

BWHS Shareholding Membership Policy

Version:	1	<u>2</u>	3	4	5	6	7	8	9	Document Reference:		
Lead Officer:	Company Secretary											
Approved by:	BWHS Board								Approval Date:	25/03/2021		
Supersedes:	Version approved 22/05/2017								Review Date:	25/03/2024		
Document Tags:	BWHS, SHAREHOLDER, POLICY, NEW TENANT											
Standard Letters:	Reference:				Standard Forms:				Reference:			
N/A	N/A				Shareholder Application Form				BWHS-01			

Version	Date Issued	Originator/Modified by	Reason(s) for Change
1	25/03/2021	Assistant Company Secretary	Review & requirement to publish policy on the BVT website
2			
3			
4			
5			
6			
7			
8			
9			

1. POLICY AIM

- 1.1. The Board is required by the association's Governing Document to have a policy and objectives for the admittance of new shareholders. Any new shareholders can only be admitted by the Board in accordance with the approved policy.
- 1.2. This Shareholder Policy should be read in conjunction with the Rules of the association. All shareholders are bound by the obligations set out in the Rules and must act at all times in the best interests of the Society, for the benefit of the community as guardians of the objects of the association.

2. SCOPE

- 2.1. A shareholder of the association is a person or body whose name and address is entered in the register of shareholders.
- 2.2. The Parent shall be a shareholder.
- 2.3. A shareholder can be the nominee of an unincorporated body.
- 2.4. A corporate body can be a shareholder. It can appoint an individual to exercise its rights at general meetings. Any such appointment shall be in writing, and given to the secretary.
- 2.5. The following cannot be shareholders:
 - a minor;
 - a person who has been expelled as a shareholder, unless authorised by special resolution at a general meeting;
 - an employee of the association or an employee of any other body whose accounts must be consolidated with those of the association.
- 2.6. No shareholder shall hold more than one share and each share shall carry only one vote.
- 2.7. A share cannot be held jointly unless by nominees of an unincorporated body.
- 2.8. A shareholder shall cease to be a shareholder if:
 - they die; or
 - they are expelled under rule C15 (except for the Parent, which may not be expelled); or
 - they withdraw from the association by giving one month's notice to the secretary; or
 - they do not participate in, nor deliver written apologies in advance to, a general meeting of the association in the period starting with one annual general meeting up to and including

the next annual general meeting. **N.B.** However the Board wishes to maximise the shareholding of stakeholders, in particular tenants and therefore this policy allows for automatic re-admission on to the register to those falling into this category; or

- in the case of a body corporate it ceases to be a body corporate; or
- in the case of the nominee of an unincorporated body, they transfer their share to another nominee of that body; or
- in the case of a tenant who is a shareholder, they cease to be a tenant of the association.

3. RELATED DOCUMENTATION

- BWHS Model Rules (Governing Document)
- BVT Probity Policy
- BWHS Application to Become Shareholder Form

4. COMPLIANCE

- 4.1. The BWHS Shareholder Policy reflects and complies with the provisions contained in the association's governing document and in turn ensures compliance with;
- The Regulatory Governance & Financial Viability Standard which stipulates; *'Governance arrangements shall ensure registered providers: comply with their governing documents and all regulatory requirements'*; and
 - the Co-operative & Community Benefit Societies Act 2014.

5. BACKGROUND/CONTEXT

- 5.1. The objective of the policy is to encourage persons individually or as representatives of corporate or unincorporated bodies to apply to become shareholders.
- 5.2. Bournville Village Trust ("the Parent") currently exercises its rights of appointment under D3 of the Rules whereby the Parent is entitled to appoint from time to time all board members; any board member appointed by the Parent shall be a Parental Appointee.
- 5.3. However, if Rule D3 is not exercised the Board is elected from shareholders through a process of nomination and it is therefore important that the Shareholder Policy allows applicants to demonstrate their reasons and qualifications for applying to become a shareholder. Recruitment of shareholders to Board vacancies will be open and transparent, based on objective selection and assessment techniques.

6. POLICY DETAIL

Application to become a shareholder

- 6.1. Applicants must complete an **Application to become a shareholder form (Appendix 1)**. Application forms are made available to new tenants at the time of sign up. All other applicants can request a copy of the form from the association's secretary.
- 6.2. The applicant will be required to make a payment of £1 for one share on application, which will be refunded if their application is not successful.
- 6.3. Each application will be considered at a Board meeting having due regard to the skills, qualities and experience an applicant will bring to the society and to the applicant's interest in their community. Conflicts of interest will also be taken into account.
- 6.4. The Board has absolute discretion in deciding whether to accept or reject an application but will remain transparent throughout the decision making process. This decision may be delegated to Officers by approval of the Board.
- 6.5. Applicants are informed of the outcome of their application within 10 working days. In instances where an application is refused, the reasons for the refusal will be given and the applicant will not be allowed to re-apply for consideration until a period of twelve months has elapsed.
- 6.6. If approved, the name of the applicant will be entered on to the register of shareholders kept by the association's Secretary. One share in the society and a copy of the society's rules will be issued to the applicant.

7. DATA PROTECTION STATEMENT

Bournville Village Trust manages all of the data referred to in this policy in accordance with the General Data Protection Regulations 2018. For more information on how we handle information, please see the Data Protection Policy and further documents contained within our Personal Information Management System.