

**Manor House School Trust Ltd (Moyles Court School)**  
A public benefit assessment report by the Charity Commission



## The Charity Commission

The Charity Commission is the independent regulator of charities in England and Wales. Its aim is to provide the best possible regulation of charities in England and Wales in order to increase charities' effectiveness and public trust and confidence. Most charities must register with the Commission, although some special types of charity do not have to register. There are some 190,000 registered charities in England and Wales. In Scotland the framework is different, and the Commission does not regulate Scottish charities.

The Commission provides a wide range of advice and guidance to charities and their trustees, and can often help with problems. Registered charities with an annual income of over £10,000 must provide annual information to the Commission. The Commission has wide powers to intervene in the affairs of a charity where things have gone wrong.

More information about the Commission together with a range of guidance for charities can be found on our website [www.charitycommission.gov.uk](http://www.charitycommission.gov.uk), or by contacting Charity Commission Direct:

Telephone: **0845 300 0218**

Typetalk: **0845 300 0219**

By post: **Charity Commission Direct**

PO Box 1227

Liverpool

L69 3UG

## Contents

<b>Section A: The purpose of this report</b>	<b>2</b>
<b>Section B: Key details about the charity</b>	<b>2</b>
<b>Section C: Is the charity's aim capable of being charitable?</b>	<b>4</b>
<b>Section D: Is the charity's aim for the public benefit?</b>	<b>5</b>
Section D1 - It must be clear what the benefits are (sub-principle 1a) The benefits must be related to the aims (sub-principle 1b)	5
Section D2 - Benefits must be balanced against any detriment or harm (sub-principle 1c)	6
Section D3 - The beneficiaries must be appropriate to the aims (sub-principle 2a)	6
Section D4 - Where benefit is to a section of the public, the opportunity to benefit must not be unreasonably restricted by geographical or other restrictions (sub-principle 2b)	6
Section D5 - Opportunity to benefit must not be unreasonably restricted by the ability to pay (sub-principle 2b) and people in poverty must not be excluded from the opportunity to benefit (sub-principle 2c)	7
Section D6 - Any private benefits must be incidental (sub-principle 2d)	9
Section D7 - Conclusion: Is the public benefit requirement met?	10
<b>Section E: Overall conclusions and required or recommended actions</b>	<b>10</b>
<b>Annex A: Opportunities to benefit for those who are unable to afford the fees, including people in poverty</b>	<b>11</b>

The Charity Commission is the independent regulator of charities in England and Wales. In October 2008 we started a public benefit assessment in relation to Manor House School Trust Ltd. This is a report of our findings.

## Section A: The purpose of this report

This report sets out the Charity Commission's findings from its public benefit assessment for Manor House School Trust Ltd ('the charity'), registered charity number 307347. You can find further information about what public benefit assessments are, how we carry them out, a glossary of terms and other details on the public benefit pages of our website.

## Section B: Key details about the charity

### Charity registration details

Manor House School Trust was incorporated as a charitable company in 1959 to take over and carry on an existing preparatory school called Manor House in Dorset. It was registered as a charity in 1962.

### Location and operation

The charity now operates Moyles Court School near Ringwood in Hampshire and provides an education for day pupils and boarders.

### Pupils

The school has 151 pupils on its roll aged 4 - 16 and there are a further 9 children in its nursery for 3 and 4 year olds. There are 44 boarders and 107 day pupils. 40 of the boarders are from families whose parents are in the armed forces.

### Admissions policy

Some children join the school at nursery age. Where children join at a later stage, the school's admissions policy is mainstream but not academically selective and children from a wide cross-section of academic ability are admitted.

36% of pupils benefit from additional learning support.

### Curriculum

The school educates children through to GCSE level and provides access to a wide range of qualifications including vocational and skills based courses.

### Fees (2008/09)

Nursery (ages 3 - 4)

- £30.50 per day

Day school fees range from:

- £4,965 (reception) a year, to
- £10,755 (years 10 - 11) a year.

Boarding school fees range from:

- £13,887 (year 3) a year, to
- £18,837 (years 10 - 11) a year.

