

Memorandum of Understanding between
Quakers in Yorkshire
and the York Quaker Schools:
Bootham School, York and The Mount School, York

27 November 2017

1 Purpose

1.1 The purpose of this Memorandum of Understanding is to record the relationship between Quakers in Yorkshire and the two Quaker Schools in York - Bootham School and The Mount School, hereinafter referred to as "the Schools".

1.2 This Memorandum is dated 27 November 2017 and replaces the Instrument of Government dated 29 September 1990.

2 Background

2.1 Yorkshire Quarterly Meeting assumed responsibility for a school for boys in 1829 and a school for girls in 1856 which became respectively Bootham School and The Mount School. Yorkshire Quarterly Meeting became Yorkshire General Meeting in 1968 and then Quakers in Yorkshire in 2010 (registered charity 1139514). The two Schools were directly responsible to Yorkshire Quarterly Meeting from their beginnings until 1982 when two separate charitable companies were established to govern the Schools with trustees/directors bound by charity and company law.

2.2 The Schools are responsible for all matters relating to their properties. Quakers in Yorkshire and the Schools entered into Deeds of Direction dated 17 August 2001 in relation to the Schools' properties. These provide revocable authority for the Schools: "Unless and until the direction is revoked to be at liberty (subject to the provisions of the Charities Acts and general law) to sell, exchange, mortgage or lease the properties or any part or parts of them (of the 1983 Conveyances and/or the Original Trusts), without requirement for any further specific direction in that behalf from the Meeting (a "Relevant Disposal")" [Deed of Direction paragraph 3.1].

3 Context

3.1 Quakers in Yorkshire's governing document states that "Quakers in Yorkshire shall sustain the governance of Bootham School, York, and The Mount School, York, including the appointment of the school committees, receiving and reviewing annual reports and accounts".

3.2 Quakers in Yorkshire wishes to treat the two Schools with equality and so this is a single Memorandum.

3.3 This Memorandum should be read in conjunction with the Articles of Association of the Schools which shall prevail over any contradictory provisions in this Memorandum. In the event of any changes to the Articles being planned, the Schools will inform Quakers in Yorkshire before any such change is decided.

3.4 This Memorandum does not establish any partnership between the parties nor authorise any party to make any commitments on behalf of the other parties.

3.5 The trustees/directors of the Schools are referred to in this Memorandum as Governors. The Governors collectively form the Governing Body (also known as School Committee) of each School.

4 Vision for education

4.1 The two schools exist to provide a Quaker education based on and living in the faith, principles and values of the Religious Society of Friends (Quakers). Our belief in education is guided by our understanding that there is that of God in everyone. We believe in the importance of a developing in each individual a desire for increasing knowledge and understanding. The aim should be to cultivate the values of truth, integrity, treating human beings with respect, living simply and sustainably, striving for community, and resolving conflict through peaceful means.

4.2 Our vision is that the Schools develop and offer a pioneering, distinctive and authentically Quaker education that liberates young people to live adventurous lives that serve to create a better world. The latest edition of *Quaker faith and practice* or its successor document is the principal guide to what 'authentically Quaker' means.

4.3 The Schools should be communities which: teach to a high standard; do so in a safe, sustainable and friendly environment; are exemplary employers of staff; provide an inclusive school which nurtures a diversity of beliefs, backgrounds and abilities; and are well run Quaker businesses.

5 Reporting requirements

5.1 The Schools' annual reports and accounts shall be sent to the Trustees of Quakers in Yorkshire as soon as they have been adopted by the Governors of the Schools.

5.2 A quarterly meeting of Quakers in Yorkshire shall devote a session to the Schools at one meeting each year to receive presentations from the Heads of the

Schools and consider how best to support the Schools. The Governors, Heads, Heads of Junior Schools, Deputy Heads and Bursars shall be permitted to attend the sessions. Others may attend by permission of the Clerk of Quakers in Yorkshire.

6 Appointment of Governors

6.1 Governors are appointed and released by Quakers in Yorkshire. The provisions relating to the appointment, release, disqualification and removal of Governors are included in the Articles of Association of Bootham and The Mount adopted on 1st December and 8th December 2017 respectively.

6.2 Without prejudice to the right of Quakers in Yorkshire to make such appointments as they see fit they shall give consideration to ensuring that among the Governors of each School:

- (1) Quakers are strongly represented which at The Mount is interpreted as a majority;
- (2) up to two are old scholars of the School and
- (3) up to two are parents of children at the School at the date of their appointment or reappointment.

6.3 Appointed Governors shall serve for a period of four years or such lesser period necessary to achieve an appropriate rotation of appointments. Governors may be re-appointed for a second period up to a maximum of 8 years continuous service except that at Bootham a governor appointed to serve as clerk, assistant clerk or treasurer may serve as a governor for 12 years.

6.4 Names of candidates to be governors will normally come from the governors of the schools. From time to time QiY Nominations Committee may offer a name independently for the governors' consideration. In all cases, the governors will confirm to the clerk of QiY Nominations Committee that all candidates are qualified under the relevant provisions of the Articles and support the Quaker ethos of the School and explain how they match the skills and experience required. Candidates for appointment under 6.2 (2) and (3) must be approved and submitted by the Governors who should determine an appropriate selection process.

7. Release and Removal of Governors

7.1 Governors normally cease to be appointed by coming to the end of their term of service, or by asking to be released. Requests for release should be approved by the governing body of the School who will inform the clerk of QiY Nominations Committee.

7.2 If particular circumstances make it advisable for a Governor to be removed from office during their term of service, the governing body of the School and QiY Nominations Committee should work out the best way of proceeding. Every effort should be made to ensure that Quaker principles, best practice and due legal processes are followed. This might include some form of reconciliation by independent parties. After proper processes have been followed, Quakers in Yorkshire shall minute the removal from office.

8. Dissolution

8.1 Quakers in Yorkshire and the Schools will together work to ensure the continuing success of the Schools.

8.2 If however circumstances mean dissolution of one or both charitable companies their Articles of Association provide that their net assets after payment of outstanding debts and liabilities, shall “be transferred to Quakers in Yorkshire for such charitable objects as Quakers in Yorkshire shall decide”.

8.3 Minute 2 of Yorkshire General Meeting held on 29 April 2000 and minute 2 of Yorkshire General Meeting held on 20 January 2001 make relevant provisions should either of the schools close or cease to be under the management and control of Yorkshire General Meeting (now Quakers in Yorkshire).

9 Variation

9.1 This Memorandum of Understanding may be varied by written agreement of each of the parties.

Signed 27 November 2017 by:

Barbara Windle
Clerk of Trustees, Quakers in Yorkshire

Margaret Bryan
Clerk of Governors, The Mount School

Stephen Sayers
Clerk of Governors, Bootham School