

FYLING HALL SCHOOL TRUST LIMITED
REPORT AND FINANCIAL STATEMENTS

For the year ended
31st August 2009

Company No. 01377607
Registered Charity No. 507857

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FYLING HALL SCHOOL TRUST LIMITED

Directors' Report

For the year ended 31 August 2009

The Board of Directors present their annual report for the year ended 31 August 2009 under the Companies Act 2006 and the Charities Act 1993, together with the audited financial statements for the year, and confirm that the latter comply with the requirements of the Companies Act 2006, Charities Act 1993, the Company's Memorandum & Articles of Association and the Charities SORP 2005.

REFERENCE & ADMINISTRATIVE INFORMATION

Fyling Hall School was founded in 1923. Fyling Hall School Trust Limited was incorporated in 1978 and is a charitable company, charity registration number 507857, company registration number 01377607, with the liability of its members limited to £1 each by guarantee. The Registered Office and principal address of the company is at Robin Hood's Bay, North Yorkshire, YO22 4QD.

DIRECTORS

The present Directors of the Company, who are also the Charity Trustees and the School Governors, and also any ex-Directors who served during the year as indicated are:

Dr J Rutherford (Chair)
 M K Swales
 Miss B Easton
 Dr F Emad
 Dr D A McInerny
 P N Burley
 M D Bayes
 Rev P Davies
 M Scrimshaw (resigned 04/07/09)
 Mr M Farrant (appointed 24/02/09)
 Mr N Duffield (appointed 27/01/09)
 Mr R Fox (appointed 02/06/09)
 Mrs H Fox (appointed 02/06/09)

COMPANY SECRETARY

E Gaffney

KEY EXECUTIVES AND PROFESSIONAL ADVISORS

The Head:	Mr K James
Bankers:	HSBC plc, 4 Baxtergate, Whitby, North Yorkshire. YO21 1BD
Solicitors:	Pinkney Grunwells, Lion Chambers, 2 Golden Lion Bank, Whitby, North Yorkshire YO21 3BS
Auditor:	O'Reilly, Ullswater House, Duke Street, Penrith, Cumbria, CA11 7LY

KEY EXECUTIVES AND PROFESSIONAL ADVISORS (Continued)

Insurance A S Green & Co, 54 Westborough, Scarborough,
Brokers: North Yorkshire YO11 1TU

STRUCTURE GOVERNANCE AND MANAGEMENT

Governing Document

The company is governed by its Memorandum and Articles of Association, which was last amended on 24 November 1994.

Governing Body

The Directors, who are also required under the Articles to serve as members of the Company are elected at a Directors Meeting on the basis of nominations received from existing members. Members are encouraged to seek out prospective members with the required skills and experience to increase the strength of the existing Board. At the annual General Meeting, one third of the members of the Governing Body, or if this number is not a multiple of three, then the number nearest to but not exceeding one third, shall retire from office and be eligible for re-election.

The members retiring by rotation are: Mr M Bayes and Rev P Davies

Trustee-Training

Prospective Directors are appraised of the School's history and of the commitment that would be required. On appointment a new Director is given copies of relevant documents including a copy of the Memorandum and Articles of Association, The Essential Trustee: What you need to know, handbooks-both governors and staff, risk assessments, accounts etc. All Directors are encouraged to attend relevant courses, and as a member of AGBIS trustees attend their seminars.

Organisational Management

A Board Meeting is held each term with additional meeting if required to determine the general policy of the Company and review its overall management and control, for which they are legally responsible. The Board has the following committees: Academic Committee, Finance & General Purposes, Premises & Development, Health and Safety, Complaints and Disciplinary and Appeals. All committees meet at least annually with the exception of the last two, who will meet as necessary. Finance & General Purposes, and Health and Safety normally meet at least once a term. The day to day running of the school is delegated to the Head and supported by the Senior Management Team. The principal committees and those sitting on the same are: Finance & General Purposes – P N Burley (Chair), Miss B Easton, Dr F Emad, M K Swales and Dr J Rutherford. Health and Safety – Dr D A McInerny (Chair) and M Farrant. Academic Committee – M D Bayes (Chair), Dr J Rutherford, Rev P Davies and Mrs H Fox. Premises & Development – M Swales (Chair), Miss B Easton, Dr F Emad, Mr N Duffield and Mr R Fox.

