



Practical Strategies 2022 Conference Report

Thursday 22 September 2022

If you would like to review any of the original documents, slides or flyers referred to throughout the conference/conference report, please [click here](#).

Chairman's Introduction & Welcome

Chairman: Barney Northover - VWV

Barney Northover, who leads the independent school sector at VWV, chaired the conference and explained that it was built around three themes that ran through the day to help school leaders to work out how to strengthen their schools to ensure they are resilient in the face of change and challenges.

The themes were broadly:

- The political and economic outlook;
- The legal and regulatory environment; and
- Understanding and addressing the expectations of fee paying parents.

Key note 1 - Working together to manage the risks of political threats

Speaker: Julie Robinson - ISC

Julie Robinson, General Secretary of the Independent Schools Council, opened the day with a topic that was timely and relevant in view of the recent change of Prime Minister and with the Labour Party Conference due to start in just a few days.

ISC plays a vital role in supporting our sector in terms of its research, handling the media and influencing public policy relevant to our schools which translates into the ISC

- providing national picture for our sector through collecting data, developing messaging in coordination with associations;
- actively lobbying in Westminster for the sector on key issues;
- collecting data and running sector polling/focus groups to test messaging; and
- using all this, alongside the Associations, to support schools to talk to politicians and inform them.

Julie reminded delegates of previous moves against the sector by the Labour party in opposition, including the extreme position taken in 2019 when abolition in the form of nationalisation was threatened. The stance that has been taken serves to demonstrate that even if there is not much support at the centre - or by senior politicians - the symbolism of our sector remains a target issue for Labour's grassroots activists.

It is under discussion around the ISC table by the Associations to consider what should be done in advance of the next general election to give independent schools the best possible chance to thrive.

Whilst we have had Conservative MPs advocate nationally for the sector in the past, in 2019 it was hard to find many who would be willing to stand up for our schools. Julie called on school leaders to

prepare, defend and promote their schools and our sector. They should report good public benefit work and partnerships with state funded schools; and warm up relationships with MPs and councillors. Activate advocates at a constituency level and prepare them for lobbying they may be unused to.

Julie offered the support of the ISC and Associations, but politicians need to hear the truth on the ground in order to believe it and these are the ways to give the best account of our sector and demonstrate the value of our schools to the local community to smash the stereotype of snobby, inward-looking elitism.

Meanwhile look out for the ISC's soon to be published updated report demonstrating economic impact which is also powerful at a local level.

Julie concluded by saying that it is time to ready ourselves for the next General Election and we need to work together to manage the risks of political threats. It is a high stakes one for the sector and we need each other's support to get the best possible outcomes for independent schools.

Between the Keynotes, Barney highlighted a specific political threat for schools owned by charities, being the risk of the withdrawal of the tax benefits of charity status - including the exemptions from tax on profits and paying stamp duty on property acquisitions, business rates relief, the ability to claim Gift Aid on donations and some VAT exemptions.

To individual schools Barney recommended a 4 point plan:

- To be clear as to what public benefit your charity delivers in return for the tax benefits it receives.
- To add this to your risk register and take steps to understand what the financial impact would be of a withdrawal of the benefits.
- To understand and modernise your constitution as far as possible to build in the flexibility now that would be needed in the future to potentially implement a tax planning solution or to minimise the impact of the burdens of charity regulation.
- To run a tight ship financially. You should build up reserves if you can and understand what it would take for your school to be competitive without the tax benefits.

Key note 2 - Strategic considerations to strengthen business models and be resilient

Speaker: Rupert Barclay - Cairneagle

Rupert Barclay is a partner at Strategy Consultants, Cairneagle, which has a broad and deep understanding of the education sector worldwide. They work for all manner of education businesses, institutions and investors in assessing, planning and implementing the highest value-at-stake and most complex opportunities and challenges.

