



# **OAK TREE HOUSING ASSOCIATION**

## **Membership Policy**

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| Adopted         | April 2016 | Last Reviewed | April 2022 |
| Next Review Due | April 2025 |               |            |

## **1.0 Introduction**

- 1.1 Oak Tree Housing Association (OTHA), seeks as broad and as representative a membership across its area of operation as it can secure. Tenants and service users of the Association, in addition to other local people with an interest in our work, are encouraged to become members. Local community groups and organisations also have a role to play as members. The contribution of local people is invaluable in terms of their skills and local knowledge.
- 1.2 This policy sets out how applications for membership of the Association will be dealt with and the criteria for approval by the Association's Management Committee. It aims to ensure that the Association operates in line with the Rules and associated legal and regulatory expectations.

## **2.0 Membership**

- 2.1 Those people entitled to join the Association are detailed in this section.
- 2.2 This Membership Policy is governed by the provisions of the Rules of the Association. For the avoidance of doubt, in cases of conflict, the Rules and legal and regulatory requirements take precedence over any provision within this policy. In promoting open membership, the Association places few restrictions on those eligible to join. As a general criteria however, prospective members should have a genuine interest in the Association's work and wish to support our work and objectives. This may include people whose only or principal home is within the Association's area of operation.
- 2.3 There are two main restrictions attached to our membership:
- (a) In accordance with our Rules, individuals representing an organisation which is a member of the Association may not be individual members in their own right. Representatives or organisations who are already individual members will have their individual membership suspended whilst they represent that organisation.
  - (b) Members or representatives of member organisations must be 16 years of age or over.

## **3.0 Promotion of Membership**

- 3.1 The Association will aim to promote membership to people and organisations in the following ways:
- a) Encouraging new tenants to join at the point when they sign their tenancy agreement.
  - b) Producing leaflets about the Association that encourage membership.
  - c) Liaising with tenants and residents' organisations, where the Association has an interest, to encourage membership.
  - d) Promoting membership in the Association's regular Newsletter, Twitter Account (Short text social platform) and on its Website.
  - e) Promoting the Association in the local media.
  - f) Appealing to or inviting applications from individuals with specific occupational skills/backgrounds to meet skill gaps. For example, (but not exclusively) we would welcome applications from those with skills or experience in:
    - Financial Management
    - Housing Management
    - Building and Maintenance

- Working in the Local Community
- Business strategy or management skills
- Health and Social Care
- Legal expertise
- Human Resources
- Press/Media or public relations

3.2 Whilst encouraging potential tenants to become members, the Association will however make it explicit that membership is not a condition of being allocated a tenancy.

#### **4.0 Equal Opportunity and Diversity**

4.1 The Association is committed to promoting diversity and ensuring equality of opportunity. As such, the Association will strive to ensure its membership reflects the communities it serves. The Association will have in place arrangements for monitoring the composition of its membership to enable periodic assessment of the extent to which it is representative.

4.2 Membership will be open to all those entitled to join regardless of their personal characteristics or circumstances. These are age; disability; gender reassignment; being married or in a civil partnership; being pregnant or on maternity leave; race; religion or belief; sex and sexual orientation.

#### **5.0 Procedure of Applying for Membership**

5.1 Individuals or organisations should apply to join as members using the Association's Membership Application Form, which should be completed and returned to the Association's registered office at 40 West Stewart Street, Greenock, accompanied by the sum of £1.00.

5.2 Applications for membership will be considered by the Association's Management Committee and each application will be considered on its own merits. Applications submitted will be considered at the next scheduled meeting of the Management Committee following receipt. If an application is received less than seven days before the next scheduled Management Committee meeting, it will be up to the Management Committee to decide whether they consider the application at that meeting. If it is not considered, the application will be considered at the next subsequent meeting.

5.3 No applications for membership will be considered within the 14 days preceding the date of a general meeting.

#### **6.0 Grounds of Refusing Membership**

6.1 Whilst it is the Association's intention to encourage membership, the Management Committee has absolute discretion in deciding on applications for membership.

6.2 Grounds for refusing membership would include where membership would be contrary to the Association's Rules or policies; or where a conflict of interest may exist which, even allowing for the disclosure of such an interest, may adversely affect the work of the Association; or where the Management Committee considers that accepting the application would not be in the best interests of the Association. Whilst it would be inappropriate to be prescriptive these grounds could include the following:

a) Conflicting Interest

Certain aspects of the Association's work must remain confidential. This is particularly the case in development activity where prior knowledge of a potential bid could jeopardise the Association's interests.

It is considered that this ground for refusing membership would extend to individuals with an occupational or financial interest in property development. It may for instance be inappropriate for a property speculator to be admitted to membership. Similarly, it may be inappropriate for an employee of another housing association with a competing interest to be admitted. This in certain circumstances may also apply to Management Committee members of another association.

The Management Committee may however wish to extend membership to such individuals but with the stipulation that it would be inappropriate for such persons to seek nomination and be appointed to the Management Committee.

b) Overt Groupings

Where it is evident to the Management Committee that overt groupings are forming whose interests are considered not to be in accord with those of the Association, the Management Committee may consider refusing membership.

This would be unlikely to apply to professional interests such as to many housing professionals or social workers, but could apply to for example, political groupings.