Risk Management

At a Board Meeting including the Head held normally in May each year the formal risk assessments are reviewed. The Board and Head continually keep the School's activities under review, particularly with regard to any major risks that may arise from time to time, and to

monitor the effectiveness of systems of control and other viable means, including insurance cover where appropriate, by which those risks already identified can best be mitigated.

OBJECTS, AIMS, OBJECTIVES AND PRINCIPAL ACTIVITIES

The objects of the Company, in accordance with its Memorandum and Articles of Association, are to promote and provide for the advancement of education and in connection therewith to conduct, carry on, acquire and develop in the United Kingdom any boarding or day college or colleges, school or schools for the education of students and children of either sex or both sexes.

In setting our objectives and planning our activities the Directors have given careful consideration to the Charity Commission's general guidance on public benefit.

Strategic Aim and Intended Effect

The school's strategic aim to reach its annual objective is the attainment of the highest academic levels whilst maintaining non-selection and a modest fee level. This aim together with extra-curricular programmes enables development of other interests and prepares students for further education with a solid foundation in life.

Objectives for the Year

The Board's main objective continued to be to ensure that every student reaches their potential and that the overall standards achieved by the School improve, on a year on year basis. Our strategy for achieving this is to have a high ratio of committed staff to students, and to ensure staff receive continuous professional development.

Principal Activity

The Company's principal activity continues to be to operate a non-selective, co-educational boarding and day school for students between the ages of 4 to 18.

Grant-making

As fees are relatively modest, grant making has to be constrained. Nevertheless, scholarships and bursaries reduced annual income by £176K. Applications, from whatever source are considered by the Head and approved or otherwise by the Board. There are no specific funds, and all awards reduce annual income.

Volunteers

The Parent Teacher Association raises funds for the School. During the year there was a significant amount of voluntary service. The Board takes this opportunity to say how much we appreciate their continuing and valuable support.

REVIEW OF ACHIEVEMENTS AND PERFORMANCE FOR THE YEAR

Operational performance of the School

The School had a number of individual successes at 'A' Level and GCSE. Overall the public examination results were pleasing, with 53% of students achieving A, B or C at A level and 77% A*-C at GCSE, representing a significant improvement from the previous year. The Board recognises the continued commitment of staff and students to reach their individual potential.

During the year recommendations by the Carbon Trust, reported previously, are continuing to be implemented.

Fundraising Performance

The School has no target for fundraising. As has been mentioned above, the Parent Teacher Association does raise funds for the School. The Board keeps under review the School's ability and need for fund raising. The school acknowledges the generosity of parents and friends in the past, which has enabled the school to develop.

Investment Performance

Investments are with major UK clearing banks. The returns were in line with the base rate.

FINANCIAL REVIEW AND RESULTS FOR THE YEAR

The Directors are unhappy to report an overall Net Loss of £45k for the year. This loss is despite other income being received of £31k in the year. This was in line with the expected outcome for the year. Despite the loss for the year free reserves have increased to £486k due to changes in working capital. The level of reserves is reviewed annually and previously the board considered a level, equivalent to nearly one term's expenditure, adequate to maintain existing activities. The free reserves are now substantially below this level. The Company's principal funding source is that of school fees, it does not have any Advance Fee Payments (Composition) Schemes.

Investment Policy and Objectives

There are no restrictions on the Company's absolute powers of investment. The Board's policy continues to be, that as reserves are for working capital and short-term contingencies they should be held on deposit with not less than 80% to be with the major UK clearing banks. The returns are to be in line with the base rate.

FUTURE PLANS

Our key objective remains the same as reported above for this year.

The Board is and will continue to keep the financial position of the School under review with the aim to provide funds for its long-term development.

The Board's short to medium term plans are for continued upgrading of facilities, and an accommodation block. The all weather pitch is proving to be a considerable asset, which enables our students to play games more regularly.

AUDITORS

In accordance with Section 43 of the Charities Act 1993, a resolution proposing the reappointment O'Reilly as auditors to the Company will be put to the annual general meeting.