Rupert's accompanying slides contain valuable insights to help every school identify its options to improve resilience. Schools need a deep understanding of their position in their market and structural trends and to know what levers can be pulled to strengthen their position, the main ones being:

- Reconfiguration of offer
- Diversification
- Cost / performance improvement

Rupert warned that headwinds are driving declining demand and that further consolidation into commercial and charitable groups is inevitable - the driver being complexity as much as economies of scale. He saw increasing demutualisation (charities selling schools to the private sector). He thought it likely that smaller schools and preps will suffer most, providing a share gain opportunity for survivors.

However, schools need to understand their local market and recognise that they serve different segments of the market in which they may have a different relative competitive position.

He shared the consolidated results of some parent surveys that demonstrate that academic quality is the most important criteria for parents when selecting a school and, that schools are tiered by quality and price, with evidence from the recent pandemic showing that lower tiers are most exposed to demand shocks as when spaces become available in higher tier schools pupils move from the lower tiers to them.

Segmentation is driven by price and academic quality, but schools have scope to differentiate by character and ethos.

Turning to the levers, there were examples of how:

- reconfiguring a school's offer can increase scale and capture a larger slice of demand;
- senior schools absorbing prep schools is a proven and successful strategy;
- diversification can play an important role in securing a school's future; and
- there is still an opportunity to partner in opening an international school.

Rupert also shared an informative slide to show how efficiency and optimisation gains can be had across the whole school value chain and he gave an example of how a Peruvian school is using Supervised Online Learning On-Premise (SOLO) as a lever to improve teacher productivity and cost.

Rupert ended with a cost and performance management challenge:

- Charity-owned schools could be run much more efficiently and profitably - without compromising education outcomes or the school's brand.
- Major change management capability is required - aligning parents, staff, senior leadership and governing bodies on a vision and a plan - and is the only way to guarantee success.

- Alongside reconfiguration and diversification, do charity-owned schools - heads, governors, SLTs - have the will and energy to zero-base their costs and examine rigorously all aspects of their operations to drive performance improvement?

In the final Q&A session Rupert answered an interesting question as to his prediction of what the sector will look like in 20 years' time? He hoped to be wrong, but the predictions he gave were:

- The sector enrolment will have shrunk by 15-20%
- VAT will have been introduced at 5% - optical impact only
- Consolidation into groups will rise from current ca. 20% to 30-35%
- The majority of schools will be all through, in a cluster or, as above, in a group. Free standing preps and free-standing senior schools will be the minority
- Nearly all schools will have adopted a hybrid mix of modalities/F2F/synchronous and asynchronous on-line

AM1 - Reward Strategies for Teaching Staff

Speaker: Rhiannon Cutler - Baines Cutler

In this session Rhiannon Cutler, MD of Baines Cutler Limited looked at pay and reward strategies for teaching staff.

The salary costs of teachers form a significant overhead for schools and this has been pulled into even sharper relief in the current climate of inflation with increasing costs, including the ongoing impact of the significant increase in employer pension contribution. Schools are also finding that parents are demanding even more for their money with many families having two working parents to afford school fees. One of the consequences of the pandemic that we have seen is teachers having a renewed interest in their earning potential alongside greater demand for flexibility and work life balance. Attempting to balance all these factors means that schools need to consider their pay and reward strategy.

Rhiannon explained that their triennial Benchmarking Survey on Pay was next due in Spring 2023, there had been significant change since the last one. Nevertheless, there were some broad themes that could be drawn out;

Day schools (or schools with short scales) are:

- Extending the length of the scale
- Putting effective thresholds in place
- Rationalising allowances

Boarding schools (or schools with long scales) are:

- Shortening the length of the scale
- Putting effective thresholds in place
- Rationalising allowances

Rhiannon recommended for all schools the starting point is to understand what is the standard expectation of teachers, then consider what additional elements should be rewarded connected with the aspects of your offering which parents and pupils value the most. Thresholds are an excellent tool in ensuring that genuine contribution by exceptional practitioners can be rewarded in a transparent way.

All schools are different but they should all be getting to grips with the length and shape of their scales, the rationalisation of allowances and the effective use of thresholds. The effective implementation of a pay and reward model will depend on it suiting the culture and management style of the Head and having an effective appraisal system in place.

