



OAK TREE HOUSING ASSOCIATION

Membership Policy

This document can be made available, on request, in other formats such as larger print, audio-format, Braille and in other languages, as appropriate.

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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.
- 1.3 This policy will be reviewed regularly, as part of the business planning process to ensure that it continues to meet the organisation's requirements.
- 1.4 Regulatory Standard 6.4 required "The RSL encourages as diverse a membership as is compatible with its constitution and actively engages its membership in the process for filling vacancies on the governing body".

2.0 Membership/Eligibility

2.1 Those people entitled to join the Association are detailed in this section:

- Tenants of the Association;
- Service users of the Association;
- Other persons who support the objects of the Association; and
- Organisations sympathetic to the objects of the Association.

An organisation which is a member is free to nominate a suitable representative. The organisation must confirm the identity of the representative by sending a copy of the authorisation or appointment. This should be signed by a Director, Secretary or Authorised Signatory of the organisation which must be witnessed, or in the case of the local authority, by the Chief Executive, or a properly authorised Officer of the local authority.

An organisation can change its representative at any time by writing to the Association to confirm the identity of the new representative and withdrawing the previous nomination's authority.

- 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, Social Media platforms 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
- Asset Management
- Risk Management
- Compliance and Governance
- 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 Appendix 1 , 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. The application form can also be located on our website <https://www.oaktreeha.org.uk/share-membership/>

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 (i.e. AGM or SGM).

6.0 Grounds of Refusing Membership

6.1 Whilst the Management Committee are committed to encouraging a wide, diverse and representative membership the Management Committee has absolute discretion when it is considering applications for approval and will refuse applications where:-

- Membership would be contrary to the Association's Rules or policies;
- A conflict of interest may exist which could, even allowing for disclosure of such an interest, adversely affect OTHA's work;
- The Management Committee has sound reason for believing that approving the membership application would not be in the best interests of OTHA.

6.2 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 and the money returned along with the application. This will be done within 10 working days of the decision being made. The correspondence will include:-

- The reasons for refusal
- Their right to appeal the decision

- The appeals process

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 Benefits of Membership

8.1 Members of the Association are entitled to:

- Attend the Association's Annual General Meeting (AGM)
- Attend any Special General Meetings called (SGM)
- Stand for election to the Management Committee
- Nominate and elect members to the Management Committee
- Appoint the Association's auditor
- Appoint a representative to cast their vote by proxy
- Be informed of vacancies on the Management Committee

8.2 Responsibilities of Membership

Members of the Association are required to:

- Inform OTHA of a change of address by writing to OTHA's Secretary within 3 months (NB this does not apply to tenants of the Association that have had an internal transfer to another property owned by OTHA)
- Submit apologies if unable to attend an Annual General Meeting or a Special General Meeting

9.0 Appeals

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

9.2 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.

9.3 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.

9.4 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.

9.5 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.

10.0 Register of Members

10.1 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.

- 10.2 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.
- 10.3 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.

11.0 Ending Membership

- 11.1 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
- 11.2 Expulsion under clause (b) above will not be effective until the Management Committee has made all reasonable endeavours to trace the defaulting member.
- 11.3 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.

12.0 Monitoring

- 12.1 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.

13.0 Policy Review

- 13.1 This policy will be reviewed by the Management Committee every three years unless there are changes to legislation, regulatory requirements or OTHA rules which affect the contents during the three-year period.

14.0 Data Protection

- 14.1 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 (UK GDPR) and Data Protection Act 2018.

Oak Tree Housing Association

OTHA

Application to Join the Management Committee –

OTHA

This form should be completed by anyone who is interested in the activities of OTHA and who wishes to join the Management Committee of OTHA. When completing the form, please refer to the Application Pack which contains a description of the responsibilities that apply to Committee Members and information about the skills and knowledge that OTHA is particularly looking for at this time.

Name: _____

Address: _____

Postcode: _____ Telephone: _____

Email: _____

Please describe why you are interested in joining OTHA's Management Committee

Please describe how your experience would help you carry out the duties described in the statement of responsibilities for Committee Members (a copy is in the Application Pack)

Please describe which part of OTHA’s work you are especially interested in and why

Are you willing and able to attend training on a regular basis? (please refer to the role description for more information) Yes/No

If you are successful in becoming a member of the Management Committee, what would be your priority during your first year?

Are you (or have you been) involved in other voluntary work? Yes/No

(If ‘yes’ please provide details) _____

Please describe your experience (if any) of serving on the governing body of another organisation

Are you a member of OTHA? Yes/No

If ‘yes’, how long have you been a member? _____

Are you an Oak Tree tenant or service user? Yes/No

Are you ⁽¹⁾closely connected to anyone who is already a member of Oak Tree’s Management Committee or to someone who is employed by Oak Tree ?
Yes/No

(1) Someone ‘closely connected’ to you includes family members and persons who might reasonably be regarded as similar to family members even where there is no relationship by birth or law. Please refer to Table A at the end of this Application Form.

(If 'yes' please give details)

Are you involved with any business that provides services or is contracted to Oak Tree? Yes/No

(If 'yes', please give details)

Are you employed? Yes/No

(If 'yes' please give details)

Signature _____

Date _____

Please return to Sean Connor, Chief Executive Officer, OTHA.

Group	Required Response
<p>1. Members of your household</p> <p>This includes:</p> <ul style="list-style-type: none"> • Anyone who normally lives as part of your household (whether related to you or otherwise) • Those who are part of your household but work or study away from home 	<p>We expect you to be aware of and declare any relevant actions of all people in your household. You must take steps to identify, declare and manage these.</p>
<p>2. Partner, Relatives and friends</p> <p>This includes:</p> <ul style="list-style-type: none"> • Your partner (if not part of household) • Your relatives and their partners • Your partner's close relatives (i.e. parent, child, brother or sister) • Your friends • Anyone you are dependent upon or who is dependent upon you 	<p>Where you have a close connection and are in regular contact with anyone within this group, we expect you to be aware of and declare any relevant actions. Under these circumstances, you must take steps to identify declare and manage these actions.</p> <p>Where you do not have a close connection and regular contact with someone in this group, we do not expect you to be aware of or to go to unreasonable lengths to identify any relevant actions. However, if you happen to become aware of relevant actions by such individuals, then these should be declared and managed as soon as possible.</p>