

## Membership Bylaws

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## **1. Introduction**

- 1.1. For the avoidance of doubt the term "Member" refers to company law members of the Association.
- 1.2. Membership is open to any person interested in furthering the Objects and admitted by the Directors.
- 1.3. A Member may only be an individual.
- 1.4. The Directors may determine criteria for membership and may set out in Regulations/Bylaws a procedure and requirements for applying for membership. Directors are not obliged to admit any person satisfying such criteria as Members and may decline. The process for considering a membership application can be found in section 9.
- 1.5. The Directors may delegate the power to admit Members.
- 1.6. The Directors may establish different classes of Members and may recognise one or more classes of associate members (who are not Members of the Association for the purposes of the Companies Act) and set out their rights and obligations in Regulations/Bylaws.
- 1.7. The Directors may determine subscriptions for Members which may be at different rates for different Members or categories of Members. All Members must pay the subscriptions that the Directors determines from time to time
- 1.8. The Directors may determine subscriptions at different rates for different memberships categories. All members, whatever category, must pay the subscriptions that the Directors determines from time to time

## **2. Ending of Membership**

- 2.1. A Member stops being a Member if:
  - a) the Member resigns by giving notice to the Association (unless after the resignation there would be fewer than two remaining Members);
  - b) any sum due from the Member to the Association remains unpaid three months after it is due and the Council resolves to end that Member's membership;

- c) the Member fails to respond in Writing within 60 days of being sent a notice in Writing requesting confirmation that they wish to remain a Member and containing a warning that their membership may be ended and the Council resolves to end membership;
  - d) the Member dies.
- 2.2. The Council may resolve to remove a Member from membership on the basis that it is in the best interests of the Association that his or her membership is terminated by giving the Member notice in writing, provided that:
- a) no later than 10 working days after receiving that notice the Member can appeal in writing to the Association against the termination;
  - b) any appeal must be considered by a meeting of the Council, or a committee appointed by the Council; and
  - c) the Member has the right to be heard at the meeting or may make written representations to it and the meeting shall either confirm the termination or reinstate the Member.
- 2.3. Factors the Council may consider when determining whether it is in the best interests of the Association to remove a Member include but are not limited to:
- a) if the Member's application on the basis of which membership was granted contained or referred to information which was false or misleading or refers to facts which were or are no longer true or correct;
  - b) if the Member's registration with the Health and Care Professions Council (or any equivalent or successor body fulfilling the same or similar statutory duties) is revoked or suspended;
  - c) any other issues or considerations relating to the professional conduct of the Member;
  - d) any failure by the Member to comply with any applicable terms and conditions relating to their membership of the Association;
  - e) any failure by the Member to comply with any conditions imposed upon their membership pursuant to any procedure of the Association;
  - f) any conduct by the Member which is inappropriate or harmful towards another Member, a Director or an employee of the Association.
- 2.4. When exercising the power to remove a Member under Article 24 the Council must comply with such (if any) relevant Regulations or Bylaws of the Association.

### **3. Register of Members**

- 3.1. The Association shall maintain a register of Members with an entry for each Member showing the Member's name and address and the date on which the Member became a Member and ceased to be a Member. The register of members must be kept at the Office or at a single alternative inspection location.

### **4. Membership categories**

#### **4.1. Full members**

- 4.1.1. Any person who is a qualified and HCPC registered art therapist or art psychotherapist
- 4.1.2. Membership applications are made online. Evidence of HCPC registration is required.
- 4.1.3. Full membership runs annually from when the member started their membership.
- 4.1.4. If a member is unemployed, underemployed, or retired, then the membership fees can be reduced as agreed by Council. However, to remain a Full Member the member must retain their HCPC registration.

#### **4.2. Trainee members**

- 4.2.1. Any person who is currently attending a Health and Care Professions Council approved course leading to a validated MA or MSc in Art Therapy/Art Psychotherapy.
- 4.2.2. Trainee membership applications are made online, which includes an approval process whereby their current course confirms they are attending the college/university stated in the year stated.
- 4.2.3. Student membership runs annually for the duration of the approved course.

