

# County of Sutherland Educational Trust Scheme 2024

HIGHLAND COUNCIL CHARITABLE TRUSTS

Scottish Charity Number SC025079

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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 education endowments of Sutherland.

The County of Sutherland Educational Trust, established 1960, brought together a number of endowments, following a previous scheme of 1935. Further amendments were made again in 1970.

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.

The scheme also amalgamates a number of bequests and endowments into the trust to ensure that there is a more efficient raising of revenue for maximising awards and to improve governance. New additions to the trust are listed in the First Schedule, items 8-12.

This 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.

This trust scheme covers the geographical areas of the old County of Sutherland.

In the financial year 2024-2025, the capital sum invested by the trustees is in the region of £114,000. The revenue income is in the region of £5,000.

# 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.
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.
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 make the following special payments:
  - 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. Expend the sum of £300 to those in need in the area covered by Durness Parish Church on or around Christmas.
  - iv. 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 (3-5) 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.
  - v. Pay the prizes to be awarded in Section 9 (1).
  - vi. Pay the sum of £600 for the promotion of Gaelic as per Section 9 (2)
  - vii. Pay the sum of £140 to defray the costs of educational excursions for pupils of Rosehall Primary School.
  - viii. Pay the sum of £50 to Helmsdale Primary School for the purchase of books or equipment.
  - ix. 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.

- x. If at the end of any financial year, there is an unexpended balance of income, The Highland Council may carry up to £10,000 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 and Special Payments

1. The Highland Council shall award annually the prizes and special payments as described in the Second Schedule.
  - i. Where a school has been closed or amalgamated with another, the prize shall transfer to the new school within the catchment area.
  - ii. 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.

### Promotion of the Study of Gaelic

2. The Highland Council shall annually pay £600 to Golspie High School for the promotion of Gaelic language.

### Submission and Approval of Plan

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

### Supplementary Bursaries

6. 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 schools who are about to enter or who attend a university or college and who, in the opinion of the council, merit an award and
  - ii. have attended school within Sutherland.
7. Each supplementary bursary shall be tenable for one year. 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 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 that may be incurred.
9. Supplementary bursaries are available to those under the age of twenty five years.

### Assistance in Obtaining Practical Experience of Trades

10. Where provision is made, The Highland Council may annually award grants, up to the maximum amount specified in part 1 of the plan, to apprentices or those in technical training to cover fees, books, tools, equipment, and other necessary expenses. They will consider the applicant's diligence, achievement, potential, and financial circumstances, including any other bursaries or grants received.
11. Assistance is available to those under the age of twenty five years.

### Student Apprentices

12. 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.
13. Assistance is available to those under the age of twenty five years.

### Travel Scholarships

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

### Travel Grants

16. 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.
17. Assistance is available to those under the age of twenty five years.

### Educational Excursions

18. 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.
19. Assistance is available to those under the age of twenty five years.

### Educational Travel

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 secondary school pupils or approved youth organisation members attending educational trips within the UK or abroad as part of a recognised group.
21. Assistance is available to those under the age of twenty five years.

### Special Equipment

22. The Highland Council may annually award grants, up to the maximum specified in part 1 of the plan, for special equipment to improve school education beyond what the council normally provides.

### 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.

### Support of Clubs

24. 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 organisations 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.

### Adult Education

25. Where provision is made The Highland Council may annually award grants, up to the maximum specified in part 1 of the plan, to promote adult education by
- i. organising or supporting lectures, covering fees, travel, and personal expenses for lecturers or instructors, and defraying other necessary costs.
  - ii. making grants to those who need financial aid to attend any institution or organised course for adult education.
    - a. The Highland Council shall have regard to the financial circumstances of the applicant (including any other bursaries or grants paid).

### Promoting Education in the Visual Arts

26. 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.

### Promoting Education in Music

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 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.

### Promoting Education in Drama

28. 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 dramatic groups, composed wholly or mainly of children and young people,
  - ii. assisting to establish and support a library of plays suitable for performance,
  - iii. assisting children and young people with exceptional promise in drama who need financial aid for special tuition or private study.

### Educational Experiments and Research

29. Where provision is made, The Highland Council may annually award grants, up to the maximum specified in part 1 of the plan, to support approved bodies and individuals conducting educational experiments and research deemed beneficial by the council for the local community.

### Preferences for Certain Beneficiaries

30. With regards to the interests previously enjoyed by the beneficiaries in the fourth schedule, the council shall, if they determine that the entire sum or a portion of it can be effectively used according to the approved plan, allocate that sum or portion for the benefit of the beneficiaries.

