

FREEDOM OF INFORMATION REDACTION SHEET

Wygate Park Academy

Deed of Variation

Exemptions in full n/a	
Partial exemptions Personal Information has been redacted from this document under Section 40 of the Freedom of Information (FOI) Act. Section 40 of the FOI Act concerns personal data within the meaning of the Data Protection Act 1998.	
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
<u>Reasons why public interest favours withholding information</u> Whilst releasing the majority of the Wygate Park Deed of Variation will further the public understanding of Academies. The whole of the Wygate Park Deed of Variation cannot be revealed. If the personal information redacted was to be revealed under the FOI Act, Personal Data and Commercial interests would be prejudiced.	

THE BOSTON WITHAM ACADEMIES FEDERATION

DEED OF VARIATION OF SUPPLEMENTAL FUNDING AGREEMENT

The Parties to this Deed are:

(1) **THE SECRETARY OF STATE FOR EDUCATION** of Sanctuary Buildings, Great Smith Street, London SW1P 3BT (the "**Secretary of State**");

- and -

(2) **THE BOSTON WITHAM ACADEMIES FEDERATION**, a charitable company incorporated in England and Wales with registered company number 8158309 whose registered office address is at Marian Campus, Marian Road, Boston, Lincolnshire, PE21 9HB (the "**Company**").

together referred to as the "**Parties**".

INTRODUCTION

- A. The Parties entered into a supplemental funding agreement in respect of Wygate Park Academy on 27 August 2014, a copy of which is contained in Schedule 1 (the "**Existing SFA**");
- B. The Parties now wish to vary and amend certain terms and conditions of the Existing SFA in accordance with the terms of this Deed.

LEGAL AGREEMENT

- 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 Existing SFA (as defined in clause A above).
- 2. The Secretary of State and the Company agree that with effect from the date of this Deed, the Existing SFA shall be varied and amended as follows:
 - 2.1 The Capacity number detailed in the Summary Sheet at page 4 of the Existing SFA shall be deleted and replaced with "270".
 - 2.2 Clause 2.B of the Existing SFA shall be deleted and substituted with the following new clause 2.B:

"2.B The planned capacity of the Academy is 270 in the age range 4- 11. The Academy will be an all ability inclusive school."
- 3. As varied and amended by this Deed, the Existing SFA shall remain in full force and effect.

GOVERNING LAW AND JURISDICTION

- 4. This Deed, and any dispute or claim arising out of or in connection with it, its subject matter or formation (including non-contractual disputes or claims) shall be governed by and interpreted in accordance with the law of England and Wales.
- 5. The Parties irrevocably agree that the courts of England and Wales shall 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 last date listed below.

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

[Redacted]
Duly authorised by the Secretary of State for Education

Date 28 August 2019



EXECUTED as a deed by **THE BOSTON WITHAM ACADEMIES FEDERATION** acting by:

[Redacted]
Directo

Print name [Redacted]

Date 8/7/19

[Redacted]
Signature

Full name [Redacted]
Address [Redacted]
Occupation [Redacted]

Schedule 1

Existing SFA