

Rule One - Rules for Termination of Membership

1. Introduction

- 1.1 BASRT will seek to resolve any matters of concern informally wherever appropriate. However, it recognises that there may be occasions when a more formal approach is appropriate. The following arrangements are designed for such circumstances.
- 1.2 Article 2.10 of the governing documents of BASRT states that “any Member of the Company may be excluded from Membership of the Company by a resolution of the Trustees acting in accordance with the regulations made under these Articles for the time being in force provided due notice is given and the said Member be given an opportunity to make representations to a meeting convened for that purpose.”
- 1.3 In accordance with Article 13.5 the Trustees have appointed a Disciplinary Committee (normally but not always made up of trustees) and have delegated to this Committee the power to decide on termination of membership in accordance with the following Procedure.
- 1.4 The Procedure is made under Article 20 of the governing documents of BASRT which states that “the Trustees may from time to time make such Rules as they deem necessary or convenient for the proper conduct of the Company.”
- 1.5 The aim at all times is the better protection of the public and the reputation of the profession.

2. Use of the Procedure

- 2.1 This procedure may be used at the discretion of the Association when information is received about a member that raises questions about that members’ suitability for continued membership.
- 2.2 Such information might suggest that continued membership would:
 - i. bring BASRT or its members into disrepute;
 - ii. bring the profession into disrepute;
 - iii. result in BASRT’s private business being brought into the public domain;

- iv. impede the legitimate activities of the organisation;
- v. give good reason to believe a member may be misrepresenting his/her membership status;
- vi. give good reason to believe there has been a serious breach of BASRT's Codes of Ethics & Practice and the Association's Complaints Procedure cannot be used;
- vii. give good reason to believe the applicant has not or will not work to BASRT's Codes of Ethics & Practice.

The above list is illustrative and is not intended to be an exhaustive and final list of situations in which it could be appropriate to terminate membership.

3. The Procedure

- 3.1 The Procedure is managed by the CEO (or her/his representative).
- 3.2 When information is received about a current member the CEO, in consultation with the Chair, will decide whether or not to invoke the Procedure on the basis of the evidence available.
- 3.3 The CEO will write to the individual concerned to inform them that there is serious concern about their continuing membership of the Association. The supporting evidence will be included in the letter and the individual will be invited to attend a meeting of the Disciplinary Committee. The individual will be given 14 days to respond, in writing, to confirm they wish to attend such a meeting.
- 3.4 The meeting will be held normally in London within 28 days of receipt of the letter from the individual. The individual will be responsible for their travel costs. The individual may bring one friend or supporter with them. Witnesses may be brought at the discretion of the Chair of the meeting but must be notified to the CEO in advance.
- 3.5 If the member wishes to provide written evidence this must be received by the CEO at least 10 working days before the hearing. The CEO may also gather and submit written evidence. Copies of all written evidence from both the member and the CEO will be sent by the CEO to the Disciplinary Committee and to the member 5 working days prior to the hearing. Any further written evidence submitted after this point may be considered only at the discretion of the Chair of the Disciplinary Committee.
- 3.6 At the meeting the CEO will set out the concerns about the individual first. The individual will then be given an opportunity to respond. Both may question each other's information. Witnesses may be called and questioned by both parties.

Members of the Disciplinary Committee will be given an opportunity to ask further questions.

- 3.7 The Committee will then withdraw to come to a decision. The Disciplinary Committee which will decide whether the case against the member is proved on the balance of probabilities and, if so, will decide on an appropriate sanction. The individual will be notified of the outcome and any sanctions to be imposed in writing within 28 days of the meeting.
- 3.8 Sanctions may include:
- i. Termination of membership;
 - ii. A requirement for the Member to comply with certain requirements before continuing membership is confirmed.
- 3.9 If the member decides not to attend a meeting with the Disciplinary Committee, the Committee will meet with the CEO within 28 days of being so notified and will make its decision on the information available. The member will then be informed of the Committee's decision as above.
- 3.10 The alleged misconduct must have taken place when the person concerned was a member of BASRT. If the person concerned is no longer a member at the time the Disciplinary Procedure is invoked or resigns during the Procedure this will not terminate the Procedure.

4. Appeal

- 4.1 An appeal may be submitted on the following grounds only:
- i. that there has been a contravention of the published procedures;
 - ii. that the sanction is excessive.
- 4.2 The individual may appeal against the decision within 28 days of the date of the notification letter. An appeal will be heard by a panel of trustees within 28 days of receipt of the appeal. The decision of the Appeal Panel is final.

5. Outcomes

- 5.1 BASRT reserves the right to inform other relevant individuals or organisations of the outcome of the Disciplinary Procedure. UKCP will be notified if the member concerned is a UKCP registrant.
- 5.2 If membership is terminated or suspended the member's name will be removed from membership lists, mailing lists and the website. All reference to membership of

BASRT must be removed from any materials, website, stationery, cards etc. and from any other organisations' materials or websites.

This rule is agreed by the Trustees and made under paragraph 20.1 of the Articles of Association of BASRT.

April 2006