## Opportunities to benefit for those unable to afford the fees

### Means-tested assistance (more details are in Annex A, section 1)

#### **Bursary and hardship awards**

- Advertised value of bursary awards: 10% - 80% of tuition fees
- Tenure of advertised awards: bursaries are tenable for the duration of the pupil's education
- Number of bursaries and hardship awards currently awarded: 31 (21% of pupils)
- Number of 100% awards currently in place: 2 (1.3% of pupils)
- Total value of bursaries and hardship awards funded in 2008/09: £99,139
- Value of bursary and hardship awards in 2008/09 as percentage of gross fee income in 2007/08: 5%

#### **Non means-tested assistance (Annex A, section 2)**

- **Continuity of Education Allowance:** qualifying armed forces families pay 10% of boarding fees as a result of a MOD grant.
  - Number of pupils helped: 40 (27% of pupils)
- **Scholarships worth up to 40% of fees**
  - Number of pupils with scholarships: 12 (8% of pupils)
- **Early Years Entitlement** for nursery education covers the costs of five half day sessions per week for all families with children aged 3 - 4 at the nursery.

#### **Other opportunities to benefit provided by the school (Annex A, section 3)**

The opportunities provided fall within the following categories:

- Use of facilities by state and independent schools and groups for young people;
- Hosting of events with other schools;
- Access to lessons or other educational events.

## Financial position: year ending 31 August 2008

	Unrestricted Funds	Restricted Funds	Endowed Funds	Total
<b>Income</b>	<b>£1,730,304</b>	None	None	£1,730,304
<b>Expenditure</b>	<b>£1,709,042</b>	None	None	£1,709,042
<b>Net incoming/ (outgoing) resources</b>	<b>£21,262</b>	None	None	£21,262
<b>Total net assets</b>	<b>£1,016,317</b>	None	None	£1,016,317

## Section C: Is the charity's aim capable of being charitable?

In this section, we report on the charity's aim and whether it fits within the list of descriptions of purposes within section 2 (2) of the Charities Act 2006 that are capable of being charitable purposes.

The charity's objects\* are as follows:

- “(A) To promote the advancement of education by acquiring, erecting, equipping, maintaining, conducting and managing schools (whether for boys or girls or co-educational) in any part or parts of the United Kingdom,
- (B) In furtherance of the aforesaid object:
  - (a) to acquire from the Executors or Trustees of Florence Margaret Wild deceased (in accordance with the provisions of Clause 6(11) of the will of the said Florence Margaret Wild deceased) the preparatory school, formerly carried on by the said Florence Margaret Wild deceased and now carried on by her Executors under the name “Manor House School” at Wimborne in the County of Dorset, and the business thereof, and the goodwill and book debts of the said business, and the benefit of the subsisting contracts thereof, and also the freehold dwellinghouse and land on the east side of St John’s Hill Wimborne aforesaid, where the said school is now carried on, and any other land (whether freehold or leasehold) now used by or for the purposes of the said school, and any furniture or equipment belonging to the said business or used for the purposes of the said school, and any other assets which may be transferable to the Association in accordance with the provisions of the said Clause 6(11) and
  - (b) to provide and manage the said school in such manner as to provide thereat a sound education for girls and boys up to the age of sixteen years.”

The charity's aim is therefore to provide a school for the advancement of education and our assessment found that the charity's operation was fully within this aim.

**We concluded that** the charity's aim does fall within s2(2)(b) of the descriptions of purposes in the Charities Act 2006 - the advancement of education - and is capable of being charitable, subject to meeting the public benefit requirement.

\* set out in the memorandum and articles of association incorporated on 3rd February 1959 as amended

## Section D: Is the charity's aim for the public benefit?

To meet the public benefit requirement, the organisation must meet the two public benefit principles. These are:

**Principle 1: There must be an identifiable benefit or benefits**

**Principle 2: Benefit must be to the public, or section of the public**

We looked at the sub-principles within each of these.

- Sections D1 and D2 set out our findings for those relating to principle 1.
- Sections D3 – D6 set out our findings for those relating to principle 2.
- Section D7 sets out our conclusions on whether the organisation meets the public benefit requirement.

