



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 SLSA's constitution would be commenced, and to indicate who can request that the termination process be commenced.

Why does the SLSA need a membership termination power?

Under section 9(4)(a) of the SLSA's constitution, membership of the SLSA 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 is 9(4)(a)(iv), which reads as follows

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

As a CIO, the SLSA must be mindful of whether allowing one or more people or organisations to continue to hold membership with the SLSA would be in the SLSA'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 SLSA into disrepute?

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

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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 SLSA

In the case of organisations

- A serious criminal offence (for example, corporate manslaughter)
- Dishonesty in relation to the organisation's interactions with the SLSA.

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.

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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 SLSA 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 SLSA 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

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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 SLSA, in line with section 9(1)(b)(ii) of the Constitution.



Appendix – Section 9(4) of the SLSA Constitution

9(4) Termination of membership

- (a) Membership of the CIO comes to an end if:
- (i) the member dies, or, in the case of an organisation (or the representative of an organisation) that organisation ceases to exist; or
 - (ii) the member sends a notice of resignation to the charity trustees; or
 - (iii) any sum of money owed by the member to the CIO is not paid in full within six months of its falling due; or
 - (iv) the charity trustees decide that it is in the best interests of the CIO that the member in question should be removed from membership, and pass a resolution to that effect.
- (b) Before the charity trustees take any decision to remove someone from membership of the CIO 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 charity trustees as to why he, she or it should not be removed from membership;
 - (iii) at a duly constituted meeting of the charity 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:
17/09/2020	EKD	Policy approved by the Trustees