.	✓	✓
Education newsletter updates each term.	✓	✓
Out of hours contact details so you can contact a lawyer whenever issues present themselves.	✓	✓
Two free places each term at any of our training sessions. These include legal as well as our branding and marketing seminars	✓	✓
One annual strategy visit for the Head teacher and/or Senior Leadership Team or one half day meeting to work on any legal projects that may arise.	✓	
Governor training for new and existing governors.	✓	
Company Secretarial Services.	✓	
Access to non-legal support around branding, marketing and maximising revenue streams.	✓	

Fixed pricing



We offer the Mi School package at an annual fixed fee of **£6000 plus VAT.**

Most legal issues and queries can be resolved within the annual 30 hours' allocation. If matters arise that become more complex you will be entitled to additional support at significantly discounted hourly rates.

You can use your 30 hours for advice by telephone or face to face meetings. The Mi School support can also be used to help with drafting and revising documentation as and when required.

“

Your seminar, 'Building a school's brand' was an excellent mix of strategic overview and operational hints and tips - equally useful for schools with some experience in branding and those taking their first steps. Two hours very well spent.

Simon Maguire, Co-Principal at Teesdale School and Sixth Form Centre

”

“

The support and advice was excellent. The team at Muckle obviously has great knowledge and expertise, but they were also incredibly personable, approachable and responsive. They were very accessible and kept us fully informed throughout the process. We were delighted with the service we received and I wouldn't hesitate to recommend them.

Diane Donkin, Headteacher at St. Thomas More RC Academy

”

Fixed pricing



Mi Staff is a leading employment support package which places all of our employment lawyers at your disposal. The helpline service is unlimited. Contact us as much as you like, when you like and you will still only pay a fair, fixed price that's based on the number of individual staff that you have.

Our stepped pricing model means that the more staff you employ, the cheaper the rate per employee becomes. To calculate the annual fee for your school, add the tranches together that apply for each staff rate.

Pricing model

	*Number of staff	Annual retainer
Tranche 1	1-50	£3,600

	Number of staff	Additional cost per employee
Tranche 2	51-150	£40
Tranche 3	151 +	£25

* Number of individual employees rather than full time equivalents.

Example

This example shows that a school with 85 staff will pay £5,000 for a full calendar year's employment support.

	Number of staff	Total Cost
Tranche 1	1-50	£3,600

	Number of Staff	Additional cost per employee		
Tranche 2	51-150	£40	£40 x 35 staff	£1,400

£5,000

If you choose to take both the Mi School and Mi Staff packages we offer a further ten percent discount against the combined cost of both packages.

What clients say about us

Cramlington Learning Village

“

Their team, which consists of Tony McPhillips, Joanne Davison and Jill Donabie have supported us consistently and thoroughly across all aspects of academy work, land and property, governance and personnel. The team have been available for all meetings at senior team level and also full governor meetings. The advice and guidance they have given has at all times been measured and invaluable in terms of communicating the policies and procedures around academy status. It has been reassuring to us as senior staff and governors to have them on board.

”

Wendy Heslop, Headteacher at Cramlington Learning Village

Conyers School

“

We have been delighted with the service from Muckle. They have supported the leadership team at Conyers and have provided sound advice for the school. I feel that they have provided excellent value for money and the advice given by their knowledgeable people was both helpful and timely. I would not hesitate to recommend the service to other schools.

”

Louise Spellman, Headteacher at Conyers School, Yarm



What clients say about us

Collingwood School & Media Arts College

“

I found the seminar on “Building a school’s brand” really thought provoking. I had come along to find some inspiration for tackling an organisation within a school, but it quickly became apparent to me that we should really be embracing a bigger picture. Also, I am a Governor at another school and I’m going to raise this at the Governors meeting tonight as I think it would be beneficial for the Head.

”

Nicky Wall, Collingwood School & Media Arts College

Newcastle Education Business Partnership

“

I have every confidence that any school working with Muckle LLP will receive exceptional ‘value for money’ and ongoing continuous support. I am pleased to recommend them.

”

Gillian Bulman, Chief Executive at Newcastle Education Business Partnership

Legal 500

“

Muckle LLP’s ‘professional, forward-thinking and proactive’ team provides an ‘outstanding’ service and advises institutions such as London South Bank University, Red House School and East Durham College. Department head Tony McPhillips is ‘exceptionally client focused,’ and Chris Hook ‘cares about getting it right and goes the extra mile.’