### Section D1

We looked at the first two sub-principles together:

- **sub-principle 1a - it must be clear what the benefits are**
- **sub-principle 1b - the benefits must be related to the aims**

#### Relevant benefits

The charity's primary benefit is the provision of education to the pupils at the school ('pupils'). Beyond the curriculum offered by the school, benefits to the pupils also flow from the following activities which the charity described during the assessment:

- fundraising activities carried out by the pupils for other charities including the Nanyuki Children's Home, Kenya with which the school has developed links;
- rugby coaching for pupils provided by players from a nearby rugby club, which the school sponsors, has been agreed;
- local and national organisations are involved with the school and give talks to the pupils;
- pupils' involvement in the school's links with and support for the local church, including attendance at services.

In addition, educational benefits for pupils and other children arise from the following examples given by the charity which are described in more detail in section 2 of Annex A:

- sporting tournaments for the local community which local primary and secondary schools participate in, together with pupils at the school;
- sports training for pupils and non-pupils;
- a local scouts group for pupils and non-pupils uses the school's facilities;
- the local badminton club (which includes children) uses the school's sports facilities;
- work experience placements in, for example, health and social care are made available for pupils from nearby state schools.

These benefits all relate to the aim and are relevant to these sub-principles.

## Benefits which are not relevant

There were some benefits which were identified by the charity but which were not relevant to the aim – see section 4 of Annex A.

**We concluded that** the clear benefits that are related to the charity's aim are primarily those that arise for the pupils at the school and, in addition but secondary to that, for other children who are not pupils at the school. The benefits are sufficient to enable us to conclude that the charity does meet sub-principles 1a and 1b.

## Section D2

### Sub-principle 1c: Benefits must be balanced against any detriment or harm

We explain in *Charities and Public Benefit* our approach to assessing this sub-principle.

Based on this, we found no evidence or indication of detriment or harm in relation to this charity.

**We concluded that** there was nothing under sub-principle 1c that would affect the assessment of public benefit in this case.

## Section D3

### Sub-principle 2a: The beneficiaries must be appropriate to the aim

The beneficiaries are children. The objects limit education to children up to the age of 16 years. The pupils at the school and nursery are primarily the beneficiaries of the charity, but beneficiaries also include other children who are not pupils at the school but who have the opportunity to benefit from educational activities undertaken at, or by, the school.

**We concluded that** the beneficiaries are appropriate to the aim and that this sub-principle is met.

## Section D4

### Sub-principle 2b: Where benefit is to a section of the public, the opportunity to benefit must not be unreasonably restricted

In this section we consider geographical and other restrictions. In section D5 we consider restrictions arising as a result of the fees charged.

#### Geographical restrictions

There is no geographical restriction in the stated objects applied to the opportunity to benefit. In practice there is no geographical restriction on who may attend the school, although day pupils will be drawn from the local area.

### Age restrictions

The objects specify an upper age limit of 16 years which reflects the school's operation.

### Academic restrictions

There is no requirement in the governing document for children to meet specific academic standards as a condition of entry. The school provides mainstream education and accepts children from a wide range of academic abilities: it also provides specialist support for children with dyslexia and other special learning needs.

### Religious restrictions

The governing document does not contain any religious restrictions on who may be admitted.

These restrictions on who has the opportunity to benefit are rational and justifiable and **we concluded that** the opportunity to benefit is not unreasonably restricted by geographical or other factors outlined above and that the charity does meet sub-principle 2b in relation to restrictions other than fees.

## Section D5

We considered the following related sub-principles together:

- **sub-principle 2b (the opportunity to benefit must not be unreasonably restricted by ability to pay any fees charged); and**
- **sub-principle 2c (people in poverty must not be excluded from the opportunity to benefit)**

Taken together, these sub-principles mean that the charity must be able to show that there is sufficient opportunity to benefit in a material way that is related to the charity's aim for those who cannot afford the fees, including those in poverty.

We describe in section C of *Public Benefit and Fee-charging* the principal factors derived from case law which we use to assess this.

