ALT

**Termination of Membership**

This policy is intended to set out the justification for having a membership termination process, to indicate the types of circumstances in which the membership termination process detailed in the ALT’s constitution would be commenced, and to indicate who can request that the termination process be commenced.

**Why does the ALT need a membership termination power?**

Under section 9(4) of the ALT’s constitution, membership of the ALT can be terminated for a number of reasons (a complete copy of the whole of section 9(4) is replicated in the appendix to this policy). While many of the items covered in 9(4) are routine (e.g. termination for non-payment of membership), others require the trustees to exercise some discretion. Of particular relevance in this regard isis 9(4)(a)(iv), which reads as follows

‘Membership of the CIO comes to an end if: […] (iv) the trustees decide that it is in the best interests of the Association that the member in question should be removed from membership, and pass a resolution to that effect.’

As a CIO, the ALT must be mindful of whether allowing one or more people or organisations to continue to hold membership with the ALT would be in the ALT’s best interests. That is, would the continuation of that individual’s or organisation’s membership impede our ability to meet our objects by, for example, bringing the ALT into disrepute?

In implementing the termination process the ALT will at all times observe the principles of natural justice since to do otherwise would also be likely to bring the ALT into disrepute.

**Under what circumstances could the termination process be commenced?**

The Constitution does not give examples of circumstances which might mean it would be in the best interests of the ALT to terminate a membership under 9(4)(a)(iv), but allegations regarding the following may provide a justification for considering commencing the termination process under 9(4)(a)(iv).

In the case of individuals:

• a serious criminal offence;

• conduct in the course of the member’s academic employment which, in the considered view of the trustees, amounts to misconduct (for example, bullying, sexual harassment);

• academic misconduct (for example, plagiarism, unethical research practice);.

 • dishonesty in relation to the member’s interactions with the ALT

In the case of organisations:

• a serious criminal offence (for example, corporate manslaughter);

• dishonesty in relation to the organisation’s interactions with the ALT. These lists are not intended to be exhaustive.

**Who can request the termination process be commenced?**

Section 9(4)(b) sets out the process for removing a member in relation to 9(4)(a)(iv); however, it does not specify who may trigger the process or how they should do so. The decision remains one for the trustees, however, it is suggested that a request to start the termination process can be brought to the attention of the trustees in the ways listed below.

• Either a trustee requests either in writing or at a meeting of the trustees that the process be commenced, or

• any other person or organisation makes a request in writing to the trustees that the process be commenced, or

• as a result of a finding made under our complaints process termination of membership is proposed as an appropriate outcome,

And

• at a duly constituted meeting of the trustees, having considered the request, the trustees vote by a majority of those present to commence the process.

**Personal Information and the Termination Process**

We will not disclose the personal information (e.g. name, institutional affiliation) of a person(s) requesting that the termination process be commenced without their consent. However, we will ask the person(s) requesting the commencement of the termination process to give their consent to this information, and documentation relating to their request, being disclosed to the person(s) and/or organisation(s) named in that request (having regard to s.9(4)(b)(i) of the Constitution).

In the event that a requestor does not wish to disclose their personal details, the trustees would consider whether it is possible for the substance of their request to be fairly considered without disclosing their personal information to the party/parties identified in the request (again, having regard to s.9(4)(b)(i)). For example, where a members’ alleged misconduct is common knowledge within an academic department (e.g. because of public action taken within the department by Human Resources, or by the Police), the identity of the person drawing the issue to the attention of the ALT may be of less significance. As such, disclosure of the requestor’s personal information may not be necessary in order to properly consider the request.

Similarly, we will not make public the personal information of members subject to the termination process.

**Removal of a Trustee**

There are specific rules relating to removal of a trustee in section 15 of the ALT Constitution. Where a trustee is also a member, any decision about termination of their membership is a separate issue and should be dealt with in line with this policy. A Trustee who is the subject of a process which might terminate their membership has a conflict of interest and must recuse themselves from the process.

**Trustee Decisions**

In line with the Code of Conduct, any trustee involved in decisions about termination of membership who has a conflict of interest, or any circumstance that might be viewed by others as a conflict of interest, must declare it as soon as possible and consider whether to

recuse themselves from the process. Furthermore, the board can vote to request a trustee recuse themselves from a termination process if it appears appropriate to do so.

**Reapplications**

If the membership of an individual has been terminated under this policy, any new application to join may be refused on the grounds that membership is not in the best interests of the ALT, in line with section 9(1)(b)(ii) of the Constitution.

**Appendix – Section 9(4) of the ALT Constitution**

**(4) Termination of membership**

(a) Membership of the Association comes to an end if:

(i) the member dies, or, in the case of an organisation, ceases to exist; or

(ii) the member sends a notice of resignation to the trustees; or

(iii) any sum of money owed by the member to the Association is not paid in full within 6 months of its falling due; or

(iv) the trustees decide that it is in the best interests of the Association that the member in question should be removed from membership, and pass a resolution to that effect.

(b) Before the trustees take any decision to remove someone from membership of the Association they must:

(i) inform the member of the reasons why it is proposed to remove him, her or it from membership;

(ii) give the member at least 21 clear days’ notice in which to make representations to the trustees as to why he, she, or it should not be removed from membership;.

(iii) at a duly constituted meeting of the trustees consider whether or not the member should be removed from membership;

(iv) consider at that meeting any representations which the member makes as to why the member should not be removed; and

(v) allow the member or the member’s representative to make those representations in person at that meeting, if the member so chooses.

**Change Record**

| **Date of Change:**  | **Changed By:**  | **Comments:** |
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|  |  | Policy approved by the trustees |
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