

RIBBLE VALLEY BOROUGH COUNCIL REPORT TO POLICY & FINANCE COMMITTEE

Agenda Item No.

meeting date: 26 JANUARY 2016
 title: THE BOARD OF TRUSTEES OF THE CLITHEROE ROYAL GRAMMAR SCHOOL FOUNDATION - CONSULTATION
 submitted by: CHIEF EXECUTIVE
 principal author: DIANE RICE – HEAD OF LEGAL AND DEMOCRATIC SERVICES

1 PURPOSE

- 1.1 To inform Committee about proposed changes to the way in which the Clitheroe Royal Grammar School Foundation (the Foundation) is administered.
- 1.2 To afford Committee the opportunity to respond to the request contained in the letter attached as Appendix 1.
- 1.3 Relevance to the Council's ambitions and priorities
 - Community Objectives - }
 - Corporate Priorities - }
 - Other Considerations - }

The request relates to the Council's commitment to promoting the best interests of the local community.

2 BACKGROUND

- 2.1 The Clitheroe Royal Grammar School Foundation is a registered charity and provides financial support to the Clitheroe Royal Grammar School and current and former pupils.
- 2.2 The Foundation was created in 1554 since which time its composition has altered as necessary to reflect the purpose of the Foundation, changes to the law relating to charitable foundations, and other circumstances affecting the Foundation, eg changes to the education system. Its objects are:
 - To provide financial assistance to students and former students of the school, whose families are in financial need.
 - To provide for educational items and services that are additional to those provided by the School's annual grant from the government.
- 2.3 The Council has a long standing association with the Foundation. This association does not relate to funding but rather to the role that the school plays in the community which the Council serves.

3 ISSUES

- 3.1 The Charity Commission recommend that schemes for administrating charities should be kept under review. The current scheme was last reviewed in 1996. The Charity Commission also advise that wherever possible, Trustees should have skills which are relevant to the core purpose of their charity, in this case the management of the endowment.

3.2 The proposal on which the Council is being consulted, has been formulated by a working group set up on behalf of the Foundation to review the current structure, with particular reference to the number and role of the Trustees.

3.3 The current and proposed structures are as follows:

	RVBC	Clitheroe Town Council	Parent Governors Association	Co-opted Trustees
Current	3	3	1	5
Proposed	1	0	1	5

3.4 The Trustees nominated by the Council are Councillor Ian Brown who will retire at the end of a 4 year term on 20 May 2016 and Councillors Paula Dobson and Stephen Atkinson who were appointed on 22 May 2015 for a term of 4 years. Present Ribble Valley Borough Council nominee Trustees and the most recently retired Trustees have been asked to comment on the proposals, they have raised no objections.

3.5 The effect of the proposed changes is to reduce the number of Trustees who are nominated by elected bodies which represent the local community. There is no change proposed to the number of co-opted Trustees.

3.6 No information is provided about the method for selection of the co-opted Trustees. However, before a new scheme could be adopted, the Charity Commissioners would have to approve the scheme.

3.7 Once the consultation exercise has been completed, the Foundation will refer the matter to the Charity Commission.

3.8 If approved by the Charity Commission the Council will then appoint a single Trustee. The effect of this on the existing Trustees can be dealt with when the changes are implemented by which time Councillor Brown's term may have expired. One of the remaining Trustees has indicated that they would have no objection to resigning at the appropriate time.

4 RISK ASSESSMENT

4.1 The approval of this report may have the following implications:

- Resources – N/A.
- Technical, Environmental and Legal – N/A.
- Political – N/A.
- Reputation – N/A.
- Equality & Diversity – N/A.

5 RECOMMENDED THAT COMMITTEE

5.1 Consider the information attached at Appendix 1.

- 5.2 Agree to support the proposal to change the constitution of the Clitheroe Royal Grammar School Foundation.
- 5.3 Arrange for the Council to be represented by nominating a single Trustee once the changes have been put into effect.

DIANE RICE
HEAD OF LEGAL AND DEMOCRATIC SERVICES

MARSHAL SCOTT
CHIEF EXECUTIVE

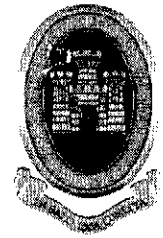
BACKGROUND PAPERS

Paper prepared on behalf of the Foundation by Dr A Clayton Chairman of the Trustees

For further information please ask for Diane Rice, extension 4418.

REF: DR/260116-P&F

Clitheroe Royal Grammar School Foundation

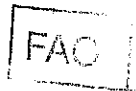


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Stuart Hirst
Leader Ribble Valley Borough Council
Church Walk
Clitheroe
Lancashire
BB7 2RA

CHP

11 NOV 2015



10 November 2015

Dear Stuart

THE CLITHEROE ROYAL GRAMMAR SCHOOL FOUNDATION

The Clitheroe Royal Grammar School Foundation is a registered charity whose purpose is to hold and manage the historical endowment of Clitheroe Royal Grammar School. The object of the Foundation is to provide financial support for the School itself, and current and former pupils.

As you are no doubt aware, the Scheme of the above registered Charity has provided for the Board of Trustees to be made up of three trustees nominated by the Borough Council and nine other trustees, nominated by other bodies or co-opted by the trustees themselves.

The current Scheme was agreed by the Charity Commission in 1996. Under the terms of the previous Scheme agreed by the Charity Commission in 1990, Ribble Valley Borough Council nominated two trustees.

Throughout the long history of the Charity's existence, the constitution of the board of trustees has been varied on many occasions. These changes have been made to reflect either the changes in the status of the School itself or of the various bodies that have contributed financially to the School or had a vested interest in the education of its pupils.

The current trustees are very conscious that circumstances have changed somewhat since 1996; the School is now an Academy, and as such is funded directly by the Department of Education rather than by the Local Authority. At a meeting earlier this year, the trustees agreed to the formation of a sub-committee to review the present Scheme and consider the need for any changes.

One of the recommendations of the sub-committee is that the Borough Council be consulted on the suggestion that the number of trustees be reduced from twelve to seven, with the emphasis being on the appointment of trustees with a long-standing connection with the School. This proposal will not only streamline the administration of the board of trustees but more importantly it will reflect the Academy status of the School and its Governing Body.

The recommendation of the sub-committee is that the future constitution of the board of trustees be made up as follows:

- One member to be nominated by Ribble Valley Borough Council;
- One member nominated by the Parent Governors of the School;
- Five members to be co-opted.

The Clitheroe Royal Grammar School Foundation is a Registered Charity in England and Wales
Registration Number 526597
Chairman of Trustees: Dr A D Clayton BSc PhD CEng MChemE

26/11

Would the Borough Council agree to this change in the Charity's constitution? And if so, would the current nominated trustees (namely Ian Brown, appointed: 21 May 2012; and Paula Dobson and Stephen Atkinson, appointed: 22 May 2015) wish to remain as trustees until their respective four year terms of office expire, or would they wish to resign following the appropriate order for the change in the constitution. The decision would be theirs.

If you have any queries or wish to discuss the matter in further detail, please do not hesitate to contact me (01254 246373) or Geoff Isherwood (01254 812694).

I look forward to hearing from you.

Kind regards,



Andrew Clayton (Dr)

Chairman of Trustees
Clitheroe Royal Grammar School Foundation

Brown
Feb

Rec'd OR 23/11/15