

FREEDOM OF INFORMATION REDACTION SHEET

Ormiston Horizon Academy

DoV Supplemental Funding Agreement

<p>Exemptions in full</p> <p>n/a</p> <p>Partial exemptions</p> <p>Personal Information has been redacted from this document under Section 40 of the Freedom of Information (FOI) Act.</p> <p>Section 40 of the FOI Act concerns personal data within the meaning of the Data Protection Act 1998.</p>	
Factors for disclosure	Factors for Withholding
<ul style="list-style-type: none">▪ further to the understanding of and increase participation in the public debate of issues concerning Academies.▪ to ensure transparency in the accountability of public funds	<ul style="list-style-type: none">▪ To comply with obligations under the Data Protection Act
<p><u>Reasons why public interest favours withholding information</u></p> <p>Whilst releasing the majority of the Ormiston Horizon Academy DoV Supplemental Funding Agreement will further the public understanding of Academies. The whole of the Ormiston Horizon Academy DoV Supplemental Funding Agreement cannot be revealed. If the personal information redacted was to be revealed under the FOI Act, Personal Data and Commercial interests would be prejudiced.</p>	

**DEED OF VARIATION TO THE SUPPLEMENTAL FUNDING AGREEMENT OF
ORMISTON HORIZON ACADEMY**

THIS DEED is made the 29 day of August 2018

BETWEEN

- 1) The Secretary of State for Education (the "**Secretary of State**");
- and -
- 2) Ormiston Academies Trust of Ormiston House, Newhall Street, Birmingham, B3 1RY, a charitable company incorporated in England and Wales with registered company number 06982127 (the "**Company**"),

together, the "**Parties**".

INTRODUCTION

- A. The Parties entered into a supplemental funding agreement in respect of Ormiston Horizon Academy (the "**Academy**") on 17 December 2010 which was amended by a deed of amendment and restatement dated 30 September 2016 (the "**SFA**").
- B. The Parties now wish to vary and amend certain terms and conditions of the SFA in accordance with the terms of this Deed following the closure of the Academy's Sixth Form.
- C. This Deed is supplemental to the SFA.

INTERPRETATION

1. Words, expressions and interpretations used in this Deed shall, unless the context expressly requires otherwise, have the meaning given to them in, and shall be interpreted in accordance with, the SFA.

VARIATION OF THE SFA

2. The Parties agree that with effect from the date of this Deed, the SFA shall be amended as follows:
 - 2.1 'Age Range' in the Summary Sheet shall be replaced with "11 – 16".
 - 2.2 'Number of sixth form places' in the Summary Sheet shall be replaced with "N/A".
 - 2.3 Clause 2.B shall be replaced with: "*The planned capacity of the Academy is 1,050 in the age range 11 – 16. The Academy will be an all ability inclusive school.*"
3. Except as varied by this Deed, the SFA shall remain in full force and effect.

GOVERNING LAW AND JURISDICTION

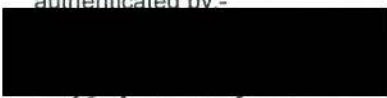
4. This Deed, and any disputes or claims arising out of or in connection with it, its subject matter or formation (including non-contractual disputes or claims), shall be governed by and construed in accordance with English law.
5. The Parties irrevocably agree that the courts of England and Wales have exclusive jurisdiction to settle any dispute or claim that arises out of or in connection with this Deed or its subject matter or formation (including non-contractual disputes or claims).

COUNTERPARTS

- 6. This Deed may be executed in any number of counterparts and by the parties to it on separate counterparts, each of which when so executed and delivered shall be an original, but all the counterparts shall together constitute one and the same instrument.

IN WITNESS whereof this Deed has been executed by the parties hereto and is intended to be and is hereby delivered on the date first above written.

EXECUTED as a deed by affixing the corporate)
seal of the **Secretary of State for Education**)
authenticated by:-)



Duly authorised by the Secretary of State for Education

Date: 29-8-2018

EXECUTED as a deed by
Ormiston Academies Trust acting
by:



Director

Print name

Witnessed by

Full name

Occupation

NATIONAL DIRECTOR OF HLT OPERATIONS