

<b>Policy Name</b>	<b>Shareholding Membership Policy</b>
<b>Policy Category</b>	Corporate & Governance
<b>Policy Number</b>	CG001
<b>Officer Responsible</b>	Chief Executive
<b>Date to Board</b>	February 2021
<b>Next Review Date</b>	February 2026

## **Introduction**

Lochaber Housing Association is a non-profit making charitable organisation. The objective of the Association is to provide for the relief of those in need in Lochaber by reason of age, ill-health, disability, financial hardship or other disadvantage through the provision, construction, improvement and management of land and accommodation and the provision of care.

We are a membership organisation and strongly believe that it we have a responsibility to account for itself to our members, tenants and sharing owners, the wider communities in which we work, the local authority, our regulators, and funders.

Members of the Association, either individual or as an organisation, are those who actively take an interest in our work, who hold a share in the Association and whose names are entered into our Register of Members.

## **Membership of the Association**

Scottish Housing Associations are membership based organisations. Members may be either individuals or community groups. Lochaber Housing Association is a community-based housing association, seeking to ensure that our membership is diverse and adequately reflects the broad spectrum of local community and interest groups we serve, including Community Councils, other local community, and minority groups as well as our tenants and sharing owners.

In encouraging the establishment of a wide and diverse membership, the Association publicises opportunities to apply for membership through our Tenants Newsletter and in our dealings with the communities in which we operate. Accordingly, membership is available to tenants, individual members of the public and community organisations, as well as to other stakeholders and partners.

All Community Councils in Lochaber are invited and encouraged to become members of the Association. However, the Association also seeks to develop growth in membership from individuals and organisations who have the aims and objectives of the Association as their prime motivation for joining and who are also able to make a positive contribution to the furtherance of the Association's objectives. As a community-based housing association, this membership base is important for the governance of the Association as it roots us in our Lochaber communities. The key strengths that flow from this status are:

Our community governance structures: our Members are the pool from which we can elect members to our Board of Management.

We are embedded in our local communities: our members and our Board are also members of local communities throughout Lochaber, enabling us to engage in cross-sector partnerships; and

Our strength of relationship with our tenants (in particular, tenant members) has the potential to add to our presence and credibility within communities.

### **Applying for Membership**

To apply for membership, you must be 16 or over. Applicants should complete a membership form. The completed form should be sent with £1 to the Secretary at Lochaber Housing Association, 101 High Street, Fort William, PH33 6DG.

The Board will consider applications for membership at the meeting following receipt of the application, or as soon as possible thereafter. The Association welcomes and encourages applications for individual aged 16 years or above or corporate membership from:

- o Tenants or service users of the Association.
- o Any other individuals who support the objects of the Association.
- o Organisations sympathetic to the objects of the Association.

The Association will inform the applicant of the Board's decision within seven working days of the meeting at which the application was considered. Under the Rules, the Board has absolute discretion in deciding on applications for membership.

An application for membership will not be considered by the Board within the period of fourteen days before the date of a general meeting.

Information on how to become a Member is available to members of the public and community organisations at the Association's offices or on its website, together with an application form. The Association maintains a Register of Members, which is available for public inspection. The Association's Rules 6 - 11 regulate the processes of becoming a Member of the Association.

### **Membership Participation**

The Association wishes to ensure our members are informed and can actively participate in the organisation. To this end the Association will:

Invite members to attend our general meetings in accordance with our Rules.

Ensure the following:

- o The right to vote in relation to resolutions at general meetings.
- o The right to vote for the appointment of the Association's Auditor.
- o The right to stand for election to membership of the Board and to vote for the election of others to the Board.

Keep members informed by circulating information including a copy of our Annual Report and Financial Statements

### **Ending your Membership**

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: -

You resign your membership giving seven days' notice in writing to the Secretary at the registered office; or

The Board reasonably believes that you have failed to tell the Association of a change of address as required by Rule 10; or

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; or

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:

- The complaint must be in writing and must relate to behaviour which could harm the interests of the Association.
- The Secretary must notify the Member of the complaint in writing not less than one calendar month before the meeting takes place;
- the notice for the special general meeting will give details of the business for which the meeting is being called;
- 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;
- the Members can vote in person or through a representative by proxy;
- 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.

### **Representing an Organisation**

An organisation which is a Member is free to nominate any person it considers suitable as its representative to the Association. That person will represent all the organisation's rights and powers at general meetings.

To confirm the identity of a representative, the organisation must send the Association a copy of the authorisation or appointment of an individual as a representative. This should be signed by a Director, Secretary or Authorised Signatory of the organisation which signature must be witnessed, or in the case of a local authority, by the Chief Executive, or properly authorised Officer of the local authority.

An organisation can change the identity of the person entitled to represent that organisation at any time by confirming the identity of the new representative in terms of Rule 12.2 of the Rules and withdrawing the authority of the original representative.

If you are a representative in terms of Rule 12.2 of the Rules of an organisation which is a Member, you cannot be a Member as an individual yourself. If you are already a Member as an individual when you start to represent an organisation which is a Member, the Association will suspend your membership as an individual, until such time as you are no longer a representative of an organisation which is a Member.

## **Shares**

The share capital of the Association will be raised by issuing one-pound shares to Members. Shares cannot be held jointly. Joint tenants of the Association may each become individual Members.

There is no interest, dividend, or bonus payable on shares.

## **Transferring Shares**

You shall not be entitled to any property of the Association in your capacity as Member and your share is not withdrawable or transferable save in the circumstances set out in the Rules 16 and 17.

Members cannot sell their share but can transfer it if the Board agrees.

If a member ends their membership, have their membership ended, or are a representative of an organisation which no longer exists, the Board will cancel the share (except in those circumstances outlined in Rules 17.2 and 17.3) and the value of the share will then belong to the Association.

Members can nominate the person to whom the Association must transfer their share in the Association when they decease, if the person that is nominated is eligible for membership under our Rules and in terms of the Association's membership policy. On being notified of your death, the Board shall transfer or pay the full value of the share to the person identified. Nominations must be in the terms required by the Co-operative and Community Benefit Societies Act 2014.

If a member deceases or becomes bankrupt and the members personal representative or trustee in bankruptcy seeks to claim the share, the Board will transfer or pay the value of the share in terms of the representative's or trustee's instructions.

## **Data Protection**

The Association will treat Members and prospective Members personal data in line with our obligations under the current data protection regulations and our own Data Protection Policy. Information regarding how your data will be used and the basis for processing your data is provided in the LHA Group's Member & Board Member privacy notice.

**Policy Review**

This policy will be reviewed every five years or earlier should good practice, legislation or operational matters require this policy to be updated.