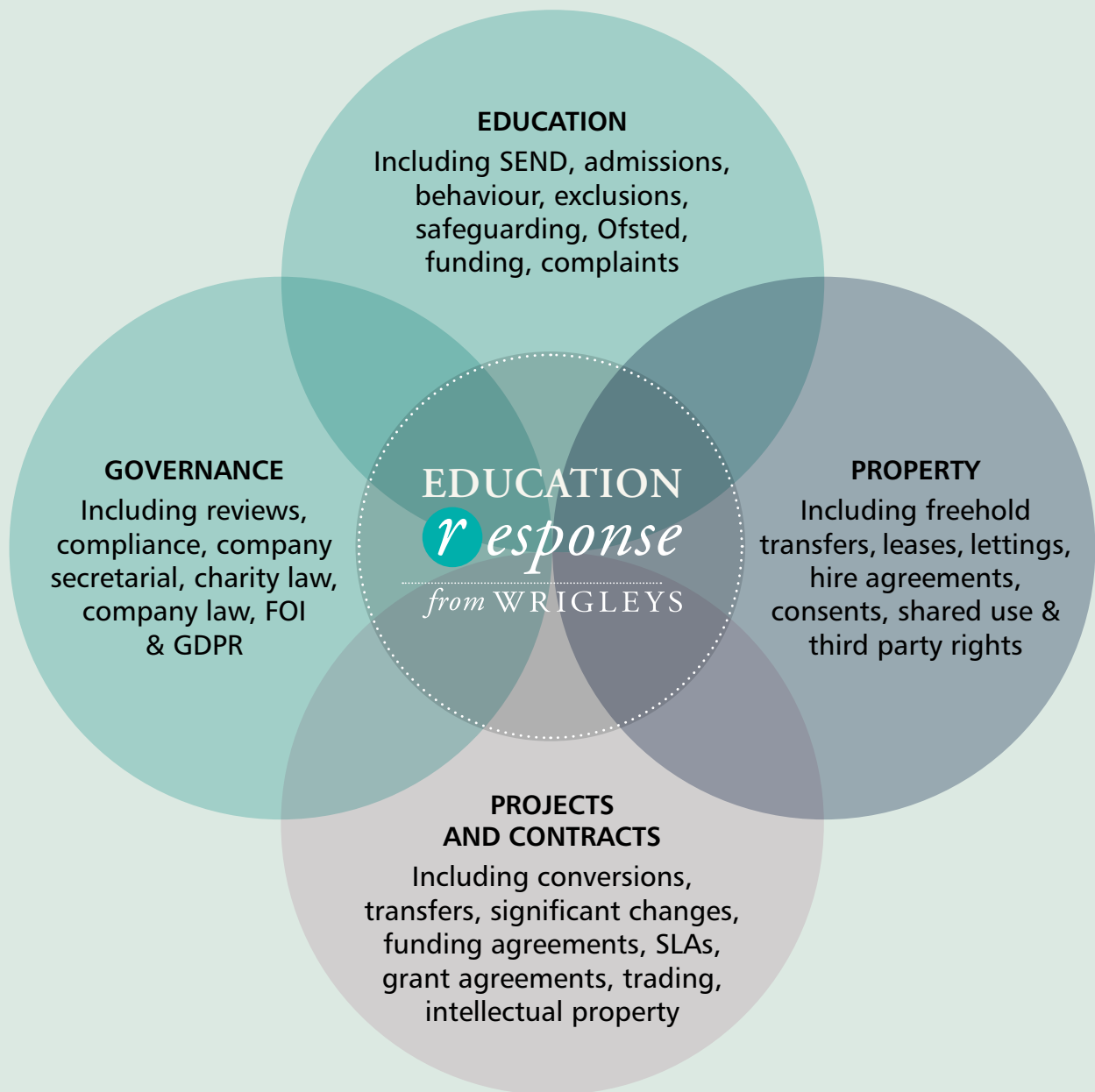




EDUCATION
*r*esponse

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“We met with several firms of solicitors. They tended to be your ‘typical lawyers’ and then Wrigleys came in and it was refreshing to listen to people talking common sense and with the experience to back it up.”

Chair of Governors for a South Yorkshire Academy Trust

How we support schools, academies and trusts

Issues concerning pupils

We have assisted with complex issues concerning pupils. These include permanent exclusion decisions involving safeguarding concerns, advising on the use of CCTV and other evidence, information sharing, and data subject consent issues. We have advised on decisions to bar students from school trips due to behavioural issues. We have also advised on the duty to make reasonable adjustments for disabled pupils, on the operation of the local authority's Fair Access Protocol and the School Admissions Code, and on provision for looked after children and those who have been out of education.

Handling parental concerns

We have advised on queries, challenges and complaints raised by parents. These include challenges to behavioural sanction and exclusion decisions via solicitors' letters. We have supported with queries concerning parental responsibility and information sharing where parents disagree or where court orders are in place. We have also assisted in responding to a parental request to withdraw a child from sex education where the child was not in agreement with that decision.

Resolving utility charges

We have assisted with the response to a claim by a gas supplier for payment of an out-of-date gas bill. The trust had applied to the Energy Ombudsman who had determined how the issue should be resolved. However, given the relevant procedures and merits of the case, we advised to reject the decision in favour of further pursuing the claim with the utility provider, to resolve the issue in the best interests of the trust.

Advising on catering contracts

We have advised on a contract for the provision of catering services. The contract had been

prepared by a third party but needed significant updating which included, among other things, incorporating key tender documents to make them enforceable against the caterer, placing change in law risk with the caterer, improving the dispute resolution procedure and adapting the termination triggers to better protect the rights of the trust. We also advised on the key pensions risks and provided drafting to ensure the caterer can't take unilateral action to increase the trust's liabilities. The drafting was robust and enabled the trust to conclude the contract on time.

Special educational needs

We have advised on an agreement with a local authority (LA) where the LA commissioned the trust to provide residential special educational provision. The agreement didn't fully reflect the legal and policy framework, the LA's statutory responsibilities and the legal status of the trust. We therefore advised on the key risks, whether these could be accepted or mitigated and updated the drafting to allay specific concerns. We agreed the drafting on terms acceptable to the LA and the trust.

Articles and funding agreements

We have assisted with a deed of variation of a funding agreement to implement a significant change. The Department for Education (DfE) expected the trust to update its funding agreements and articles of association to the latest model documents. We therefore summarised the key changes and any risks for the trust, prepared a full suite of documents and agreed these with the DfE. We then obtained Charity Commission consent and provided a special resolution for the articles to be adopted. The updates align the trust with best practice and the latest DfE policy and help them to operate effectively and manage risk and compliance.

“...their expert knowledge and experience in the field of Education and dealing with Local Authorities and the Charity Commission was invaluable.”

Fylde Coast Academy Trust

EDUCATION *r*esponse HELPLINE

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Contact **Graham Shaw** or **Alacoque Marvin** to find out more about Education Response on:
0113 244 6100 or visit **www.wrigleys.co.uk/education**



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