”

Legal 500 feedback on the Education Team from client interviews

Park View School & Red House Academy

“

I have worked with Muckle LLP on a range of projects and issues. I have been impressed by their strength in depth. Every person I have dealt with has been professional, responsive and has provided an excellent service. Their promotional literature states they are “Real people, who do what they say they are going to do, on time and within budget, every time.” I am pleased to say that has been my experience of them and I would highly recommend them to other schools and governors who are considering converting to academies.

”

Dr Bill Dennison, Retired Head of Education Department Newcastle University Chair of Governors at Park View School & Trustee of Red House Academy

Castle View Enterprise Academy

“

I instructed Muckle following a recommendation from one of my governors and I am happy that I did. Since then I have worked closely with them and they have provided great support to me and the academy. They have helped us on a range of issues and I feel I can just pick up the phone when problem arises. Their fixed price package allows me to engage them as and when I need to and has proved to be a great asset. They are always happy to come out to see us and we all enjoy working with them. They also help with our training requirements. I have recommended them before and will do so again.

”

Janet Bridges, Principal at Castle View Enterprise Academy

Richard Hale School

“

I should like to take this opportunity to thank the Education Team at Muckle for the support and guidance you have provided. I'm pleased to say that someone was always available at the other end of the phone to deal with anything that cropped up.

I just wanted to let you know how much I have appreciated, and depended upon, your availability, quick turnaround and ability to explain things simply and clearly.

”

Cam Beacom, Deputy Head at Richard Hale School, Hertford

Key education team contacts



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Awards



The Lawyer Awards 2012: Winner of the Regional Law Firm of the Year

In June 2012 we won the Regional Law Firm of the Year Award, organised and independently assessed by The Lawyer. The competition for this award was strong and we were shortlisted against larger firms from several major provincial cities across the UK. We were told by the organisers that the winning of this award reflects our vision and strategy, our excellent service model, the high levels of engagement amongst our people, our strong financial performance and our firm-wide corporate responsibility programme.

One of the judging panel members awarded Muckle full marks "for its impressive financial performance coupled with a strong commitment to social responsibility projects, focusing on making a contribution to the community." The judges said that Muckle sets an example not just at the regional level, but at a national level too.



North East Business Awards 2014 winner: Heart of the Community Award

We won the Heart of the Community award 2014 for the Tyneside and Northumberland regions at the North East Business Awards. This was the third year we have won in recognition of the care that all of our people have shown in helping the communities where we live and work. It is an award that is aligned closely to our belief in the importance of being a responsible business and it reflects what has been done by a huge number of people across the firm.

At the time of preparing this brochure, we have just heard that we have been shortlisted for the following North East Awards for 2015:

- Heart of the Community Award;
- Green Award; and
- Company of the Year Award.



North East Insider Dealmakers 2014

Muckle LLP has won at every North East Insider Dealmakers Awards since their inception in 2006. The firm has been named Corporate Law Firm of the Year for an unprecedented sixth consecutive years from 2008 – 2013.

In 2014, for the seventh time in eight years, one of our team was voted Corporate Lawyer of the Year. Following previous winners Andrew Davison, Craig Swinhoe and Nicola Loose, our continuing success in the deal marketplace was reflected in an award this year for corporate team head, Robert Phillips.

Winners are selected following confidential voting by members of the North East business community (banks, accountants, venture capitalists, business leaders and owners, etc.), and we are absolutely delighted to have received such recognition from our peers every year.



In October 2013, we became one of only a handful of UK companies to achieve the Investors in People Gold accreditation. There are a tiny proportion of law firms nationally to have gained this exclusive accreditation.

The Investors in People Gold award represents achievements of world class best practice. We are proud to be the only law firm with a North East head office to achieve this. It reflects the support, encouragement and recognition that we give to all our people and is part of our continued commitment to providing an excellent service to all our clients.

26% of the UK workforce is employed by organisations that have an Investors in People award but only 3.6% have achieved the gold accreditation.

More awards



**The Law Society -
Legal Sector Alliance
Award 2012 winner:**

Excellence in Environmental Responsibility

In October 2012 we were awarded the Legal Sector Alliance Award for Excellence in Environmental Responsibility.