Having a coherent pay and reward strategy and moving away from historic practices is an opportunity to meet the aspirations of your teachers and parents but within a financially sustainable system.

AM2 - The Customer Experience

Speaker: Russell Spiers - RSAcademics

Russell Spiers, Chairman and Founder of RSAcademics and Dave Judge, Executive Creative Director of Space Zero came together to discuss how schools need to understand what their parents experience and think about their school and how to shape their brands and the first impressions they give to meet parent expectations.

Russell started by considering how parents choose a school, looking at it from the perspectives of head (practical matters such as affordability, logistics and getting a place for their child) and heart (perceptions of fit, atmosphere and ethos). RSAcademics' research shows that emotion plays a significant part in the decision and perceptions of "ethos and feel" influence the choice.

Schools therefore have an opportunity to define their unique selling point, ethos and personality. Effective brands are compelling, competitive and coherent.

Dave Judge gave a colourful presentation with examples of how schools can define their brand, ethos and feel by focusing and investing in the design of environments for learning and creating the best first impression for parents, using examples such as:

- [Wellington College China](#)
- [British Council School Lisbon](#)
- [New College Doncaster](#)

AM3 - Business strategy, mergers and acquisitions

Speakers: Sian Champkin, Kenji Batchelor and Rob Collier - VWV

Sian Champkin and Kenji Batchelor, both partners in VWV education transactions team, led this workshop.

What happens in a Transaction

Having briefly discussed some of the types of transactions (merger, change of business model, acquisition of a commercial business, sale to an investor) they ran through the life cycle of a transaction picking out key themes including:

- What an initial discussion may look like - this could be an informal chat or an introduction after a confidential marketing exercise conducted by an adviser such as VWV or Cairneagle.
- The importance of a detailed Memorandum of Understanding or Heads of Terms - critical to outline if there are significant differences of opinion on key items.
- Due diligence (necessarily covering legal and financial aspects, and increasingly likely to include commercial due diligence and a market assessment).
- The necessity of confidentiality until exchange, followed by announcements and TUPE that need to be handled sensitively.
- Exchange (being the point of legal commitment); Completion (when legal ownership transfers) and; beyond (when the hard works really starts!)

Legal Considerations

Sian and Kenji identified the key legal considerations in transactions of any type or structure:

- Risk needs to be assessed, managed and mitigated but need not eliminated.
- Consider your constitution early and take advice.
- Don't underestimate funding requirements and consider all sources of funds.
- Regulatory consents can cause issues particularly with timing.
- Consider your pupils and parents and other stakeholders at each stage, with consultation at the appropriate points.
- Property needs to be thought through especially in the context of values on disposal.
- Employment considerations are critical, in particular if TUPE applies consider what happens on the merger of two schools. Also don't underestimate timing if redundancy is a prospect.

Legal Structures

It was noted that there are a wide variety of ways in which transactions can be structured, and some of these were considered with diagrams and an explanation of the circumstances to which they may be suited.

The differences in transactions between commercial entities, between charities and between charities and non-charities were examined, it being noted that a transaction in which a commercial entity was party would most likely involve a cash price, whereas in a charity to charity transaction consideration would generally be the assumption of liability and no cash is paid.

It was observed that VWV are seeing the trends highlighted by Rupert Barclay in Key note 2 resulting in increasing numbers of schools joining both commercial and charitable groups as well as charities selling independent schools to commercial operators (termed "demutualisation" by Rupert); and that the political risks highlighted by Julie Robinson in Key note 1 may drive further transactions or restructuring of this nature.

Top Tips

Sian's top tip was to be proactive and seeking out opportunities. Risk needs to be managed but not eradicated. Sentiment is often given a more critical place in transactions that it should be.

Kenji's top tip was to remind Governors of their duty to think strategically and have the confidence to act on opportunities, noting that there can be entirely positive reasons to merge and such a strategy should not be seen as 'selling out'.

Schools and groups may find VWV's [guide to Schools Transactions](#) a helpful reference point for consideration. The guide includes an overview of the legal and commercial considerations including practical resources such as timetables, checklists and template documents.