We set out below how these factors apply to the circumstances of the charity.

**D5(i)** *Does the level at which fees are set have the effect of preventing people who are unable to pay the fees from benefiting from the services or facilities?*

The charity primarily carries out its aims by providing a school. The school's fees are detailed in section B. Day fees range from £6,195 to £10,755 and boarding fees from £13,887 to £18,837 a year. The fees for the reception year (age 4 – 5) are £4,965. The fees for the nursery are £30.50 a day which would equate to approximately £5,500 for an academic year. The trustees told us that fees are set so as to ensure that all operating costs and expenses (including discounts on fees) are covered.

The level of fees charged fits within the definition of 'high fees' in our guidance on *Public Benefit and Fee-charging* because they are unaffordable to many people.

**D5(ii)** In relation to those who cannot afford to access the services because of the charges made, to what extent are those charges moderated (in whole or in part) in order to:

- permit access to the services charged for
- give other access to the benefits of the charity?

There is a mix of opportunities in relation to this sub-principle. We therefore looked at the totality of benefits provided by these, which include:

- means-tested fee reductions to provide access to an education at the school which those paying fees receive;
- non means-tested fee reductions to provide access to an education at the school which those paying fees receive; and
- other measures to provide access to the benefits provided by the school.

The charity provided details of opportunities which fall within each of these categories and we have set these out at Annex A. In the following paragraphs we explain how we looked at these categories.

- Approximately 19% of pupils currently receive some sort of means-tested help. The support is worth some 5% of gross fee income and this is budgeted for. The charity publicises the fact that means-tested bursaries worth up to 80% of the fees are available. It offers higher value bursaries up to 100% and there are currently three bursaries in place which are worth more than the advertised maximum 80% of fees.
- The charity does not set quotas for bursary and hardship awards but uses its available funds as necessary. The following table shows the number and value of bursaries awarded:

<b>Value of bursaries (% of fee reduction)</b>				
	<b>0- 50%</b>	<b>50 - 75%</b>	<b>75 - 90%</b>	<b>100%</b>
Number of bursaries awarded	20	7	2	2

Hardship awards provide opportunities to benefit to those who cannot afford the fees (including those in poverty), although to a lesser extent than bursaries because they are only available to a very limited number of people – that is, families of existing pupils who have been able to afford the fees but who encounter financial difficulties. In awarding 100% hardship awards, however, the charity has provided opportunity to benefit to people who cannot afford the fees including people in poverty.

- There are also a number of measures which are not means-tested but which give access to education at the school. These have less impact than measures designed specifically to assist people in poverty. Of these, the Continuity of Education Allowance (CEA) funded by the MOD potentially provides opportunities to benefit for those unable to afford the fees (principle 2b), although it is limited to qualifying families in the armed forces. The facts that the school specifically attracts families who qualify for this allowance, and that a very high percentage of boarders at the school are from such families who have to pay at most 10% of the boarding fees, add to the potential of this opportunity to benefit for qualifying families in the armed forces who cannot afford the fees.

- The measures described in section 2 of the Annex all provide some opportunity to benefit and add to the totality of benefits offered. The work experience placements provided by the school for students from a local state school are an example of a benefit related to the aim which is open to those who could not afford the fees. The school also facilitates a number of sports tournaments and, where these include local state schools, these too provide benefits related to the charity's aim which are open to those who could not afford the fees.

### **Sub-principles 2b and 2c - conclusion**

The charity charges high fees which require some mitigation in order to show that the opportunity to benefit is not unreasonably restricted. We took account of the relatively small size of the school, its circumstances and the steps it has taken to provide opportunities to benefit in a material way that are related to the charity's aim for those who cannot afford the fees including those in poverty. We also noted from the information provided by the charity that 66% of pupils benefit in some way from fee reductions, including 19% who are helped on a means-tested basis. Our assessment is that the following factors taken together mean that the totality of benefits is sufficiently extensive and provides opportunities for people in poverty to benefit:

- planned and actual provision of 5% of gross income for means-tested assistance;
- the availability of 100% bursaries;
- the award of 100% bursaries and hardship assistance;
- the number of means-tested awards;
- a specialism in meeting the needs of children of families who qualify for the CEA which results in 40 families having to pay no more than 10% of the fees;
- links with local state schools resulting in planned educational benefits.

