

Inverness Royal Academy Endowments Trust Scheme 2024

Highland Council Charitable Trusts

Scottish Charity Number SCO25079

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Preamble

Pursuant to The Charities and Trustee Investment Act 2005, Section 43, where educational endowments (that are also charities) now come under the provisions of the act, superseding previous legislation, The Highland Council, as the local education authority, have prepared the following scheme for the reorganisation of the Inverness Royal Academy endowments.

Given the significant capital funds held within the endowment trust, and the need to ensure that there is efficient and good governance, it is appropriate that this endowment trust scheme is incorporated into The Highland Council Charitable Trusts registered with The Office of The Scottish Charity Regulator, SC025079. It shall continue to be governed by this and any subsequent updated trust scheme, which is approved by the elected members of The Highland Council, in their capacity as trustees.

The first known reference to endowments related to Inverness Royal Academy was on 6th March 1793. Over time a number of other endowments were added to the scheme. On 28th August 1907, the Inverness Royal Academy Order Confirmation Act 1907 was passed, where the amalgamated endowments became the responsibility of the School Board of the Burgh of Inverness. The trust scheme was further revised as Inverness Royal Academy Endowments Scheme 1960.

This scheme is updated to reflect changing legislation and expectations of governance. It reflects the requirements of the Public Sector Equality Duty under Section 149 of the Equality Act 2010, the Fairer Scotland Duty (2018) under the Equality Act and The Islands (Scotland) Act 2018. In addition, the scheme, through impact assessments, considered the needs of mainland rural communities, data protection and requirements under Human Rights, United Nations Convention on the Rights of the Child (UNCRC) and climate change.

Having considered the above requirements, this new scheme has modernised the language of the previous scheme, reflects a more multi-cultural and diverse Highland community, whilst seeking to ensure that children and young people continue to benefit from the original intentions of the bequests within a modern context.

This trust scheme covers Inverness Royal Academy, its pupils and former pupils.

In the financial year 2024-2025, the capital sum invested by the trustees is in the region of £575,000. The revenue income is in the region of £30,000. There are also investments with a current value of some £370,000.

1. Administrative Arrangements

Business Arrangements

1. The Highland Council shall continue to be the governing body of the trust. It delegates its powers, in relation to the trust, to an appropriate committee.
2. The committee, under The Scheme of Delegation and Administration to Committees and Sub-Committees and to Officers (2023), has the authority to allocate and monitor expenditure from any agreed and delegated localised funds (2.9)
3. The day-to-day business of the trust may be undertaken by an officer of The Highland Council, who shall provide an annual report to the appropriate committee of The Highland Council. This officer is currently the area education and learning manager.
4. As trustees, it shall be in the power of The Highland Council to make such rules and standing orders as they think fit under this scheme, provided that the said rules and standing orders shall not be inconsistent with the provisions of the scheme.

2. Conditions of Awards

1. When awarding scholarships, grants or other assistance under the scheme, The Highland Council:
 - a. may consider by such means as they think fit, the attainment, merit and promise of each candidate making an application,
 - b. may have regard to the financial and other circumstances of each candidate and to the expenses likely to be incurred by the candidate and may take account of any other bursaries or grants awarded to the candidate,
 - c. may consider by such means as they think fit, the merit and standing of any club, institution or organisation making an application and
2. Each scholarship or grant shall be tenable for one year The Highland Council may extend the period of tenure from year to year, if they are satisfied with the progress being made by the holder of the award for the duration of their course.

3. Powers of Investment and Administration

1. The Highland Council shall have all the relevant powers competent under the laws of Scotland to financially manage the fund and any property or assets of the trust. This includes financial investments, purchase, lease, sale, or inheritance of property.

4. Additional Donations

1. The Highland Council may receive donations, legacies, annuities, subscriptions, and other gifts for this scheme. These shall be used according to the donors' instructions. If no instructions are given, The Highland Council will allocate the donations to the trust's capital, income, or both as they see fit.

5. Capital Expenditure

1. Where The Highland Council incur capital expenditure under the approved plan, they may borrow or make drafts upon the capital. The loan shall be repaid in equal instalments annually over a period not exceeding forty years. Drafts shall similarly be repaid, unless sums added to the capital exceed the amount of the draft.

6. Redemption of Periodical Payments

1. Where annual or other periodical payment is made to The Highland Council under any deed of mortification or other instrument under this scheme, the council may agree with a debtor a suitable single payment, as long as the sum, when invested, generates equivalent annual income.