AM4 - Holiday pay - the implications of the Supreme Court judgment in the Brazel case

Speakers: Samantha Lock - The Harpur Trust, and Simon Bevan - VWV

Sam Lock, HR Director at The Harpur Trust led the session on Holiday Pay - the implications of the Supreme Court Judgment in the Brazel case. Sam was joined by Simon Bevan, Partner who had conduct of the case from 2014 all the way to judgment in July 2022. There are now many resources available on [OnStream](#) to support schools manage the implications of the judgment on their current and previous practice. Sam was able to discuss and highlight the Trust's approach to the many practical issues which many schools will need to consider in their response to the judgment.

The Trust's approach has been to recognise that the method of calculating holiday pay going forwards need to change, as well as to be proactive in considering back pay for any previous underpayment of holiday pay.

Communications with affected staff were prepared ahead of the outcome with two different potential letters being ready to send to staff, whichever way the Law Lords decided the case. Even so, a final resolution is not simple and some questions still remain unanswered. The Trust needed to consider and determine:

- When will holiday pay be calculated and paid in this new academic year?

Part year and irregular hours workers are often used to being paid monthly or at the end of each term. To calculate holiday pay over the preceding 52 weeks (up to 104 weeks) at a rate of a week's pay for each week of holiday pay will identify different challenges in different schools. The wish is to avoid staff suffering any financial hardship by any change in payment dates, so the Trust is engaging

with affected staff to explain the benefits of change and seeking to minimise the impact. The target is make payment in three instalments.

- Will there be any back pay if there has been an underpayment?

Views from delegates suggested schools may adopt different approaches. Some will not offer back pay but will correct the method of calculation going forwards. Some will pay back for underpayments for two years. Whilst change in the law, Deduction from Wages (Limitation) Regulations 2014, introduced a two year rolling backstop for back pay, the Bear Scotland case still allows an additional argument to limit back pay between these two positions. Bear Scotland determined that claims for underpaid holiday must be submitted within three months of the last of a 'series of deductions'. The Court of Appeal in *Smith v Pimlico Plumbers* [2022] EWCA expressed a strong provisional view that Bear Scotland was decided incorrectly on this point. There is still scope to use Bear Scotland to seek to compromise on the period of underpayment when holiday pay was paid in three or fewer instalments, but test case litigation is likely to follow to test this argument further.

- How did the Harpur Trust approach the calculation of holiday pay underpayments?

There is ongoing work being undertaken with a calculation for each affected individual. This is the only way to establish the exact amount of underpayment for each individual. Having been in the spotlight in this case, the Trust wished to reduce the risk of calculations being questioned, which is more likely if they had used some type of averaging, percentages or rounding when communicating underpayments to staff. Other schools may not offer back pay or may for example use a percentage calculation instead. If challenged, individuals may ask for specific details of their own calculation and if dissatisfied, could raise a grievance and potentially still bring a claim for backpay. Sam Lock was able to share how they had specifically recruited two temporary workers to help in data entry so that calculations could be accurately determined, as well as sharing her experience on the need for automated timesheets and the benefit of having in-house payroll.

- Has the approach to contracting changed?

It is clear that schools are reviewing their use of TTO contracts. Equally, staff who are used intermittently are now much more likely to be engaged on a fixed term contract which comes to an end or a new type of casual 'by assignment' contract, so intermittent workers are not considered 'all year round'. These are very specific responses to the implications of paying 5.6 weeks' holiday pay to someone who does not work all year round. Of course, contracting for shorter periods does have on/off boarding implications, not least the need to ensure that on appointment each time, safer recruitment checks are properly completed. Each school will have its own risk and cost profile, when reviewing its contractual arrangements.

We were very grateful to Sam Lock for guiding us through the considerations of the Harpur Trust and their fascinating experience going through the Supreme Court appeal process. It was clear that there was not one approach which would suit every school when considering the implications of the Brazel case. Schools will now be reviewing their own arrangements and should consider their response to the Brazel judgment. Being ahead of the information curve, whatever your message, is a tried and tested strategy to reduce the uncertainty for people affected.

