



## What is Birchwood Community Academy Trust?

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### A company limited by guarantee

We are a company limited by guarantee and registered with Companies House. Our registration number is 08426967 (England and Wales). This structure is widely used in the not-for-profit sector. It means we don't have shares and don't make profits. Instead of shareholders we have members. Each member guarantees to contribute a maximum of £10 in the event of the company having to be wound up.

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### An exempt charity

Although we are a charity, as an academy trust we are exempt from having to register with the Charity Commission. We do not have a registered charity number. Instead we are regulated by the Education Funding Agency.

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## Who runs the Birchwood Community Academy Trust?

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### Members

As an academy trust, we do not have shareholders. Instead we have **members**. The role of members is similar to that of shareholders in a limited company. A key difference is that members of an academy trust do not have rights of ownership in the company like shareholders would in a limited company. Money from the company cannot be distributed to them like it can be to shareholders in a limited company. Members appoint and can remove **governors** by a vote passed by a simple majority of members. A list of our members is in the Our Governors section of the website.

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### Governors/Directors/Trustees

We still refer to our governing body as **governors**. However, they have different roles and responsibilities in an academy trust. All governors are **directors** of the charitable company for the purposes of the Companies Act 2006 and **trustees** for the purposes of charities legislation. A list of our governors is in the Our Governors section of the website.

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### Headteacher

The Headteacher is responsible for the day-to-day running of the school and is accountable to the governors/directors/trustees.

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## What are the academy trust's governing documents?

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### Articles of Association

This document set out the rules by which the academy trust is governed. A copy of the academy trust's articles of association is available in the Our Governors section of the website.

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### Funding Agreement

A funding agreement must be in place in order for the Department for Education to fund an academy trust. This is an agreement between the academy trust and the Secretary of State for Education which sets out a framework in which an academy trust must operate. A copy of the academy trust's funding agreement is available in the Our Governors section of the website.

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