7. Variation of Preferences

1. If the amount between the trust's income and the sums in the approved plan changes significantly, The Highland Council may adjust the sums in the plan to reflect the available balance of free income.

8. Application of Income

1. The Highland Council after paying the expenses of the scheme and the necessary expenses of management, burdens and taxes affecting the trust shall in each financial year:
 - i. Pay interest on money borrowed for the purposes of the approved plan.
 - ii. Set aside sums required for loan repayment or to replace drafts upon the capital.
 - iii. Apply as nearly as possible the whole of the free income of the trust, including any balance carried forward from the previous financial year, in conformity with the plans to be approved from time to time in accordance with Section 9 (2-4) of the scheme, provided that no expenditure shall be incurred under an approved plan in relief of expenditure which would in the absence of the endowment ordinarily be incurred from any other fund.
 - iv. Pay the prizes to be awarded in Section 9 (1).
 - v. Apply the balance of any free income in conformity with the approved plan as per Section 9 (2-4).
 - vi. Where a listed category in the approved plan receives no application, up to the maximum sum for that category may be transferred in that financial year to another category or categories with multiple applications.
 - vii. If at the end of any financial year, there is an unexpended balance of income, The Highland Council may carry up to £10000 to the following

financial year or to add the balance (full or part) to the capital of the trust.

9. Purposes of the Trust

Prizes

1. The Highland Council shall award annually the prizes as described in the Second Schedule.
 - i. Where the prize is in the form of a medal or any other specific form, it shall be in the power of The Highland Council to substitute such form of award as they think fit up to the value described. This decision may be delegated in the plan to the headteacher.

Submission and Approval of Plan

2. A plan shall be drawn up in the format of the Third Schedule.
3. The Highland Council may, at any time, require a revision or amendment to the plan.
4. The Highland Council may approve, with or without changes, any plan or amendment submitted under this section and must then implement it as approved.

Post-graduate Scholarships

5. Where provision is made, The Highland Council may annually award scholarships, up to the maximum amount specified in part 1 of the plan, for research or advanced study to high-achieving graduates in need of financial aid.
6. Each candidate shall submit for approval a programme of work or study.
7. Each scholarship shall be tenable for one year and The Highland Council may extend the period of tenure from year to year on being satisfied with the progress made by the holder of the scholarship.
8. The annual value of the scholarship shall be such as The Highland Council may fix having regard to the financial circumstances of the holder (including any other bursaries or grants paid) and to the likely expenses to be incurred.
9. Scholarships are available to those under the age of twenty five years.

Supplementary Bursaries

10. Where provision is made, The Highland Council may annually award supplementary bursaries, up to the maximum amount specified in part 1 of the plan to
 - i. former pupils of Inverness Royal Academy who are about to enter or are in attendance at a university or college and who, in the opinion of the council, merit an award.
11. Each supplementary bursary shall be tenable for one year and The Highland Council may extend the period of tenure from year to year on being satisfied with the progress made by the holder of the scholarship.

12. The annual value of the supplementary bursary shall be such as The Highland Council may fix having regard to the financial circumstances of the holder (including any other bursaries or grants paid) and to the likely expenses to be incurred.
13. Supplementary bursaries are available to those under the age of twenty five years.

Student Apprentices

14. Where provision is made, The Highland Council may annually award grants, up to the maximum amount specified in part 1 of the plan, to support individuals serving apprenticeships and attending classes at a Scottish university or institution, who need financial assistance for their living expenses. The council will consider the applicant's diligence, achievement, potential, and financial circumstances, including any other bursaries or grants received.
15. Assistance is available to those under the age of twenty five years.

Travel Scholarships

16. Where provision is made, The Highland Council may annually award grants, up to the maximum amount specified in part 1 of the plan, to support individuals needing financial aid for travel outside Scotland to attend university, college, or other institutions. This aid covers fees, books, or instruments. The council considers the applicant's diligence, achievement, potential, and financial circumstances, including other bursaries or grants received.
17. Assistance is available to those under the age of twenty five years.

Travel Grants

18. Where provision is made, The Highland Council may annually award grants, up to the maximum specified in part 1 of the plan, for educational travel within and outside the UK. Applicants must provide details of the travel purpose, destinations, and expected duration. The council considers the applicant's diligence, achievement, potential, and financial circumstances, including other bursaries or grants received.
19. Assistance is available to those under the age of twenty five years.

Educational Excursions

20. Where provision is made, The Highland Council may annually award grants, up to the maximum specified in part 1 of the plan, to support educational excursions within the UK or abroad for pupils attending schools.