AM5 - School inspections - have ISI raised the bar?

Speakers: Matthew Judd - Leighton Park School, and Tabitha Cave and Barney Northover - VWV

We were delighted to be joined by Matthew Judd, the Head of Leighton Park School, a co-educational secondary school with day and boarding in Reading (with a glowing focussed compliance and EQI report from November last year). Matthew is also a serving ISI inspector, a member of HMC and of their inspection sub-committee and a school governor.

Matthew started by answering the question posed and shared his view that rather than raising the bar, he thinks ISI have changed the lens by which they look at school compliance. Their focus is now on how schools actively promote the wellbeing of pupils and in this context ISI are focussing on school leadership (and on evidence of decision-making and impact), learning from reviews and developments and records/reporting which captures nuance and complexity. It is his impression that what pupils are saying is ever more important and that schools should take active steps not just to gauge majority view but listen to minority groups too; and that inspectors have high expectations of the governors they meet to have a detailed understanding of how the board as a whole oversees regulatory compliance and in particular a best practice approach to safeguarding.

He then moved on to discuss ISI's proposed framework for the inspection of association independent schools which, at the time, was still open for consultation and is likely to lead to a new inspection framework from September 2023. He strongly recommended that all schools consider this now, as it is a useful signpost to issues which ISI are likely to explore even before the new framework is in place. He suggested that schools ask themselves "Why does this matter to pupils?" when considering strategy.

He also drew attendees' attention to the need for "demonstrable impact" to evidence exceptional practice in the future and encouraged schools to start to collect a range of evidence of "very clear and highly beneficial impact for the pupils involved, with no risk of detriment to other pupils" now. In relation to evidence, he strongly recommended engagement with stakeholders and suggested regular surveys of pupils, parents and staff and pupil involvement in changes to policies and procedures.

His key message, shared in the panel Q&A was that attendees should spend as much time as possible listening to pupils, whatever their role, to help to better understand what is important to them.

AM6 - Managing school businesses in a time of inflation and the future risk of VAT on school fees

Speakers: Guy Biggin and Robert Warne - Crowe

Guy and Rob considered in more detail a couple of the challenges that had been identified as on the horizon for schools which needed to be factored into strategic planning.

Guy considered how schools were being impacted by the current high levels of inflation. For the first time in over 20 years the fee increases that we have seen in the sector are below inflation. This means that schools are having to meet a wide range of increased costs - not least energy and food costs, which are not necessarily covered by fee increases. This is not sustainable in the long term and many schools are having to draw on their reserves.

Guy provided some advice on strategies he would recommend schools deployed, including careful forecasting and scenario planning. He also echoed the views from the key note that schools consider their educational model and a strategy of consolidation. Given the likely increases in interest rates that we are seeing, schools should also look carefully at their reserves strategy and any financing for capital planning.

Rob picked up the topic of the risk of VAT being imposed on school fees which has been stated to be a Labour party policy (including at their party conference which took place after Practical Strategies on 28 September).

Rob explained that Crowe had worked with the ISC to understand the impact of VAT on independent school fees. He confirmed that unfortunately it was possible for the Government to remove the VAT exemption so that school fees would attract VAT. From a revenue generation perspective the policy made no sense but it was recognised that it was a political statement. There was still no certainty that this would come to pass, or when, but it would be a likely eventuality of a Labour government.

Schools would need to consider how they managed the impact on the cost of their fees for parents, and many would be concerned that if the entire 20% of VAT, or even a significant proportion, was passed on (before any standard fee increases), it would mean that fees would not be affordable for a proportion of the parental body.

On a more positive note, independent schools they would need to register for VAT and could recover VAT on services provided to them.

Schools may also wish to consider planning measures, and one option which is currently viable is for fees to be paid in advance (and not attract VAT). However, it was noted that there may be anti-avoidance measures introduced and so there can be no guarantees offered that VAT would not be imposed retrospectively if the services had not yet been delivered.

