

FREEDOM OF INFORMATION REDACTION SHEET

Billesley Primary School

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 Billesley Primary School DoV Supplemental Funding Agreement will further the public understanding of Academies. The whole of the Billesley Primary School 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 FOR
BILLESLEY PRIMARY SCHOOL**

THIS DEED is made the 29 day of August 2018

BETWEEN

- 1) The Secretary of State for Education (the "**Secretary of State**"); and
- 2) The Elliot Foundation Academies Trust, (the "**Company**") a charitable company incorporated in England and Wales with registered number 08116706, together, the "**Parties**".

INTRODUCTION

- A. The Parties entered into a supplemental funding agreement dated on or about 1 November 2012 (the "**Supplemental Funding Agreement**") relating to the establishment, maintenance and funding of an Academy in accordance with the Supplemental Funding Agreement.
- B. The Parties now wish to vary and amend certain terms and conditions of the Supplemental Funding Agreement in accordance with the terms of this Deed.
- C. This Deed is supplemental to the Supplemental Funding Agreement.

1. INTERPRETATION

- 1.1 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 Supplemental Funding Agreement.

2. VARIATION OF THE SUPPLEMENTAL FUNDING AGREEMENT

- 2.1 The Parties agree that with effect from the date of this Deed clause 2.5 of the Supplemental Funding Agreement shall be amended as follows:

"The planned capacity of the Academy is 630 in the age range 3-11, including a nursery unit of 39 places."

- 2.2 Except as varied by this Deed, the Supplemental Funding Agreement shall remain in full force and effect.

3. Governing law and jurisdiction

- 3.1 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.
- 3.2 The parties irrevocably agree that the English courts 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).

4. Counterparts

4.1 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:-)
)
)

[Redacted signature]

Duly authorised by the Secretary of State for Education



EXECUTED as a deed by The **ELLIOT FOUNDATION ACADEMIES TRUST**,
acted by [Redacted signature]

[Redacted signature]

Director

[Redacted signature]

Director/Secretary