Approved by the Board of Directors at its meeting on 28/11/09
and signed on its behalf by:-



Dr J Rutherford

Chair

FYLING HALL SCHOOL TRUST LIMITED

Statement of Directors' Responsibilities

The directors are responsible for preparing the Directors' Report and the financial statements in accordance with applicable law and United Kingdom Accounting Standards (United Kingdom Generally Accepted Accounting Practice).

Company law requires the Directors to prepare financial statements for each financial year which give a true and fair view of the state of affairs of the charitable company and of the incoming resources and application of resources, including the income and expenditure, of the charitable company for that period.

In preparing these financial statements the Directors are required to:

- Select suitable accounting policies and then apply them consistently;
- Observe the methods and principles in the Charities SORP
- Make judgements and estimates that are reasonable and prudent;
- State whether applicable UK Accounting Standards have been followed, subject to any material departures disclosed and explained in the financial statements; and
- Prepare the financial statements on the going concern basis unless it is inappropriate to presume that the charitable company will continue in business.

The Directors are responsible for keeping proper accounting records that disclose with reasonable accuracy at any time the financial position of the charitable company and enable them to ensure that the financial statements comply with the Companies Act 2006. They are also responsible for safeguarding the assets of the charitable company and hence for taking reasonable steps for the prevention and detection of fraud and other irregularities.

Statement of disclosure to auditor

- so far as the directors are aware, there is no relevant audit information of which the charitable company's auditors are unaware, and
- they have taken all the steps that they ought to have taken as directors in order to make themselves aware of any relevant audit information and to establish that the company's auditors are aware of that information.

INDEPENDENT AUDITORS' REPORT TO THE TRUSTEES OF FYLING HALL SCHOOL TRUST LIMITED

The report is issued in respect of an audit carried out under section 43 of the Charities Act 1993 as amended.

We have audited the accounts of Fyling Hall School Trust Limited for the year ended 31 August 2009 set out on pages 8 to 14. These financial statements have been prepared under the historical cost convention and the accounting policies set out therein.

This report is made solely to the charity's trustees, as a body, in accordance with Section 43 of the Charities Act 1993. Our audit work has been undertaken so that we might state to the charity's trustees those matters we are required to state to them in an auditor's report and for no other purpose. To the fullest extent permitted by law, we do not accept or assume responsibility to anyone other than the charity and the charity's trustees as a body, for our audit work, for this report, or for the opinions we have formed.

Respective responsibilities of trustees and auditors

The trustees' (who are also the directors of the company for the purposes of the company law) responsibilities for preparing the Annual Report and the financial statements in accordance with applicable law and United Kingdom Accounting Standards (United Kingdom Generally Accepted Accounting Practice) and for being satisfied that the charity's financial statements give a true and fair view are set out in the Statement of Trustees' Responsibilities.

We have been appointed as auditors under section 43 of the Charities Act 1993 as amended and report in accordance with regulations made under section 44 of that Act. Our responsibility is to audit the financial statements in accordance with relevant legal and regulatory requirements and International Standards on Auditing (UK and Ireland).

We report to you our opinion as to whether the financial statements give a true and fair view and are properly prepared in accordance with the relevant financial reporting framework and are properly prepared in accordance with the Companies Act 2006.

In addition we report to you if, in our opinion, the charity has not kept sufficient accounting records or if the statement of account does not accord with those records or if we have not received all the information and explanations we require for our audit.

We read the Directors' Report and consider the implications for our report if we become aware of any apparent misstatements within it.

Basis of opinion

We conducted our audit in accordance with International Standards on Auditing (UK and Ireland) issued by the Auditing Practices Board. An audit includes examination, on a test basis, of evidence relevant to the amounts and disclosures in the financial statements. It also includes an assessment of the significant estimates and judgements made by the trustees in the preparation of the financial statements, and of whether the accounting policies are appropriate to the charity's circumstances, consistently applied and adequately disclosed.

**INDEPENDENT AUDITORS' REPORT TO THE MEMBERS OF
FYLING HALL SCHOOL TRUST LIMITED (Continued)**

We planned and performed our audit so as to obtain all the information and explanations which we considered necessary in order to provide us with sufficient evidence to give reasonable assurance that the financial statements are free from material misstatement, whether caused by fraud or other irregularity or error. In forming our opinion we also evaluated the overall adequacy of the presentation of information in the financial statements.