The award recognises our commitment to taking action on climate change by reducing its carbon footprint and adopting environmentally sustainable practices. The judges were impressed by our goal of 'being a responsible business', which we achieved by engaging with our people, using incentives, competitions and firm-wide encouragement, to get them involved in a range of sustainability measures.

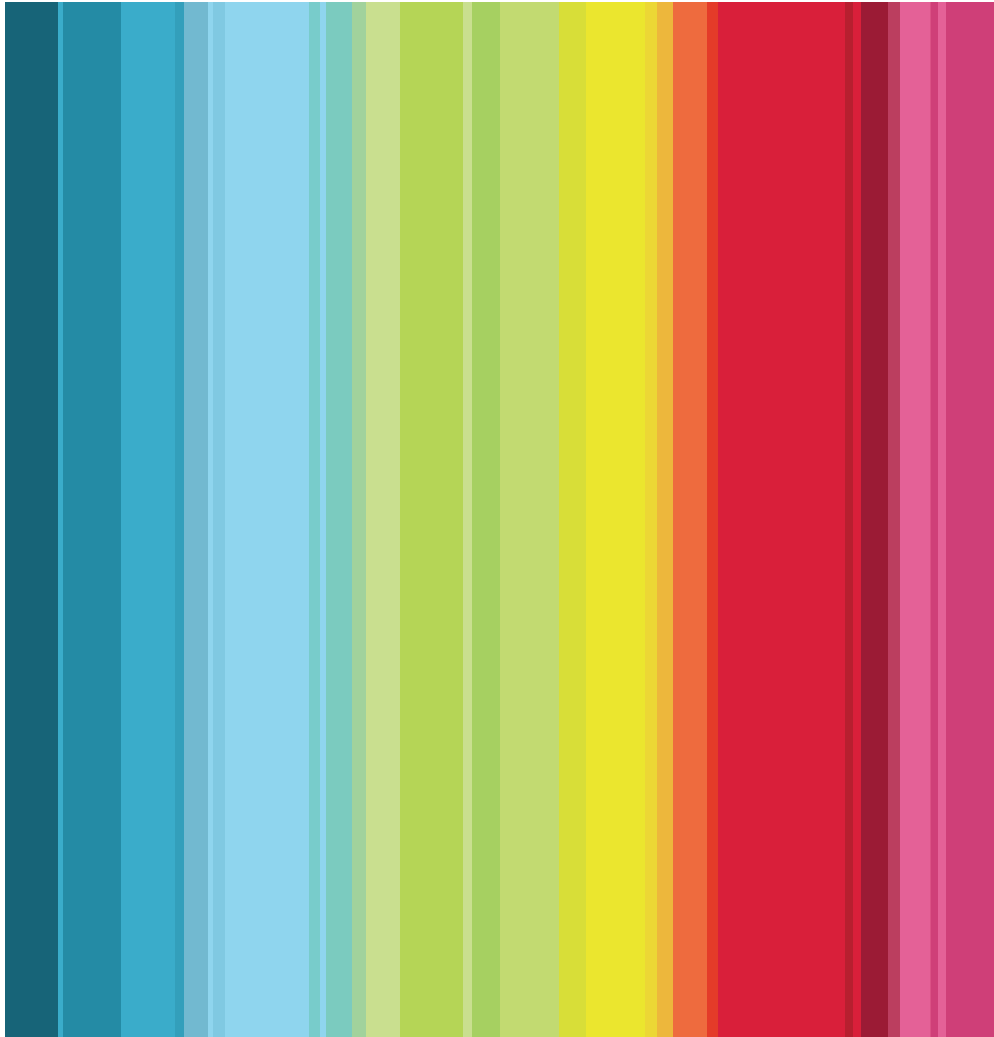


Lawyers working free for the public good

LawWorks Awards 2011: Best contribution by a Regional Law Firm

We received national recognition again for our work with the local community at the LawWorks Awards 2011. For the second year running the Muckle team was awarded Best Contribution by a Regional Law Firm for our work and strong links in the North East communities.

Muckle LLP also won the award for Best Partner Level Engagement in a Law Firm, which is judged against all law firms in the UK, and recognises Muckle LLP's commitment to pro bono community work at the most senior levels.



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