**We concluded that**, taking into account what is reasonable and appropriate in the circumstances of this charity, it does provide sufficient opportunity to benefit in a material way for those who cannot afford the fees, including people in poverty, and that the charity does meet sub-principles 2b (in relation to fees) and 2c.

## **Section D6**

### **Principle 2d: Any private benefits must be incidental**

The charity provides a discount of fees for staff who choose to educate their children at the school. This is a part of the employment terms offered to staff on appointment.

**We concluded that** private benefits are incidental and that this sub-principle is met.

## Section D7

### Conclusion: Is the public benefit requirement met?

**We concluded that** all of the sub-principles are fulfilled and that the public benefit requirement is met.

## Section E: Overall conclusions and required or recommended actions

**We concluded that** Manor House School Ltd is a charity and is operating for the public benefit.

There are, however, some steps the trustees should take in order to demonstrate that they are meeting key good practice requirements in our public benefit guidance.

The good practice recommendations are as follows:

- the trustees should publicise more clearly details of means-tested awards, the extent of the discount available and what types of assistance are available;
- the trustees should review the scope for extending the impact of its bursary programme by increasing the relative number of higher percentage awards;
- the trustees should keep under review the extent to which the opportunities to benefit are taken up by people who are unable to afford the fees, including people in poverty.

We will review the trustees' progress with these recommendations within eighteen months of this report.

### MANOR HOUSE SCHOOL TRUST LTD

#### OPPORTUNITIES TO BENEFIT FOR THOSE WHO ARE UNABLE TO AFFORD THE FEES, INCLUDING PEOPLE IN POVERTY

This annex uses information provided by the charity to show which activities we assessed in relation to the element of sub-principle 2b relating to fee-charging and sub-principle 2c:

- **Principle 2b** Where benefit is to a section of the public, the opportunity to benefit must not be unreasonably restricted by ability to pay any fees charged
- **Principle 2c** People in poverty must not be excluded from the opportunity to benefit

We have categorised the information as follows:

- means-tested opportunities which provide access to an education at the school to children whose families are unable to afford the fees, including those in poverty (see section 1 below);
- non means-tested opportunities which may provide access to an education at the school to children whose families are unable to afford the fees, including those in poverty (see section 2 below);
- measures which provide opportunities to benefit in ways related to the aim for other children whose families may not be able to afford the fees including those in poverty (see section 3 below).

At section 4, we have listed examples of activities and opportunities identified by the charity which are connected with the operation of the school but are not related to the charity's aim or which are too remote to count.

The main body of the public benefit assessment report sets out our analysis of how these opportunities relate to the public benefit requirement.

### Section 1

#### Means-tested opportunities which provide access to an education at the school to children whose families are unable to afford the fees, including those in poverty

- **Means-tested bursaries**

The school provides means-tested funding to mitigate fees for prospective and existing pupils. There are no predetermined quotas for the number and value of awards as between these two categories.

Bursaries for prospective pupils are advertised as being worth between 10 – 80% of fees, including learning support costs as required. In practice, awards for up to 100% are made. A bursary can be offered in conjunction with a scholarship.

The availability of bursaries for prospective pupils and how to apply for them is advertised from September each year in the local press in advance of the school's Open Day and through other promotional literature. Their availability is also publicised on the charity's website.

The criteria for admission are based on whether the child is likely to benefit from an education at the school. Awards are made following an application (including a statement of financial circumstances) and an interview with the headmaster. Decisions are based on the degree of financial need (judged by income and assets) as well as social need (for example, family break up or problems at the current school).

Means-tested hardship awards can be made throughout the year for anything up to 100%.

At the time of the assessment, the charity's total means-tested support:

- was worth 5% of the school's gross fee income;
- supported 28 pupils (19% of the school roll);
- was available to support new entrants and existing pupils whose families experienced difficulties in affording the fees;
- was funded from fee income;
- provided fee reductions of between 5% - 100%.

