

## FREEDOM OF INFORMATION REDACTION SHEET

**NAME OF SCHOOL– Dodworth St John the Baptist CofE Primary Academy**

**TYPE OF DOCUMENT – Deed of Termination and Release**

<b>Exemptions in full</b>  n/a	
<b>Partial exemptions</b>  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.	
<b>Factors for disclosure</b>	<b>Factors for Withholding</b>
<ul style="list-style-type: none"><li>▪ further to the understanding of and increase participation in the public debate of issues concerning Academies.</li><li>▪ to ensure transparency in the accountability of public funds</li></ul>	<ul style="list-style-type: none"><li>▪ To comply with obligations under the Data Protection Act</li></ul>
<u><b>Reasons why public interest favours withholding information</b></u>  Whilst releasing the majority of the Dodworth St John the Baptist CofE Primary Academy Deed of Termination and Release will further the public understanding of Academies, the whole of Dodworth St John the Baptist CofE Primary Academy Deed of Termination and Release cannot be revealed. If the personal information redacted was to be revealed under the FOI Act, Personal Data and Commercial interests would be prejudiced.	

Dated 30th May 2019

**CHURCH SUPPLEMENTAL AGREEMENT  
DEED OF TERMINATION  
AND RELEASE**

DEED OF TERMINATION AND RELEASE dated 30th May 2019

**BETWEEN:**

- (1) **THE SECRETARY OF STATE FOR EDUCATION** ("the Secretary of State");
- (2) **THE LEEDS DIOCESAN BOARD OF FINANCE** a charitable company limited by guarantee (company registration number 8823593) (charity number 155876) whose registered office is at 17/19 York Place, Leeds, LS1 2EX ("the Trustee");
- (3) **THE LEEDS DIOCESAN BOARD OF EDUCATION** established pursuant to the Diocesan Boards of Education Measure 1991 whose registered office is at 17/19 York Place, Leeds, LS1 2EX ("the Diocesan Authority"); and
- (4) **PRIDE MULTI ACADEMY TRUST** a company limited by guarantee registered at Companies House with company number 08582084 whose registered office is at Dodworth St John the Baptist CE Primary Academy, Barnsley Road, Barnsley, South Yorkshire, S75 3JS ("the Company").

**BACKGROUND**

- (A) The Trustee is successor to the Wakefield Diocesan Board of Education a charitable company limited by guarantee (company registration number 0551800) which was dissolved on 8 December 2015 and the Diocesan Authority is also the successor to the Wakefield Diocesan Board of Education as the appropriate diocesan authority for the Academy.
- (B) The Academy is transferring to St Mary's Academy Trust (company number 07917752) (the "Incoming Trust") and as part of the transfer the Secretary of State, the Trustee and the Diocesan Authority will enter into a new Church Supplemental Agreement in relation to the Academy in place of the Agreement on or around the Termination Date.
- (C) The parties agree to terminate the Agreement on the terms set out in this deed.

**AGREED TERMS**

**1. Definitions and interpretation**

In this deed:

<b>"Academy"</b>	Dodworth St John the Baptist CE Primary Academy
<b>"Agreement"</b>	means an agreement entered into between (1) the Secretary of State for Education; (2) the Company; and (3) the Wakefield Diocesan Board of Education dated 30 December 2013 referred to as a Church Supplemental Agreement relating to the Academy.
<b>"Deed of Novation and Variation"</b>	means a deed to be made on or around the date of this deed between (1) the Secretary of State; (2) the Incoming Trust; and (3) the Company; relating to academy funding arrangements in respect of the Academy.
<b>"Termination Date"</b>	means 00:00:59 (hours:minutes:seconds) on 01 <del>May</del> <sup>June</sup> 2019.

unless the context otherwise requires, expressions defined in the Agreement and used in this deed shall have the meaning set out in the Agreement. The rules of interpretation set out in the Agreement apply to this deed.

**2. Termination of the Agreement**

The Parties agree that subject to the Deed of Novation and Variation being completed with effect from 00:01 (hours:minutes) on 01 May 2019 and a new Church Supplemental Agreement being entered into between the Secretary of State, the Trustee, the Diocesan Authority and the Incoming Trust on or before the Termination Date the Agreement is terminated with effect on and from the Termination Date.

**3. Release and waiver**

Subject to the conditions provided in clause 2 being met, each party releases and discharges the others from all claims or demands under or in connection with the

Agreement, whether arising before on or after the Termination Date, in each case whether known or unknown to the other party or parties.

**4. Governing law and jurisdiction**

This deed and any dispute or claim (including non-contractual disputes or claims) arising out of or in connection with it or its subject matter or formation shall be governed by and construed in accordance with the law of England and Wales. Each party irrevocably agrees that the courts of England and Wales shall have exclusive jurisdiction to settle any dispute or claim (including non-contractual disputes or claims) arising out of or in connection with this deed or its subject matter or formation.

**This document has been executed as a deed and is delivered and takes effect on the date stated at the beginning of it.**

This Agreement was executed as a Deed on

30th May 2019

EXECUTED AS A DEED for and on behalf of THE )  
COMPANY by [REDACTED]

[REDACTED]

Director

acting by )

in the presence of: [REDACTED]  
W Signature:

I Name: [REDACTED]

T Address: [REDACTED]  
N  
E

S Occupation: [REDACTED]

EXECUTED AS A DEED by THE TRUSTEE by )  
affixing its Common Seal )

in the presence of: )

[REDACTED]

Secretary/Director

**EXECUTED AS A DEED by THE DIOCESAN )  
AUTHORITY by**

affixing the Common Seal of the Leeds Diocesan )  
Board of Finance


in the presence of: )

.. 

Secretary/Director

**EXECUTED AS A DEED by THE SECRETARY OF )  
STATE FOR EDUCATION**

The Corporate Seal thereof is hereunto affixed )

  
Duly authorised

