

ELS

Providing **effective legal solutions** to the education sector.

Our highly committed education team, with over 70 years' experience, comprises 65 lawyers who are uniquely placed to work with primary schools, secondary schools and further and higher education.

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ELS is an **award winning** provider of legal services with an uncompromising commitment to excellence.

Welcome



We are passionate about our work in the education sector and are very proud of what we have achieved on our clients' behalf. We work for all education providers from infant schools to universities across the country:

- In addition to the scale of our team, we are experts in all aspects of education law and can support you whatever the challenge may be
- With over 70 years' experience working with education providers, we have an in-depth understanding of the issues and will bring our extensive expertise to bear
- We started life as the in-house legal function of one of the UK's largest local authorities and many of our clients are in the public sector
- We can draw on our heritage and current experience to help you achieve your aims and to provide you with solutions
- Working with the public sector means we understand the importance of value for money. As well as being highly competitive, we adopt a 'no surprises later' approach to fees.

Our expertise

Our highly committed education team has **over 70 years' experience** and is uniquely placed to work with both primary and secondary schools as well as further and higher education providers.

Our team is made up of skilled, knowledgeable and experienced individuals adept at working across the education sector from primary and secondary schools to further and higher education providers. Our expertise is widely recognised and acknowledged by those we work with.



- Academy conversion package
- Employment (grievances, disciplinary issues, settlement agreements and tribunal proceedings)
- Governance matters
- Property (land and buildings)
- Post academy conversion support
- Special Educational Needs, disability and discrimination
- Mental health
- Social media advice
- Planning/Environment/Highways
- Procurement
- Contracts
- Shared services
- Capital projects
- Corporate and commercial
- Children (including safeguarding issues, pupil welfare and behaviour)
- Resolving disputes including all areas of litigation
- Mediation and investigations
- Personal injury litigation
- Pupil absence and prosecutions
- Health and safety prosecution advice and representation
- Court advocacy and representation.





We can help you with all your legal needs

Our legal advice helpline provides senior leadership and governors with instant up-to-date guidance at the end of a telephone or email. Our clients value this as they can speak directly to a specialist lawyer about any given matter helping them to respond quickly to situations. We know support at the early stages often leads to reduced costs in the future.

Academy conversion

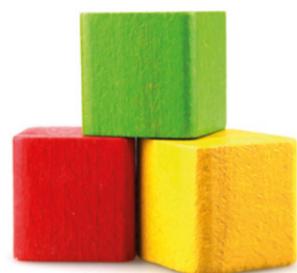
We understand that converting to an academy is uncharted territory for most school leadership teams. The process will be unfamiliar and key decisions on the shape of your academy and governance will need to be made early on. We offer a complete package of legal support that can help you during the various stages of the conversion process.

The ways that we help the conversion process include:

- Incorporation of the Academy Trust, advice in relation to the roles of directors and governors, registering the company at Companies House, and preparing the Memorandum and Articles of Association
- Negotiation and completion of the Commercial Transfer Agreement
- Employment and HR advice, including the TUPE process and pensions registration
- Negotiation and completion of the Funding Agreement
- Legal work in connection with completion of the land questionnaire and submission to the Department for Education (DfE)
- Investigation of title to the school site, dealing with the form of lease or transfer document, completing the lease/transfer and dealing with registration at the Land Registry
- Dealing with any shared use agreement or other property and construction matters.

We will support you at each stage of the process. When the conversion is complete, our dedicated education team can continue to support your school post academisation.

Helping you build the best teams



Employment

Our employment team works with education providers to resolve conflicts and to offer practical solutions, resolving disputes, working to build the best resourcing structure, or assisting with employment processes, paperwork and legislation.

Employment law covers a multitude of processes and legislation which must be adhered to including disciplinary and performance issues, employee benefits such as flexible working requests, the obligations and duties arising from anti-discrimination legislation, and restructures. Our team can work with you to advise, support and provide assistance in all aspects of employment law including dealing with employment tribunal cases.