#### **4.3. Associate Members**

- 4.3.1. Any person who has an interest in art therapy but who is not eligible to join the Association as a Trainee or Full Member. Individuals may join as UK or overseas residents.
- 4.3.2. Associate membership applications are made online.

4.3.3. Associate membership runs annually from when the member started their membership.

4.3.4. Associate membership is also open to overseas members at a membership fee agreed by Council.

## **5. General**

### **5.1. Applications**

5.1.1. All membership applications will be assessed against the membership eligibility criteria.

5.1.2. All membership applications are approved based on the information provided and upon successful payment. Any applicants providing untrue information could be removed from membership and subject to disciplinary proceedings and not eligible for any membership refund.

### **5.2. Reporting**

5.2.1. For auditing purposes, figures are kept on the number of members joining the Association each year including the amount paid.

5.2.2. The Board of Directors (Council) and members may receive reports on membership figures, finances and other data from time to time. All personal data requested from and provided by members will be stored and used in line with the requirements of the Data Protection Act, GDPR and any other active UK legislation.

5.2.3. The BAAT Privacy Statement can be accessed online at <https://baat.org/privacy-policy-2/>

### **5.3. Annual Subscriptions**

5.3.1. The Board of Directors sets annual subscription fees which are made available on the BAAT website.

5.3.2. Any member whose fees are more than three months in arrears will be removed from membership and will not receive any benefits or services of membership thereafter, including not being eligible to vote in any Annual General Meeting.

### **5.4. Resignations**

5.4.1. Members are able to resign from the Association once any outstanding membership payment has been settled.

## **5.5. Payment**

5.5.1. All memberships are for one calendar year. The option to pay the annual membership subscription by monthly Direct Debit instalments is not a part yearly membership; it is simply intended as an option to spread the cost.

## **5.6. Rejection**

5.6.1. In accordance with clause 1.4 of these Bylaws the Directors may refuse to admit an individual to membership. The reasons why this may happen could include, but is not limited to, the reasons set out in clause 2.3 of these Bylaws. The Directors decision will be based on the interests of the profession, the Members and BAAT staff.

5.6.2. The Directors will provide written reasons for refusing to admit an individual to membership. Any person who is refused membership will have the right to appeal. Individuals must write to the Chief Executive stating the reason they feel they are eligible for membership and why the decision not to admit them to membership was wrong.

5.6.3. This appeal will be taken to the next available Board of Directors meeting for assessment, providing the letter of appeal is received no less than 2 weeks prior to the Board of Directors Meeting. The Board may appoint a suitable individual or individuals to review the decision not to admit the individual into membership.

5.6.4. The individual will be notified of the outcome of their appeal following the Board meeting or any review established by the Board. The Board of Director's decision will be final.

## **5.7. Suspension and Appeal**

5.7.1. The Association has the right to terminate or suspend membership of any member for any of the following reasons:

- a) Disciplinary Action
- b) Failure to pay membership subscriptions
- c) Failure to pay any other money outstanding to BAAT.

5.8. Decisions to suspend or terminate membership for Disciplinary reasons will be taken after the process has been followed in Bylaws relating to the Investigation of Complaints.

5.9. When a member is due to be suspended or membership cancelled for non-payment of either subscriptions or other outstanding money, the Association will advise the member of their intention, and providing the outstanding money is paid within the allotted time stated on that

notification, the decision may be reversed. If the money is not paid within the allotted time, then the membership will be cancelled.

- 5.10. The amount outstanding will be recoverable by BAAT and will remain on file and will need to be paid before the individual could re-join the membership in the future.
- 5.11. The member will then have the right to appeal in writing upon notification of their membership being cancelled. Notice of such an appeal must be given in writing within 21 days of notification to the person concerned of the decision. This appeal will then be taken to the next available Board of Directors meeting.
- 5.12. The decision of the Board of Directors will be final.

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