## Section 2

**Non means-tested opportunities which may provide access to an education at the school to children whose families are unable to afford the fees, including those in poverty (see section 2 below).**

- **Continuity of Education Allowance for children of armed forces families – not means-tested but available to all ranks.**

In 2008/09, 40 pupils (29%) were funded through the Continuity of Education Allowance (CEA).

The school sets fees so that they fall within the CEA maximum, leaving the parents to pay the 10% contribution required by the scheme.

- **Sibling discounts**  
There are currently 15 sibling discounts.
- **Early Years Funding – not means-tested but available to all parents to help with the cost of nursery education.**

Parents wishing to send their child to the nursery are able to take advantage of the Government's Early Years Entitlement (EYE) grant.

Entitlement to this scheme is not means-tested and is therefore available to those who can and cannot afford the fees. However, it is capable of providing an opportunity to benefit to people who cannot afford the full fees.

- **Non means-tested scholarships**

The charity provides:

- non means-tested junior scholarships of between £900 a year and 40% of the tuition fees up to year 6;
- non means-tested Senior Awards scholarships of up to 20% of the tuition fees for year 10 entrants.

## Section 3

### **Measures which provide opportunities to benefit in ways related to the aim for other children whose families may not be able to afford the fees, including those in poverty**

- **Use of facilities by state and independent schools and groups for young people**

- A local scout group (which pupils and other children attend) uses both the sports hall and school grounds for evening meetings, activities and camping involving up to 200 children.
- A local professional football club runs year-round soccer training for all children including pupils at the school.
- A local badminton club which is open to children as well as adults hires the school's badminton facilities.

- **Hosting events with other schools**

- The school runs a six-a-side football tournament for 18 local independent and state schools who each send 3 teams.
- The school holds a cross country meeting to which 12 local independent and state schools send up to 10 pupils each.
- A triathlon meeting is held at the school and is attended by 300+ young athletes.
- The school holds a rounders tournament which is attended by pupils from 6 local schools.
- The school plays regular sporting fixtures with local independent and state schools.

- **Access to lessons or other educational events**

The school provides work experience placements in Health and Social Care for pupils from local state schools as part of their studies.

## Section 4

### **Examples of activities and opportunities identified by the school which are not relevant to the aim.**

- Placements for gap year students are offered every year where the school provides accommodation, training, and mentoring for the period of their placement.
- The charity supports newly qualified and other teachers through to Qualified Teacher Status.
- The Royal British Legion uses the sports hall for a Poppy Appeal Concert.
- A housemaster is invited to serve on the local Parochial Church Council in recognition of support for church.
- Winchester Historical Group periodically conducts tours and talks for adults about the history of the school.
- A number of local groups (which are not established for children up to the age of 16 years) use the school's facilities for their meetings and activities.
- The school has close links with the local parish church and lends its facilities for events such as a fundraising fashion show organised by the church.
- Benefit to society from the provision of a secure family environment for children of armed forces parents who board.
- Benefit to local schools from the provision of places for pupils in need of learning support.
- Benefit to the state from the provision of education of at least 150 pupils at no cost to taxpayer (beyond value of fiscal benefits of charitable status).
- Publication of a booklet detailing history and heritage associated with the site.
- Maintenance of a historic building contributing to national heritage.





This publication can also be accessed at the Charity Commission's website: [www.charitycommission.gov.uk](http://www.charitycommission.gov.uk)

© Crown copyright 2009. This publication may be reproduced free of charge in any format or medium provided that it is reproduced accurately and not used in a misleading context. The material must be acknowledged as Crown copyright and the title of the publication specified.

**You can obtain large-print versions  
of this publication from the Charity  
Commission on 0845 300 0218**

**Charity Commission**

Telephone: **0845 300 0218**

Typetalk: **0845 300 0219**

By post: **Charity Commission Direct**

PO Box 1227

Liverpool

L69 3UG

Website: **[www.charitycommission.gov.uk](http://www.charitycommission.gov.uk)**