Opinion

In our opinion:

- the financial statements give a true and fair view of the state of the charity's affairs as at 31 August 2009 and of its incoming resources and application of resources, including its income and expenditure, for the year then ended;
- the financial statements have been properly prepared in accordance with United Kingdom Generally Accepted Accounting Practice; and
- the financial statements have been prepared in accordance with the Companies Act 2006.



Mr Gary Ritzema (Senior Statutory Auditor)
for and on behalf of O'Reilly, Chartered Accountants

28/11/09
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Ullswater House
Duke Street
Penrith
Cumbria
CA11 7LY

FYLING HALL SCHOOL TRUST LIMITED

<u>Income & Expenditure Account</u>		<u>2009</u>		<u>2008</u>	
	Notes	Unrestricted Funds <u>£000</u>	Restricted Funds <u>£000</u>	Total Funds <u>£000</u>	Total Funds <u>£000</u>
Incoming Resources:					
Income from Charitable Activities					
School Fees Receivable		1,749	-	1,749	1,730
Income from generated funds					
Grants and Donations	2	-	-	-	42
Activities for generating funds:					
Rents and Lettings		17	-	17	73
Investment Income		<u>14</u>	<u>-</u>	<u>14</u>	<u>36</u>
		<u>1,780</u>	<u>-</u>	<u>1,780</u>	<u>1,881</u>
Resources Expended					
Charitable Activities:					
School Operating Costs		1,786	6	1,792	1,887
Governance Costs		<u>19</u>	<u>-</u>	<u>19</u>	<u>25</u>
Total Resources Expended		<u>1,805</u>	<u>6</u>	<u>1,811</u>	<u>1,956</u>
Net Incoming/(Expended)					
Resources/Net Movement in Funds		(25)	(6)	(31)	(75)
for the year/Net					
income(expenditure) for year					
Funds b/f 1 September 2008		<u>868</u>	<u>54</u>	<u>922</u>	<u>997</u>
Funds c/f 31 August 2009		<u>843</u>	<u>48</u>	<u>891</u>	<u>922</u>

Continuing operations

None of the Company's activities were acquired or discontinued during the above two financial years.

Total recognised gains and losses

There were no recognised gains or losses other than the loss or profit for the above two financial years.

The notes on pages 11 to 15 form part of these accounts.

FYLING HALL SCHOOL TRUST LIMITED

Balance Sheet as at 31 August 2009

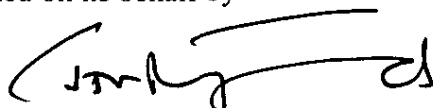
	<u>Notes</u>	<u>2009</u>	<u>2008</u>
		<u>£000</u>	<u>£000</u>
Fixed Assets			
Tangible assets			
School land, buildings and equipment	6	405	425
Investment assets	7	<u>345</u>	<u>379</u>
		<u>750</u>	<u>804</u>
Current Assets			
Stock		5	5
Debtors	8	77	121
Cash		<u>241</u>	<u>118</u>
		323	244
Current Liabilities			
Creditors: Due within one year	9	<u>182</u>	<u>126</u>
Net Current Assets		<u>141</u>	<u>118</u>
Total Assets Less Current Liabilities – Net Assets		<u>891</u>	<u>922</u>
 Unrestricted Funds		 843	 868
Restricted Funds		<u>48</u>	<u>54</u>
 Total Funds		 <u>891</u>	 <u>922</u>

For the year ending 31st August 2009 the company was entitled to exemption from audit under section 477 of the Companies Act 2006 relating to small companies.

- The members have not required the company to obtain an audit of its accounts for the year in question in accordance with section 476
- The directors acknowledge their responsibilities for complying with the requirements of the Act with respect to accounting records and the preparation of accounts.

These accounts have been prepared in accordance with the provisions applicable to companies subject to the small companies' regime.

Approved by the Board on 28/11/09
and signed on its behalf by



Dr J Rutherford, Chair

Company Number 01377607

The notes on pages 11 to 15 form part of these accounts.