Commercial contracts and loans

The structure of the education sector is changing and powers that were once held centrally are being transferred to decision makers who know their students best. Our clients recognise that this is a fantastic opportunity to renegotiate contracts and make savings but at the same time our clients need to be aware of the commercial risks.

We support clients with terms and conditions, outsourcing projects and partnership agreements helping to develop and protect you.

Land and property

There are very specific requirements relating to land owned or leased to schools and academies. We support clients by working with the DfE and other organisations to ensure that any leases, sales or other property arrangements are legally compliant. Schools may, for instance, need appropriate documents relating to sharing part of their premises with other organisations or letting school houses to staff. ELS is uniquely placed to provide expert advice on the range of options available.

Investigation

We are able to undertake disciplinary and grievance investigations on behalf of clients. Employment tribunals expect fair and thorough investigations of complaints which can be time consuming and require specialist training. Our employment specialists support clients by carrying out the investigations helping them to a swift conclusion.

Our team works with education providers **nationwide** to resolve conflicts and to offer practical solutions.

Our **highly experienced** team supports clients with expertise in personal injury claims.

We are experts in all areas of education law

Governance

We support clients in their governance duties allowing them to focus on core business or providing effective leadership and control. Our team helps clients to improve the transparency of processes and procedures. We can draft constitutions, policies and codes of conduct together with complaints investigations.

Unauthorised absence

We can assist schools to deal with all issues concerning unauthorised absence. Advice is tailored to the circumstances of each case in order that the important issue of non-attendance is addressed in the most appropriate and effective way. We have a specialist team who have a wealth of experience in this particular area. The service includes pre-court advice from initial concerns regarding non-attendance through to final trial. The team fully understand the implications of unauthorised absences for schools and supports clients throughout the process in order to achieve the best outcomes for children and their education.

Personal injury litigation

Our highly experienced team support clients with expertise in defendant personal injury claims. The team was established in 2001 and has acted for hundreds of schools in this time. The service includes pre-litigation accident investigation and site visits, obtaining witness statements, comprehensive advice and representation for schools and academies from the letter of claim stage until trial and appeal, if required. The team has a strong and robust reputation in defending schools, consistently achieving high repudiation rates when compared with schools which have opted for alternative legal representation. The legal service provided is friendly and practical, with regular contact and advice available for head teachers and other staff. The team has a full range of expertise and experience ranging from county court claims, to highly complex claims which have proceeded to the Court of Appeal and Supreme Court. We have handled instructions from schools and local authorities nationwide.



We are passionate about our work



Safeguarding/child protection

We understand how important excellent legal advice is to organisations responsible for the welfare and safeguarding of children and young people. We understand the pressures our clients face and have a specialist legal team that advise on all matters relating to the children and education acts with the associated statutory guidance and registration and offer a full range of advice on safeguarding issues.

Special Educational Needs

Organisations that cater for students with special educational needs require a specialist level of legal support. We are uniquely placed to offer this support with a dedicated team that is well versed in the laws that protect the rights of children and young people with Education, Health and Care plans and disabilities. We also defend local authorities at SEND tribunals.

Education and pupils

We support schools with all education issues including parental responsibility, access to school records, private law matters, transgender matters and social media.

Resolving disputes including all areas of litigation

Our highly experienced lawyers support and represent clients with all types of litigation, ranging from small claims, to complex high court litigation and Court of Appeal cases.

A key priority of the team is to work with clients cost effectively within the constraints of their limited budget but nevertheless provide a high level of legal support as well as focus on successful outcomes.

We support clients with dispute resolution and litigation including mediation, adjudication and arbitration, contractual disputes, debt recovery, procurement challenges, construction disputes, judicial review, property litigation and negligence claims.

We are **uniquely placed** to offer excellent legal advice to organisations that cater for students with special educational needs.





We
will find
the best
possible
solutions
for you

Our
difference
is in the way
we behave,
work and
think

Our specialist education team provides practical advice that helps you every step of the way. We organise training, workshops and legal updates so you can tackle any challenges ahead.

Jo and Julie lead our sector approach to education.

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