It should however be clear that an individual's personal affiliations should not be a bar to membership and the refusal should not be based solely upon the clear emergence of groupings whose concerns lay in their collective affiliations to a particular philosophy or interest rather than to the ethos of the Association.

c) Staff Members

OTHA recognises the significant contribution that staff make to the delivery of services to tenants and the achievement of Oak Tree's objectives. We also recognise that their commitment to the organisation's vision and to the achievement of our objectives, may prompt some current and former staff to consider becoming shareholding members. Shareholding members may seek election to OTHA's Management Committee, which leads and directs the Association and is responsible for the employment of staff. Current staff members are not permitted to join the Management Committee (Rule 37.4) because of the potential for conflict of interest. The Management Committee believes that this consideration also applies to former staff members. Consequently, OTHA will not accept applications for shareholding membership from current or former staff members of the Association. With regards to former staff members, applications will be considered after a period of 5 years, from the date of employment ending.

## **7.0 Approval of Membership**

7.1 If an application for membership has been approved by the Management Committee, the member will be informed in writing. Their name will be included in the Register of Members within seven working days of the meeting.

7.2 Upon having their membership approved, members will receive:

- A Share Certificate
- A copy of the Association's Rules

- A copy of the latest Annual Report
- A copy of the Association's Management Committee Recruitment Policy

7.3 During the period of membership a member should expect to receive:

- The Annual Report
- The Annual Accounts
- Invitations to the Annual General Meeting and any Special General Meetings, which will be sent in accordance with the Rules and at least 14 days in advance of the meeting.

7.4 Members attending Annual or Special General Meetings are entitled to vote in accordance with the procedures laid down in the Association's Rules. Members are entitled to stand for election to the Management Committee and to nominate and vote in the election of Management Committee Members. Members should note that General Meetings can take place either in person at a physical location, or virtually (e.g. using some form of electronic conferencing facilities), and the method or methods by which members may attend will be set out in the notice for any General Meeting.

7.5 If an application for membership has been unsuccessful, the applicant will be informed in writing giving the reasons for the refusal and the money returned along with the application. This will be done within 10 working days of the decision being made. Membership will only be refused in exceptional circumstances, as long as the application is made in accordance with the Association's Rules. The Management Committee however, reserves the right to refuse membership should they consider it in the interests of the Association to do so. A full record will be kept of all occasions when membership has been refused.

## **8.0 Appeals**

8.1 A person whose application for membership has been refused may appeal the decision to an Appeals Panel.

8.2 Appeals should be made in writing and state if a personal appeals hearing is being requested. Appeals should be made within 10 working days of the applicant being informed of the refusal of the application for membership.

8.3 If a personal appeals hearing is requested and granted, the appellant may be accompanied by an individual of their choice. Such person will have the right to speak on behalf of the appellant. The appellant, or their representative, should state the reasons why the application for membership should be reconsidered. Appeals will be heard by the Appeals Panel, a small panel of the Association's Management Committee, and their decision will be final.

8.4 Appellants will be informed of the outcome of the decision of the Appeals Panel in writing, within 14 working days of the appeal being heard.

8.5 If the appellant has been unsuccessful, no further application for membership from that person will be considered for a period of 12 months or other period of time as may be determined by the Management Committee. An applicant will be entitled to reapply at that time and the application will be considered afresh.

## **9.0 Register of Members**

9.1 The Association will maintain a register of members in accordance with its Rules. The register will list the name, address (including email, if provided), share held, date of

membership approval, and membership number of each member. When someone ceases to be a member, the date that their membership ended is also included in the Register.

9.2 The Association will also maintain a second copy of the register showing the same details as above but not the statements of shares and property. This abbreviated Register of Members will be available for inspection by Members within 7 days of a request being made.

9.4 A request to inspect either register must be in writing addressed to the Secretary and stating the reasons for inspection. The person requesting the inspection will be informed in writing if the request has been granted, and specifying the arrangements for the inspection. The inspection itself will take place at 40 West Stewart Street, Greenock at a mutually convenient time and date and with staff in attendance.

## **10.0 Ending Membership**

10.1 In accordance with the Association's Rules, membership of the Association may be brought to an end in the following ways:

- a) Writing to the Secretary at the registered office giving 7 days' notice of intention to resign,
- b) The Management Committee being satisfied that a member has failed to inform the Association of a change of address within three months of moving.
- c) If the member has failed to attend, submit apologies, exercised a postal vote or appointed a proxy, for five consecutive Annual General Meetings.
- d) If the member has ceased to fulfil the membership criteria.
- e) If as a result of a complaint, two-thirds of the members vote at a Special General Meeting to expel the member

10.2 Expulsion under clause (b) above will not be effective until the Management Committee has made all reasonable endeavours to trace the defaulting member.

10.3 The Association is operating under and has adopted the current set of Model Rules based upon the SFHA Charitable Model Rules (Scotland) 2020. These state that membership of the Association will end and the Committee (Management Committee) will cancel your share and record the ending of your membership in the register of members if 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. The Association therefore have no powers to exercise discretion or take any other circumstances into account other than those outlined above, in considering the ending of memberships.

## **11.0 Monitoring**

11.1 The Association will analyse membership data to ascertain whether the membership is representative of the communities the Association serve and the route by which membership was requested. The Management Committee will be presented with and consider a report on the membership data and decide upon any action to increase membership and/or encourage representation from specific parts of the community.

## **12.0 Data Protection**

12.1 The Association regards privacy as important and any personal information given will be handled in accordance with Oak Tree's Privacy Notice which sets out how we will comply with The UK General Data Protection Regulations and Data Protection Act 2018.