Educational Travel

21. Where provision is made, The Highland Council may annually award grants, up to the maximum specified in part 1 of the plan, to support secondary school pupils or approved

youth organisation members attending educational trips within the UK or abroad as part of a recognised group.

22. Assistance is available to those under the age of twenty five years.

Sports Facilities

23. Where provision is made, The Highland Council may annually award grants, up to the maximum specified in part 1 of the plan, to:

- i. provide and maintain playing fields, swimming pools, and sports facilities with necessary pavilions for children and young people,
- ii. cover or assist with school team travel expenses,
- iii. cover or assist with inter-school sports meeting costs and
- iv. cover or assist with the costs of sports apparatus, equipment, and clothing.

24. Where part 2 of the approved plan includes a capital grant for a financial year, The Highland Council may award the grant in that year.

Support of Clubs

25. Where provision is made, The Highland Council may annually award grants, up to the maximum specified in part 1 of the plan, to clubs, societies, and organizations engaged in educational activities. The grants shall be used for promoting educational work including:

- i. the establishment and maintenance of institutes and centres and
- ii. the provision of equipment.

26. Where part 2 of the approved plan includes a capital grant for a financial year, The Highland Council may award the grant in that year.

Promoting Education in the Visual Arts

27. Where provision is made, The Highland Council may annually award grants, up to the maximum specified in part 1 of the plan, to promote education in the visual arts by:

- i. establishing, maintaining, or supporting a collection of artworks for circulation among educational establishments,
- ii. assisting children and young people with exceptional promise in the visual arts who need financial aid for special tuition or private study, and
- iii. organising and covering or assisting with the costs of art exhibitions, lectures, and demonstrations.

28. Where part 2 of the approved plan includes a capital grant for a financial year, The Highland Council may award the grant in that year.

Promoting Education in Music

29. Where provision is made, The Highland Council may annually award grants, up to the maximum specified in part 1 of the plan, to promote education in music by

- i. establishing and supporting choirs, orchestras, bands, and instrumental groups, composed wholly or mainly of children and young people,
 - ii. assisting children and young people with exceptional promise in vocal or instrumental music who need financial aid for special tuition or private study, under conditions approved by The Highland Council and
 - iii. organising and covering or assisting with the costs of concerts, musical performances, and music lectures for the educational benefit of school pupils.
30. Where part 2 of the approved plan includes a capital grant for a financial year, The Highland Council may award the grant in that year.

Promoting Education in Drama

31. Where provision is made, The Highland Council may annually award grants, up to the maximum specified in part 1 of the plan, to promote education in drama by
- i. establishing and supporting drama groups, composed wholly or mainly of children and young people,
 - ii. assisting children and young people with exceptional promise in drama who need financial aid for special tuition or private study, under conditions approved by The Highland Council and
 - iii. organising and covering or assisting with the costs of performances, and lectures for the educational benefit of school pupils.
32. Where part 2 of the approved plan includes a capital grant for a financial year, The Highland Council may award the grant in that year.

Development and Improvement of Inverness Royal Academy Library

33. Where provision is made, The Highland Council may annually award grants, up to the maximum specified in part 1 of the plan in developing and improving the school library
- i. by making grants for any purpose in connection with the library and
 - ii. by providing for library books and other materials as they consider appropriate.
34. Where part 2 of the approved plan includes a capital grant for a financial year, The Highland Council may award the grant in that year.

Special Equipment

35. Where provision is made, The Highland Council may annually award grants, up to the maximum specified in part 1 of the plan to provide special equipment in supplement to that provided by the local authority.

10. Preferences

Payments Deemed to be for Benefit of Beneficiaries

1. In the event of The Highland Council borrowing under Section 5, the beneficiaries shall be considered to have a preference until the loan is repaid by the council to the capital.
2. In the event of The Highland Council making a draft on the capital, the whole or part of which must be replaced under Section 5, the beneficiaries shall be considered to have a preference until the draft is repaid by the council.

11. Miscellaneous Provisions

Limitation of Value of Awards

1. The value of any award made under this scheme shall not adversely affect the value of any statutory award made by the local education authority to a person.

Withdrawal of Awards

2. The Highland Council shall require the holder of any award under this scheme to make satisfactory progress in the course of study. If, in the opinion of the council, any such holder be guilty of serious misconduct or fail to make reasonable progress, the council may withdraw the award. The Highland Council's determination shall be final.

Names of Founders

3. The Highland Council shall, as far as possible, associate the names of the founders of the endowments to which this scheme relates with the awards and grants made under the scheme.

