

Farrer & Co is consistently ranked as a Tier 1 firm for Education by the legal directories. Our team of education experts across a number of disciplines has an unrivalled track record of advising leading names in the independent school market, which means we are uniquely placed in our ability to advise on the full range of issues affecting schools.

Our deep understanding of schools-specific legal issues allows us to provide expert support on UK and non-UK due diligence exercises (both buy-side and supply-side) when engaging in education transactions.

Corporate & Commercial



- Advice on regulatory consents required on change of ownership
- Review and input on transaction documents from a regulatory perspective, including school specific warranties and indemnities
- Advice on sensitive areas in school transactions, including transaction structure, confidentiality and timing
- Review and advice on key contracts supporting the educational provision, including the school-parent contract and any SEN funding arrangements

Data protection



- Establishing evidence of GDPR audit / data mapping
- Assessment of key data protection policies or notices in place
- Assessment of recent data breaches, complaints, ICO reports, and outstanding subject access requests
- Audit of marketing / fundraising permissions
- Assessment of data sharing agreements with key stakeholders

Safeguarding



- Audit of safeguarding policy and reporting structure for sharing concerns
- Review of staff and pupil code of conduct and disciplinary process
- Assessment of recruitment processes and adequacy of background and reference checks
- Audit of safeguarding record keeping and referrals to police and statutory agencies

Regulatory (DfE/ISI) compliance



- Assessment of compliance with Department for Education (DfE) registration and notification requirements
- Assessment of satisfied requirements for DfE approvals
- Review of Independent Schools Standard (ISI) and / or Ofsted inspection reports and compliance
- Review of relevant voluntary membership and accreditation organisations and necessary notification requirements

Immigration



- Assessment of compliance with student sponsor licence regime regulated by the Home Office
- Assistance with duty to report changes of ownership to the Home Office
- Strategic advice on proposed restructuring of institution's leadership which may impact a student sponsor licence
- Advice on related licences, such as the skilled worker licence

Employment



- Advice and diligence on employment specific aspects including TUPE and accrued holiday pay
- Advice on pensions issues, including in relation to the Teachers' Pension Scheme (TPS), including the process to move a school out of the TPS

Disputes



- Assessment of risks arising from existing or potential disputes and legal claims involving organisation
- Review records of non-recent safeguarding issues and identifying potential legal liabilities
- Audit of organisation's insurance records to identify available cover to mitigate against future claims

Key contacts



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