

Membership Policy

Policy Valid From	25 May 2018
Last Review date	20 March 2018
Next Review Date	10 March 2021

MEMBERSHIP POLICY

1. **AIMS**

- 1.1. To ensure for the Association a broadly based membership rendering the Association accountable to Berwickshire residents.
- 1.2. To develop a reserve of people with a range of skills and interests and able to take up the responsibilities of membership of the Trustees.
- 1.3. To make clear and accountable the basis upon which applications for membership will be considered by the Trustees.

2. **RECRUITMENT**

- 2.1. The Association will seek to encourage membership
 - 2.1.1. by promoting the concept of membership in tenants newsletters
 - 2.1.2. by wider dissemination of membership information within Berwickshire in such ways as from time to time the Trustees may decide
- 2.2. The Rules of the Association define eligibility for membership. All applications for membership require the approval of the Trustees and the purchase of a £1 share. The basis for assessing acceptability is set out in Section Four, below.

3. **APPLICATION PROCEDURE**

- 3.1. Applicants will be asked to submit an application on an approved form along with payment of £1. The application will be considered at the next meeting of the Trustees for which agenda papers are still in preparation at the time of receipt of application.
- 3.2. The Trustees shall, within the eligibility criteria defined in the Rules, have absolute discretion in deciding on applications for membership but the guidelines outlined in Section 4 will generally be observed. Optionally, the Trustees may continue consideration of a case where it wishes more information about the applicant, including information in relation to issues set out in Section Four below.
- 3.3. Any applicant for membership who is unsuccessful shall be entitled to a clear statement from the Trustees of the reasons for refusal. An applicant will also be notified if consideration of the application is continued. In the event that the applicant wishes to challenge those reasons, he/she shall be entitled to submit one further letter setting out why he/she considers the decision should be changed. The Trustees shall consider that letter at its next meeting and its decision on that occasion shall be final.

4. **ACCEPTANCE GUIDELINES**

4.1. **Obligatory on The Trustees**

In deciding whether or not to accept an applicant into membership, the Trustees are required by the Rules of the Association to ensure that the criteria in this section are met.

4.1.1. Applicants must have attained the age of 16 years. Applicants shall not be granted more than 1 share in the Association.

4.2. **Discretionary on The Trustees**

In deciding whether or not to accept an applicant into membership the Trustees may apply the following guidelines for consideration of the case as it thinks fit.

4.2.1. Applicants should demonstrate a commitment to the Aims of the Association and the Trustees may appoint an interviewing Committee to discuss membership with an applicant on any occasion where it is felt that the commitment to the aims of the Association is not self-evident.

4.2.2. As any Member of the Association may be nominated for Trustee Membership, Applicants should preferably be eligible within the Rules of the Association.

4.2.3. For information in the application of 4.2.2 it is noted that under the Rules Applicants are not eligible to serve on the Board in the following circumstances:

- I. he/she has been adjudged bankrupt, has granted a trust deed for or entered into an arrangement with creditors or his/her estate has been sequestrated and has not been discharged; or
- II. he/she has been convicted of an offence involving dishonesty which is not spent by virtue of the Rehabilitation of Offenders Act 1974 or an offence under the Charities and Trustee Investment (Scotland) Act 2005; or
- III. he/she is a party to any legal proceedings in any Court of Law by or against the Association; or
- IV. he/she is or will be unable to attend the Board Meetings for a period of 12 months; or
- V. he/she has been removed from the Board of another registered social landlord within the previous five years; or
- VI. he/she has resigned from the Board in the previous five years in circumstances where the resignation was submitted after the date of his/her receipt of notice of a special board meeting convened to consider a resolution for his/her removal from the Board in terms of Rule 44.5; or
- VII. he/she has been removed from the Board in terms of Rules 44.4 or 44.5 within the previous five years; or
- VIII. he/she has been removed or suspended from a position of management or control of a charity under the provisions of the Law Reform (Miscellaneous Provisions) (Scotland) Act 1990 or the Charities and Trustee Investment (Scotland) Act 2005; or

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- IX. he/she has been removed from the office of charity trustee or trustee for a charity by an order made by the Charity Commissioners for England and Wales or by Her Majesty's High Court of Justice in England on the grounds of any misconduct in the administration of the charity for which he/she were responsible or to which he/she were privy, or which his/her conduct contributed to or facilitated; or
- X. a disqualification order or disqualification undertaking has been made against that person under the Company Directors' Disqualification Act 1986 or the Company Directors Disqualification (Northern Ireland) Order 2002 (which relate to the power of a Court to prevent someone from being a director, liquidator or administrator of a company or a receiver or manager of company property or being involved in the promotion, formation or management of a company); or

4.2.4. As noted below, Rule 11.1.4 permits the expulsion of a member where a complaint of about a members behaviour has been upheld. If the Trustees are aware of such conduct at the time of considering the application it may refuse to accept the application on such grounds.

5. Termination Of Membership

For information, it is noted that the Rules of the Association provide the following conditions for the termination of membership:

5.1 Your membership of the Association will end and the Board will cancel your share and record the ending of your membership in the Register of Members if:-

- (i) You resign your membership giving seven days' notice in writing to the Secretary at the registered office
- (ii) The Board reasonably believes that you have failed to tell the Association of a change of address as required by Rule 10 or;
- (iii) For five annual general meetings in a row you have not attended, submitted apologies, exercised a postal vote or appointed a representative to attend and vote on your behalf by proxy;
- (iv) The Association receives a complaint about your behaviour and two-thirds of the Members voting at a special general meeting agree to end your membership. The following conditions apply to this procedure:
 - a. the complaint must be in writing and must relate to behaviour which could harm the interests of the Association.
 - b. the Secretary must notify the Member of the complaint in writing not less than one calendar month before the meeting takes place;
 - c. the notice for the special general meeting will give details of the business for which the meeting is being called;

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- d. you will be called to answer the complaint at the meeting. The Members present will consider the evidence supporting the complaint and any evidence you decide to introduce;
- e. the Members can vote in person or through a representative by proxy;
- f. if you receive proper notice but do not go to the meeting without providing a good reason, the meeting will go ahead without you and the Members will be entitled to vote to end your membership.

If your membership is ended in accordance with Rule 11.1.4, you will immediately cease to be a Member from the date that the resolution to end your membership was passed and any further application for membership by you will need to be approved by two-thirds of the Members voting at a general meeting.

6. Use of personal data and members' privacy

In order for us to manage our members we need to process personal data. We will always process personal data in line with our Data Protection Policy, Our Privacy Policy and our Fair Processing notices all of which are available on our website at www.berwickshirehousing.org.uk, via email to data@berwickshirehousing.org.uk or by writing to:

The Data Protection Officer
Berwickshire Housing Association
55 Newtown Street
DUNS
TD11 3AU

7. Review of Policy

This policy will be reviewed every three years or sooner if required.

- 8.** In all cases in this policy statement if there appears to be a difference between the policy statement and the Rules of the Association the Rules take precedence.