Availability of Scheme

4. The Highland Council shall ensure that the scheme is published on its website and is available to the public.

First Schedule

Particulars of Endowments

Serial No	Name of Endowment(s)	Designation of Founders	Governing Instruments
1	Anderson Prize Fund	PJ Anderson	Letter setting out trust purposes dated 16 th January 1922
2	Falconer Medal Fund	James Falconer, Island Bank	Minute of Meeting of the Directors of Inverness Royal Academy dated 4 th September 1889
3	Howden Trust	Miss Elizabeth Ponton Howden, Albyn Villa, Inverness	Howden trust Scheme 1936, approved by His Majesty King Edward VIII in Council on 27 th October 1936
4	Inverness Royal Academy Endowments Trust	Rev Andrew Bell DD, LLD of Egmore; George Duncan; Anna and Mary Ettles; Rev D Denoon; Colin Davidson; Murdoch Logan; The Laird of Mackintosh; Hector Fraser; Captain William Mackintosh of Farr; George Feddes Forbes, sometime Surgeon Major in Her Majesty's Bombay Army	Inverness Royal Academy Endowments Trust Scheme 1932, approved by His late Majesty King George V in Council on 9 th October 1933

5	George A MacDonald Prize Fund	George A MacDonald, 1906 West Seventeenth Avenue, Vancouver, British Columbia	Receipt and undertaking by the County Council of Inverness as Education Authority dated 16 th May 1957
6	Martin Medal Fund	Miss Kate G Martin, 6 Queensgate, Inverness	Letter setting out trust purposes dated 18 th December 1933

Second Schedule

Section 9 (1) Prizes

Number	Name	Number to be awarded annually	Sum to be expended	Conditions
1	Anderson Medal or Prize	1	£100	The prize shall be awarded to a pupil who has been in regular attendance at the academy for a period of not less than one year, for knowledge of the history and topography of the Highlands of Scotland, especially Inverness-shire.
2	Falconer Medal or Prize	1	£75	The prize shall be awarded for proficiency in French
3	Howden Prizes	Such number as thought fit	£500	The prizes shall be in the form of books, awarded to one pupil in each of the five houses by the headteacher.
4	George A Macdonald Prize in Chemistry or Physics	1	£1000	The prize shall be awarded to the best pupil who is proceeding to an honours degree course or its equivalent in Chemistry or Physics at a university or college in Great Britain. If The Highland Council are unable to differentiate between the candidates for the award, they shall select the best pupil on the results of a special examination. If no candidate is of sufficient attainment to merit the prize, no award shall be made and the said sum shall be applied in the award of an additional prize in the subsequent year. The headteacher will propose the name of the winning candidate.
5	Madge Martin Medal for Music	1	£80	The medal shall be awarded to the best pupil in music.
Total			1755	

Third Schedule

Section 9 (2-4) Expenditure of Free Income

Prescribed Form of Plan

Part 1

Number of Section	Rubric of Section	Maximum sum to be expended in each financial year*	Remarks
5	Post graduate scholarships		Insert opposite to each section the maximum sum, if any, which the county council propose to expend under the section in any financial year. The total in column 3 should exceed the estimated amount of the free income (including any balance carried forward from the previous financial year) available for expenditure under section 9 (1)(e) by not less than 15 percent and not more than 25 percent of the said estimated amount.
10	Supplementary bursaries for students attending universities, central institution, etc.		
14	Grants for student apprentices		
16	Travel scholarships		Sections 23-35 amounts are applied flexibly by the headteacher of the academy not exceeding the maximum combined sum of £7500, subject to annual application to, and approval by the trustees.
18	Travel grants		
20	Educational excursions		
21	Educational travel		
23	Sports facilities		
25	Support of clubs, etc.		
27	Promoting education in the visual arts		
29	Promoting education in music		
31	Promoting education in drama		

33	Development and improvement of the library		
35	Special equipment		
Total Maximum			*Subject to sufficient income

Second Schedule

Section 9 (2-4) Capital Expenditure

Prescribed Form of Plan

Part 2

Capital Grants

Number of Section	Rubric of Section	Particular purpose of grant	Amount of grant	Financial year or years in which the grant will be paid	Remarks
24	Sports facilities	Funded by the council capital programme, although consideration could be given to drawing a loan or draft from the fund. Give a brief description of the purpose of the grant. No purpose may be included unless it is a purpose to which the capital may properly be devoted. If the grant is to be given in instalments in more than one financial year, state the years.			
26	Support of clubs				
28	Promoting education in the visual arts				
30	Promoting education in music				
32	Promoting education in drama				
34	Development and improvement of the school library				