FYLING HALL SCHOOL TRUST LIMITED

Notes to the Accounts

For the year ended 31 August 2009

1. Accounting Policies

a) Basis of Preparation

The accounts are prepared under the Companies Act 2006, on the historical cost convention, and in accordance with applicable accounting standards and the Statement of Recommended Practice on Accounting and Reporting by charities: the Charities SORP 2005, as modified by the Financial Reporting Standard for Smaller Entities.

b) Tangible Fixed Assets

Depreciation is provided on all tangible fixed assets retained for use by the school at rates calculated to spread each asset's cost, less its estimated residual value evenly over its expected useful economic life, which for each class of assets is initially assessed as averaging.

Leasehold buildings	- over the term of the lease
Motor vehicles	- 25% per annum reducing balance
Equipment, fixtures, fittings	- 10% per annum reducing balance
Astro-Turf Pitch	- over the term of the lease

Items costing less than £5,000 are written off as an expense as acquired.

c) Fees

Fees consist of charges billed for the school year ending 31 August, less bursaries and allowances. Fees received for education to be provided in future years are carried forward as deferred income.

d) Direct and Overhead Expenditure

Expenditure is summarised under functional headings either on a direct cost basis or, for overhead costs, apportioned according to management estimates of staff time spent. The irrecoverable element of VAT is included with the item of expense to which it relates.

e) Teaching Material

Supplies of games equipment, books, stationery and sundry materials are written off to the General Revenue Account as soon as the expenditure on procuring them is incurred.

FYLING HALL SCHOOL TRUST LIMITED

Notes to the Accounts

For the year ended 31 August 2009

f) Pension Schemes

The school contributes to the Teachers Pension Defined Benefits Scheme at rates set by the Scheme Actuary and advised to the School by the scheme administrator. The scheme is a multi-employer pension scheme and it is not possible to identify the assets and liabilities of the Scheme which are attributable to the Charity. In accordance with FRS17, the Scheme is accounted for as a defined contribution Scheme and contributions are accounted for when advised as due by the Scheme Administrator.

g) Cash Flow Statement

The Company qualifies as a small company and as such is exempt from the requirements to prepare a cash flow statement under FRS1 (revised) Cash Flow Statement.

i) Operating Leases

Rentals due under operating leases are charged to the Income and Expenditure Account on a straight line basis over the term of the lease.

j) Funds

Unrestricted funds are those where the donor has placed no restrictions upon specific spending of the funds received. Restricted funds are those funds where the income is received for a specific purpose, as set out by the donor.

Restricted funds have arisen due to government grants and fund raising activities to enable the school to lay an astro turf pitch.

2	<u>Grants & Donations</u>	<u>2009</u>	<u>2008</u>
		<u>£000</u>	<u>£000</u>
	Astro-turf appeal	-	<u>42</u>

FYLING HALL SCHOOL TRUST LIMITED

Notes to the Accounts

For the year ended 31 August 2009

3	<u>Staff Costs</u>	<u>2009</u>	<u>2008</u>
		<u>£000</u>	<u>£000</u>
	Salaries	1,057	1,067
	Social Security Costs	81	79
	Pension Contributions	71	67
		<u>1,209</u>	<u>1,213</u>

The average number of employees in the year was:	<u>2009</u>	<u>2008</u>
	<u>No.</u>	<u>No.</u>
Teaching (full-time equivalents)	34.5	34.5
Domestic	20.5	21.5
Administrative	3	3
	<u>58</u>	<u>59</u>
Total number of higher paid employees in each £10,000 band of emoluments from £60,000 upwards:	<u>Nil</u>	<u>Nil</u>

4 Transactions with related parties

The Directors of the Company are also trustees and governors. They are unpaid and thus have been excluded from the average number of employees. Expenses of £1,317 were reimbursed to Directors (2008: £2,701). There is a block policy for professional indemnity insurance in respect of all employees, including the trustees. As the cost of the policy is based on the payroll amount and the trustees are unpaid, no amount has been allocated to the trustees.