Keynote 3: Safeguarding best practice in light of IICSA

Speakers: Samantha Leek KC - 5 Essex Court, and Tabitha Cave - VWV

We were delighted to be joined by Samantha Leek KC, who is a barrister at 5 Essex Court and also Chair of Governors at Kerem School, a small Modern Orthodox Zionist school in North London for day pupils aged 3-11. In her day job, Sam is often instructed in high profile inquests and public enquiries and she has been involved in 8 different investigation strands of the Independent Inquiry into Child Sexual Abuse (IICSA). She kindly shared her thoughts on safeguarding best practice in the light of IICSA, ahead of the publication of IICSA's final report on 20 October.

Sam identified a number of common themes in all investigation strands in which she was involved. The first is that organisations have to “think the unthinkable”. Sexual predators and potential sexual abusers are often the people who you would be least likely to think of. They use or hide behind their position to perpetrate abuse, knowing that people will not think of someone in that position as being an abuser. Individuals who you would never have thought would be abusing children were. The second is that very often organisations put preservation of reputation before the protection of actual or potential victims. This is particularly the case with religious organisations and schools. The third theme that was barriers to disclosure – children are particularly reluctant to make disclosures about adults in positions of authority. These are the people they are supposed to be able to trust. So the adults who are charged with looking after them (in schools, youth clubs, children’s homes, religious settings) have to be acutely alive to the safeguarding issues.

Sam then went on to discuss the residential schools investigation. She started by summarising the key findings of that investigation and then went on to share her priority lessons from her involvement in it, namely:

- The acknowledgement that LADOs can be contacted for informal advice, as well as when a concern or allegation needs to be referred and recommendation that the statutory guidance should be clarified in this respect
- The recommendation that the ISSR be amended to stipulate that the proprietor cannot also be the DSL (this is a sensible and obvious step in her view to facilitate a system of checks and balances)
- The endorsement of Ofsted's recommendation that Part 8 of the ISSR be amended to include reference to an effective system of governance, based on three principles of openness to external scrutiny, transparency and honesty within the governance arrangements, and the ability of governors to have difficult conversations both internally and with those providing external scrutiny
- The recommendation of nationally accredited standards and levels of safeguarding training in schools, with the highest level of safeguarding training mandatory for heads, DSLs, designated safeguarding governors, or the proprietor or head of the proprietorial body

Helpfully, Sam then went on to explain how she has implemented what she has learned through IICSA in her school and in performing her oversight duty. For example, she talked of their formation of a safeguarding and wellbeing governance committee to focus on and oversee these aspects of the school's operation. She spoke of the value they derived from undertaking a complete skills audit of their board and ensuring that the whole board had sufficient safeguarding training to perform their oversight role. She expects this to be an area of increased regulatory focus going forwards. She talked of her concern about parent governors given the challenges of managing conflicts effectively and suggested that all schools have at least one governor who is totally independent of the school

and brings a fresh pair of eyes, while recognising the challenge of governor recruitment, not least because of the increasing regulatory burden on them.

PM 7 - Pension, pay and trade unions

Speakers: Naseem Nabi, Simon Bevan and Alice Reeve - VWV

Employment partners Naseem Nabi, Simon Bevan and Alice Reeve answered delegate's questions about the Teachers' Pension Scheme (**TPS**) and the changes seen in the Independent Schools sector following the sizeable increase in employer contributions in 2019.

Naseem led by first setting out the range of approaches available to schools:

- Continue TPS without change: Whilst future cost uncertainty remains, some schools say it is a necessary recruitment and retention tool;
- Withdraw wholesale: No longer participate in the TPS and instead operate a Defined Contribution (**DC**) scheme only. This provides the cost certainty but is a move strongly opposed by the unions and many teachers;
- Phase withdrawal: TPS is closed to new entrants. Over time costs will decrease, the rate at which this happens will depend on staff turnover. This option can also be used in conjunction with the total reward approach set out below;
- Operate both TPS and a DC scheme: Teachers are offered the flexibility of choice but with no cost saving to the school;
- Total pay and benefit - by salary reduction: Teacher are given the choice of remain in TPS with a salary adjustment; or opt to move to a DC scheme without an adjustment; or
- total pay and benefit, by controlling annual pay increments: The choice of remain in TPS with limited or no annual pay award for a period of time or move to a DC scheme without such a limit

The main teaching trade unions remain opposed to independent schools removing teachers membership of the TPS. The example given was that of the National Education Union (**NEU**) and its '*five steps to defend the TPS in the independent sector*'. A number of schools have seen well-rehearsed trade union activity, such as strikes and pickets lines, work to rule and general disquiet and hostilities.

