

DEED OF VARIATION

The parties to this Deed are:

(1) The Secretary of State for Education ("the Secretary of State"),

- and -

(2) The CARDINAL HUME ACADEMIES Trust a charitable company incorporated in England and Wales with registered number 08146675 ("the Academy").

together referred to as the "Parties"

INTRODUCTION


- A. The Parties entered into a Supplemental Funding Agreement dated 1 March 2013 relating to the establishment, maintenance and funding of an independent school known as St Thomas More Catholic School.
- B. The Parties now wish to vary and amend the terms of the Supplemental Funding Agreement and wish to record their agreement as to such variations/amendments to the Supplemental Funding Agreement by this Deed.

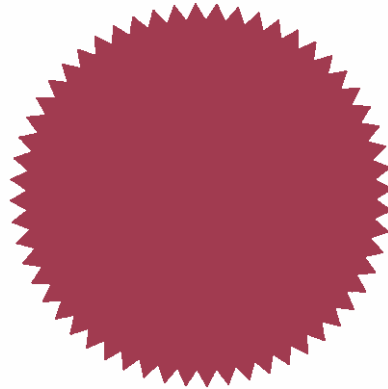
LEGAL AGREEMENT

- 1. Any word or phrase used in this Deed shall, if that word or phrase is defined in the Supplemental Funding Agreement, bear the meaning given to it in the Supplemental Funding Agreement.
- 2. The Secretary of State and the Academy agree that with effect from the date of this Deed the Supplemental Funding Agreement shall be amended in accordance with Schedule 1 to this Deed.
- 3. As varied by this Deed, the Supplemental Funding Agreement shall remain in full force and effect.

EXECUTED AND DELIVERED AS A DEED by the Parties on the 16 day
of February 2016


The Corporate Seal of the Secretary of State for Education hereunto affixed is
authenticated by:


.....
Duly Authorised by the Secretary of State for Education




The Cardinal Hume
Academies Trust

acting by two directors or a
director and a secretary


.....
Director

Print name..... MARTIN TISSOT


.....
Director/Secretary

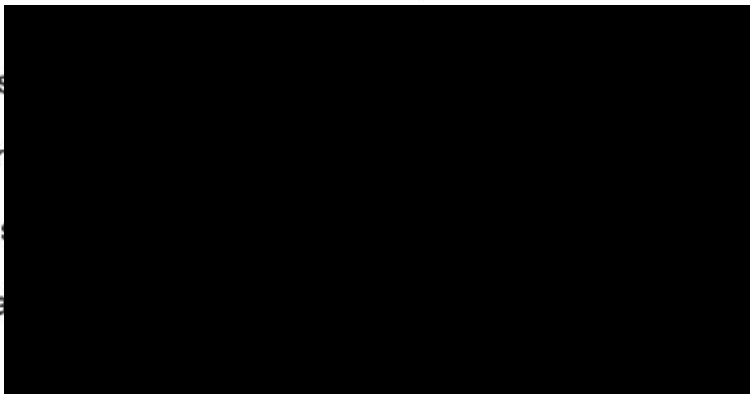
Print name..... CHANTIKA OGUNYOMI

Witness

Full name

Address

Occupation



Schedule 1

Amendments to the Supplemental Funding Agreement

Clause 4.1 shall be replaced with the following:

4.1) In respect of the academy, clauses 45 to 49 of the Master Agreement shall not apply and shall be replaced with the following provisions:

45) Subject to clause 47, the basis of the pupil number count for the purposes of determining GAG for an Academy Financial Year will be the Academy Trust's most recent estimate provided in accordance with clause 45A.

45A) The Secretary of State shall in advance of each Academy Financial Year for the Academy, at such time or times as he shall determine, request that the Academy Trust provides an estimate of the number of pupils on roll in the following September for the Academy for the purposes of determining GAG for an Academy Financial Year, and the Academy Trust shall provide the requested estimate (based on an objective assessment of numbers) to the Secretary of State as soon as reasonably practicable.

46) Once the condition specified in clause 47 has been satisfied with respect to the Academy for the Academy Financial Year for which funding is being calculated, the basis of the pupil number count for the purpose of determining GAG for the Academy will be the Schools Census for the relevant month (determined at the discretion of the Secretary of State) preceding the Academy Financial Year in question.

47) For the purpose of clause 46, the condition is satisfied after the end of the Academy Financial Year 2016/17 (for the avoidance of doubt the academy will be funded in accordance with clause 46 in 2017/18 and thereafter).

48) For any Academy Financial Year in which GAG for the Academy has been calculated in accordance with clauses 45 and 45A, an adjustment

may be made to the following Academy Financial Year's formula funding element of GAG for the Academy to recognise any variation from that estimate. The Secretary of State may for the purpose of calculating any adjustment to the formula funding element of GAG under this clause, use the Census for the relevant month (determined at the discretion of the Secretary of State) for the Academy Financial Year in question as a means of determining pupil numbers in an Academy Financial Year. The additional or clawed-back grant will be only that amount relevant to the number of pupils above or below that estimate.

49) For any Academy Financial Year in which GAG for the Academy is calculated in accordance with clause 46, no adjustment will be made to the equivalence funding element in the following Academy Financial Year's equivalence funding element of GAG unless the Academy Trust demonstrates to the satisfaction of the Secretary of State that there has been a significant impact on balances. For any other element of GAG the Secretary of State may make adjustments to recognise a variation in pupil numbers from that used to calculate the element of grant in question; the basis of these will be set out in the Annual Letter of Funding or its equivalent.