5. (a) Expenditure – Analysis of Total Resources Expended

	<u>Staff Costs</u>	<u>Other</u>	<u>Depreciation</u>	<u>Total</u>
	<u>£000</u>	<u>£000</u>	<u>£000</u>	<u>£000</u>
<u>Charitable Activities:</u>				
School operating costs:				
Teaching costs	865	117	9	991
Welfare costs	187	104	-	291
Premises	81	231	70	382
Support costs for schooling	66	62	-	128
	<u>1,199</u>	<u>514</u>	<u>79</u>	<u>1,792</u>
Governance costs	10	9	-	19
	<u>1,209</u>	<u>523</u>	<u>79</u>	<u>1,811</u>

5. (b) Expenditure – Other Disclosures

	<u>2009</u>	<u>2008</u>
	<u>£000</u>	<u>£000</u>

Governance Costs include:

Auditor's remuneration:	For audit	5	5
	For other services	<u>4</u>	<u>8</u>

FYLING HALL SCHOOL TRUST LIMITED

Notes to the Accounts

For the year ended 31 August 2009

6. Tangible Fixed Assets

	Short-Term Leasehold Land & Buildings	Astro Turf	Fixtures Fittings & Equipment	Motor Vehicles	Total
<u>Cost</u>					
1 st September 2008	1,011	197	77	31	1,316
Additions	42	5	12	-	59
Disposals	-	-	-	-	-
31 st August 2009	<u>1,053</u>	<u>202</u>	<u>89</u>	<u>31</u>	<u>1,375</u>
<u>Depreciation</u>					
1 st September 2008	810	28	38	15	891
Charge for year	41	29	5	4	79
Eliminated on disposal	-	-	-	-	-
31 st August 2009	<u>851</u>	<u>57</u>	<u>43</u>	<u>19</u>	<u>970</u>
<u>Net Book Value</u>					
31 st August 2009	<u>202</u>	<u>145</u>	<u>46</u>	<u>12</u>	<u>405</u>
31 st August 2008	<u>201</u>	<u>169</u>	<u>39</u>	<u>16</u>	<u>425</u>

7.	<u>Investments</u>	<u>2009</u>	<u>2008</u>
		<u>£000</u>	<u>£000</u>
	Cash held for investment at 1 September 2008	379	357
	Net increase/ (decrease)	<u>(34)</u>	<u>22</u>
	Cash held for investment at 31 August 2009	<u>345</u>	<u>379</u>
8.	<u>Debtors</u>	<u>2009</u>	<u>2008</u>
		<u>£000</u>	<u>£000</u>
	Fees	34	27
	Other Debtors	8	59
	Prepayments	<u>35</u>	<u>35</u>
		<u>77</u>	<u>121</u>
9.	<u>Creditors: due within one year</u>	<u>2009</u>	<u>2008</u>
		<u>£000</u>	<u>£000</u>
	Trade Creditors	5	18
	Other Taxes & Social Security	25	23
	Accruals and Deferred Income	<u>152</u>	<u>85</u>
		<u>182</u>	<u>126</u>

FYLING HALL SCHOOL TRUST LIMITED

Notes to the Accounts

For the year ended 31 August 2009

10. Contracts and Commitments

Capital expenditure, in relation to an Astro turf pitch, contracted for at 31 August 2009 was £5,369 (2008 – £nil).

11. Operating Lease Commitments

At 31 August 2009 the Company was committed to making the following annual payments in respect of operating leases:

	<u>Land and Buildings</u> £000
Leases which expire:	
After 5 years	<u>34</u>

12. Teachers Pension Scheme

The Company participates in a multi employer defined benefits pension scheme, the Teachers Pension Scheme (England and Wales) ('the scheme') for its teaching staff. As a result it is not possible or appropriate to identify the assets and liabilities of the scheme which are attributable to the Company.

In accordance with the Teachers Pension (Amendment) Regulations based on the latest actuarial valuation of the scheme issued in March 2003, the scheme has been attributed with notional assets equal to the actuarial value of the scheme liabilities as at 31st March 2001.

Following this valuation the standard contribution rate was revised from 14.35% to 19.5% from 1st April 2003, 6% to be paid by the teachers and the remaining 13.5% borne by the company.(currently teachers 6.4% and the Company 14.1%)

The superannuation charge represents contributions payable to the fund of £70k (2008: £67k).

There is also a Stakeholder Pension Scheme in place, but to date no employee has elected to join the scheme.