## 10. 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 Instrument
1	County of Sutherland Educational Trust, formed by the amalgamation of the following endowments		County of Sutherland Educational Trust Scheme 1935, approved by His Majesty King Edward VIII in Council on 28 <sup>th</sup> May, 1936  County of Sutherland Educational Trust Scheme 1960, approved by Her Majesty Queen Elizabeth’s Counsellors of State- Her Majesty Queen Elizabeth The Queen Mother and Her Royal Highness The Princess Margaret- while absent from the United Kingdom on 27 <sup>th</sup> February 1961  County of Sutherland Educational Trust (Amendment) Scheme 1970.
1a	Fraser Memorial Fund	Subscribers to the fund	
1b	Leslie’s Bequest	Hugh Leslie, Writer in Tain	
1c	Mackay’s Bursary Fund for Rogart	Donald Mackay of Hereford	
1d	Mackay’s Bursary Fund for Sutherland Technical School		
1e	Mackay’s Prize Fund for Teachers of Gaelic		
1f	Meldola Prize Fund	Professor Meldola	
1g	Munro’s Bequest	Donald Munro, Inspector of Police	
1h	Pope’s Trust	Major General George Pope, CB	

1i	Rogart Educational Association's Endowment Fund	John Mackay and Donald Mackay, both of Hereford; and subscribers to the Association	
1j	Sutherland Technical School Endowment	The Most Noble Millicent Fanny St. Clair Erskine, Duchess of Sutherland; The Most Noble Cromartie, Duke and Earl of Sutherland, KG; Andrew Carnegie LLD of Skibo Castle; and other subscribers	
2	Donald James Campbell Prize Fund	Hugh Fraser Campbell, Advocate, Aberdeen	Letter setting forth trust purposes dated 22 <sup>nd</sup> July 1920
3	John Couper Bequest	AM Couper, Esq	Minute of Meeting of Kildonan, Loth and Clyne School Management Committee dated 18 <sup>th</sup> September 1931
4	Mrs Leopold Hirsch Memorial Prize	Leopold Hirsch, Suisgill	Minute of Meeting of Kildonan School Management Committee dated 29 <sup>th</sup> September 1921
5	Littlejohn of Invercharron Gift	Alexander Littlejohn of Invercharron, JP and Deputy Lieutenant for the County of Ross and Cromarty	Deed of Gift by Alexander Littlejohn dated 16 <sup>th</sup> October 1903 and recorded in the Books of Council and Session on the 28 <sup>th</sup> October 1903
6	Frank Steven's Trust	Frank Steven, Windsor Hotel, Ness Bank, Inverness	Will dated 30 <sup>th</sup> March 1940 and recorded in the Books of Council and Session on 11 <sup>th</sup> October 1940
7	Margaret Findlay Brown Bequest	Miss Margaret Findlay Brown, 38 South Mains Road, Milngavie	Will of Miss Margaret Findlay Brown dated 12 <sup>th</sup> July 1956 and registered in the Books of Council and Session on 30 <sup>th</sup> May 1959
Endowments and Bequests Incorporated into Sutherland Educational Trust Scheme 2024			
8	Sinclair Mann Bequest	Sinclair Mann	Education Trust list (undated)
9	David Ross Bursary	Mrs Ellen Mackay or Ross 4 Haymarket Terrace Edinburgh	Will of Mrs Ellen Mackay or Ross dated 31 <sup>st</sup> July 1933 and Codicil dated 1 <sup>st</sup> November 1935

10	Eleanor Sutherland's Bequest	Mrs Eleanor Ormiston Armstrong or Sutherland Pentland View Nursing Home, Thurso	Letter setting forth trust purposes dated 19 <sup>th</sup> February 1993
11	Jessie Gordon- Melness Prize	Mrs Barbara Janet Gordon or Irvine Fairview, Gulberwick, Lerwick, Shetland	Will of Mrs Barbara Janet Gordon or Irvine with unclear date in June 1993
12	Dornoch Academy Prize Fund	Dornoch Academy- unknown subscribers	Letter from the rector to The Highland Council dated 10 <sup>th</sup> November 1999

## Second Schedule

### Prizes and Special Payments

#### Special Payments (Section 8)

Serial No	Name	Sum to be Expended Annually	Special Conditions
1	Durness and Kinlochbervie Church of Scotland	£300	For those in need- naming the County of Sutherland Educational Trust
2	Golspie High School	£600	For the promotion of Gaelic- naming the County of Sutherland Educational Trust
3	Rosehall Primary School	£140	For educational excursions- naming the County of Sutherland Educational Trust
4	Helmsdale Primary School	£50	For the purchase of books or equipment-naming the County of Sutherland Educational Trust
5	Bonar Bridge Primary School	£20	For the benefit of the community at the headteacher's discretion-naming Littlejohn of Invercharron Gift
<b>Total</b>		<b>£1110</b>	