In addition to looking at how the unions might oppose schools changing approach to TPS, the workshop considered how trade unions might and can press schools for trade union recognition. Both voluntary and statutory recognition was considered and how an application for statutory recognition can be made to the Central Arbitration Committee and the necessary ballot requirements.

The possibility of claims such as constructive and or unfair dismissal were explored and how a transparent, open consultation with a fair process could mitigate the risk of successful litigation. In addition the concept of contractual notice and re-engagement, otherwise described as fire and rehire was discussed and its impact on employee relations.

The session concluded with an open Q & A panel comprising Naseem, Simon and Alice.

PM8 - How to communicate effectively with your community

Speaker: Sarah Pinch - Pinch Point Communications

In a session on engaging with communities, Sarah encouraged schools to think about: Whose responsibility is reputation and communications? If your answer is everyone, then that might mean that no-one has it on their 'to do list'. It is pertinent to think about who is considering the strategic impact of decisions and of risk.

Sarah also strongly recommended making friends in peacetime, getting out and about and connecting in real and meaningful ways with your local community. Establishing a stakeholder map for parents could also be useful, as you will not have a chance to do this when you are coping with an issue.

It was also suggested that schools understand and explore the links parents and governors might have to support the work of the school, e.g do you have a parent who is a prominent business leader, or has connections with the media, or with politicians.

Sarah went on to talk about the challenge of communicating in difficult circumstances including different types of issues:

The Cobra is an issue that suddenly pounces, or is it? Should you have seen this through your horizon scan, risk register – or thought the monitoring of information that comes out from the pan-wide sector bodies?

The Python is a slow burning issue and perhaps one that you can stop becoming a crisis through careful decision making and thought. Using your risk register will help and ensuring that reputation is part of the issues you consider.

Schools were reminded that there are also many opportunities to think about the great things the sector is doing, especially around bursaries and sharing your facilities with the local community and state education settings.

PM9 - Commercialisation opportunities in on-line learning

Speakers: Ed Rimmell and Jacob Scott - VWV

Ed Rimmell and Jacob Scott - a partner and senior associate in VWV's commercial team who are leading VWV's work in this area - discussed some of the opportunities and challenges for schools in monetising their increasing expertise in the delivery of education on-line.

Ed reflected that there have been a number of drivers for schools in considering how they might better commercialise their existing expertise - not least the increased confidence gained through successful on-line delivery during the pandemic, and the added profile given to the on-line sector by the DfE's still-awaited On-line Education Accreditation Scheme.

However, there is a very material degree of complexity and practical challenges in some of the more 'comprehensive' on-line offerings seen in the market. Ed and Jacob both took the view (which was reflected by delegates in the room) that the appetite for schools to launch their own comprehensive offerings was currently likely to be limited.

However, other less comprehensive structures were also discussed. The offer of a selection of courses on-line was felt to be more deliverable by schools - albeit in an already competitive market.

Brand licensing to a platform which is equipped to deliver the more comprehensive education offering (through a similar structure to many of the international school franchises on which VWV advises) was considered as the 'lightest touch' option for schools. The need for due diligence in relation to the partner platform, and contractual controls for the school, were outlined by Jacob. But by moving much of the delivery responsibility and operational risk away from the school, this was felt to be a potentially more deliverable, and less risky, option for schools.

It was clear that this is an evolving part of the market, with a good deal of complexity and competition already built in. The overall sense of the session was that - for good reason - schools are still in the process of assessing where they best fit within that market.