

Notice of decision on individual review of charitable status SC006202 Mannafields Christian Education Association

1. Decision

Following an inquiry under section 28 of the Charities and Trustee Investment (Scotland) Act 2005 (the 2005 Act), we are pleased to confirm that Mannafields Christian Education Association (Mannafields Christian School) meets the charity test and therefore continues to be eligible to be registered as a charity in Scotland.

2. Summary of assessment against the charity test

Mannafields Christian School's purposes are set out in Article 2 of the Deed of Trust (dated 27 October 1988) are:

'To establish and maintain non-denominational Christian Educational Institutions and to engage in such other educational activities as shall promote and support this.'

we are satisfied that:

- these purposes are charitable;
- the charity's activities provide public benefit in furtherance of those purposes;
- there is no evidence of any significant private benefit or disbenefit arising in consequence of the charity exercising its functions; and
- the conditions on accessing the benefit are not, on balance, unduly restrictive.

In assessing **Mannafields Christian School** against the charity test, we have had particular regard to the benefit it provides in furtherance of its purposes (both that which is charged for and that which is not) and the conditions on accessing that benefit, primarily the fees it charges its beneficiaries.

a) Benefit which is charged for

Mannafields Christian School is a junior day and senior school (until S2 only) for pupils aged five to 14 years. During the financial year 2011-12 (which formed the basis of our assessment, as it was the most recent financial year for which complete financial information was available), it had a school roll of 19 pupils. The school's unrestricted gross income during the year was £65,598; we have used this figure for the purposes of our assessment.

In 2011-12, the school's fees for each age group was £3,600 per annum. This fee is significantly lower than the average fees for Scottish Council of Independent Schools (SCIS) day schools in 2011-12¹ (£4,428 lower than other junior fees and £6,354 lower

¹ *Indicative average fees for SCIS schools analysis at August 2011*, www.scis.org.uk
(Note: comparison has been made with average day fees charged by day schools)

than senior fees). Nevertheless, the fees still represent a restrictive condition on accessing the benefit provided by the school. In order for public benefit to be provided, there must therefore be some form of mitigation of these fees in place.

Mannafields Christian School provides benefit to its pupils which is charged for. In terms of educational benefit, the school's curriculum reflects a Christian philosophy and is in line with the Curriculum for Excellence, with subjects including maths, environmental and social studies, science and technology, music and French being studied.

b) Benefit which is not charged for

In addition, the school has provided evidence of benefit for which it makes little or no charge. In comparison with other schools which OSCR has reviewed, this benefit is limited. These activities provide some benefit to the wider public in furtherance of the school's purposes by providing access to its services and facilities. For example, the school:

- Provided policy and curriculum materials to other schools. The school have not kept detailed records on this activity but advise that in the past this has included lesson material, training and policy documents being given to both other schools and home educating families.

In assessing the benefit offered by the school which is not charged for, we have had particular regard to the very small size of the school and the fact that its resources will consequently be limited.

Although the benefit for which there is little or no charge is limited, we conclude that it is nevertheless of an acceptable level, taking into account the context in which this particular school operates (particularly the size of the school and the comparatively low level of its fees). This type and level of activity mitigates to an extent the restrictive nature of the fees charged by the charity for part of the benefit it provides.

c) Facilitated access to benefit

In addition to the benefit provided for which there is little or no charge, the school mitigates the impact of the fees it charges by offering both means-tested and non means-tested fee remissions to its pupils. Means-tested access arrangements have the most significant impact on opening up access that is restricted due to the fees charged, as these awards are primarily focussed on addressing financial need.

The school spent 42.1% of its available income in 2011-12 on means-tested provision. In total, 11 pupils, or 58% of the school's roll, were in receipt of a means-tested bursary award from the school. The bursaries awarded by the school were of varying values, with the main focus being on higher value bursaries, with the highest number of awards being between 61%- 80% of the annual school fee. Means-tested bursaries offered by the school are available up to 100% of fee remission and, in the year reviewed, two

pupils were in receipt of a full award (equating to 10.5% of the school roll). The school confirmed that no pupils currently receive assistance from external educational trusts.

The school does not offer any non means-tested fee remissions to its pupils.

d) Conclusion

On balance, we conclude that Mannafields Christian School has provided sufficient evidence that the impact of the fees charged by the school is mitigated by the provision of means-tested facilitated access and limited benefit for which there is little or no charge.

In reaching our conclusion, we have had particular regard to the fact that the fees charged by the school are significantly lower than the sector average and that the school's expenditure on means-tested assistance is remarkably high.

Additionally, while we note that the benefit provided by the school for which there is little or no charge is limited, we are of the view that this activity is of a reasonable level given the context in which the school operates; the relatively small size of the school means that its resources will consequently be limited.

On balance, we conclude that these measures cumulatively serve to mitigate the impact of the fees charged by the school. We therefore do not consider that there are any unduly restrictive conditions on accessing the benefit provided by the school and public benefit is provided. Mannafields Christian School continues to meet the charity test.

1 October 2013