## Prizes

Serial No	Name	Number to be awarded Annually	Sum to be Expended Annually	Beneficiaries	Special Conditions	Serial No. Relative to First Schedule
1	Donald James Campbell Prize	One	£70	Pupils attending Dornoch Academy	The prize shall be awarded to a pupil of outstanding achievement.	2
2	John Couper Prizes	-	£70	Pupils attending Golspie High School	Medals and prizes shall be awarded for proficiency in S1-S3.	3
3	Fraser Memorial Prizes	Two	£140	Pupils attending Rogart Primary School and Golspie High School	A prize of £40 shall be awarded to the most distinguished pupil at Rogart Primary School and a prize of £100 to the most distinguished pupil at Golspie High School S4-S6.	1a
4	Mrs Leopold Hirsch Memorial Prize	One	£50	Pupils attending Golspie High School	The prize shall be awarded to the best pupil who resides in the Parish of Kildonan (Helmsdale Community Council area).	4

5	Leslie Prizes	-	£120	Pupils attending schools in Dornoch	Prizes shall be awarded at the headteacher's discretion of a total value of £40 to pupils at Dornoch Primary School Prizes shall be awarded at the headteacher's discretion of a total value of £80 at Dornoch Academy.	1b
6	Meldola Badges	-	£120	Pupils attending Golspie High School	Badges shall be awarded for merit in sports and athletics.	1f
7	Sinclair Mann	One	£20	Pupils attending Golspie Primary School	Annual prize at the headteacher's discretion	8
8	Eleanor O Sutherland Fund	One	£40	Helmsdale Primary	Books or other equipment to be purchased	10
9	Jessie Gordon (Melness Prize)	One	£200	Golspie High School	Annual prize for the best all round pupil in S6.	11
10	Dornoch Academy Prize Fund	One	£100	Dornoch Academy	Annual prize at the headteacher's discretion	12
<b>Total Prizes</b>			<b>£930</b>			

Third Schedule

Prescribed Form of Plan- Expenditure of Free Income (Section 9) Part 1

Number Within Section 9	Heading	Maximum Sum to be Expended Annually*	Remarks
6-9	Supplementary Bursaries		<p>Instructions:</p> <p>Insert opposite each section the maximum sum, if any, which the Highland Council propose to expend under the section in any financial year. The total in column 3 should exceed the estimated amount of free income (including any balance carried forward from the previous financial year) available for expenditure under section 8 (1)(vii) by not less than 15 percent and not more than 25 percent of the said estimated amount.</p> <p>*Subject to sufficient income</p> <p>Where there are no applications to a particular category the up to the maximum sum may be applied to another category or categories.</p>
10-11	Student Apprentices		
12-13	Travel Scholarships		
14-15	Travel Grants		
16-17	Educational Excursions		
18-19	Educational Travel		
20	Special equipment		
21	Sports facilities		
22	Support of clubs and organisations		
23	Adult education		
24	Promoting education in drama		
25	Promoting education in music		
26	Promoting education in visual arts		
27	Educational experiments and research		
<b>Total</b>			

Prescribed Form of Plan- Expenditure of Free Income (Section 9) Part 2: Capital Grants

Number Within Section 9	Heading	Particular Purpose of Grant	Amount of Grant	Financial Year(s) in which Grant will be Paid	Remarks
21	Sports facilities				Give a brief description of the grant. No purpose may be included unless it is a purpose to which capital may be properly devoted. If the grant is to be given in more than one financial year, state the years.
22	Support of clubs and organisations				
24	Promoting education in drama				
25	Promoting education in music				
26	Promoting education in visual arts				
27	Educational experiments and research				
<b>Total Amount</b>					

## Fourth Schedule

### Preferences

Serial Number	Beneficiaries	Amount of Preference*	Endowments	Remarks
1	Persons belonging to Bonar Bridge	£20	Littlejohn of Invercharron Gift	For the benefit of persons belonging to Bonar Bridge at the headteacher's discretion
2	Persons belonging to the Parish of Durness	£800	Patrick Campbell Bequest	For educational excursions North West Sutherland Schools
3	Pupils attending schools in the Parish of Durness	£250		
4	Pupils and former pupils of Golspie High School who can speak, read and write Gaelic	£250	Mackay's Bursary Fund for Sutherland Technical School	For the promotion of clubs
5	Persons belonging to the Parish of Kildonan	£100	Pope's Trust	For educational excursions Helmsdale Primary School
6	Persons belonging to the Parish of Rogart	£200	Rogart Educational Association's Endowments	For educational excursions Rogart Primary School
7	Persons belonging to the Parish of Rogart who can speak, read and write Gaelic	£100	Mackay's Bursary Fund for Rogart	For the promotion of clubs
8	Pupils and former pupils of Strathy Primary School	£600	Frank Steven's Trust	For educational excursions North Coast Campus
9	Persons belong to the County of Sutherland who can speak, read and write Gaelic	£600	Mackay's Bursary Fund for Sutherland	For the promotion of clubs
10	Persons belonging to the Skerray District of the Parish of Tongue	£100	Donald Munro Bequest	For educational excursions North Coast Campus
11	Persons of Highland birth who belong to Sutherland	£50	David Ross Bursary Fund	For attendance at a Scottish university
<b>Total Amount of Preferences</b>		<b>£3070</b>		

\*Subject to sufficient income. Where income changes significantly, a percentage calculation shall be applied.