

St Ives Arts Club CIO Membership Terms & Conditions

The Objects of the Club are to seek to promote , improve , develop and maintain public education and an appreciation of the arts in all their aspects by the presentation of public performances, concerts, recitals and exhibitions and by such other ways as the Club determines from time to time.

The aims of the Club are:

1. To maintain the structure and fabric of the St Ives Arts Club for future generations.
2. To provide an opportunity for members to learn , share , and practice various art forms in a welcoming and safe environment.
3. To encourage members to be creative , develop artistic expression and experiment with different techniques , materials and styles in order to develop a community of art enthusiasts.
4. To facilitate connections between artists and other organisations in the town , and beyond , for the greater good of the club.
5. To encourage membership of , and support the policies and protocols of the Management Committee in its operation of the Arts Club for the benefit of the members.

1. Name and Objectives

1a. The name of the Club is St Ives Arts Club Club referred to as 'the Club'.

1b. The address of the Club is Westcott's Quay St Ives TR26 2DY

2. Admission

2a. Admission is open to anyone over the age of 18 (or younger if agreed by the Management Committee) who agrees to support the Objects and Aims of the Club.

2b. All admissions to Membership at the Club are subject to the Member confirming their acceptance of these Terms and Conditions.

2c. The Club has the right to determine the maximum capacity of Members at any time.

2d. The Club shall be responsible for the consideration and approval of any application for Membership.

2e. All Membership Application Forms submitted shall provide full and honest disclosure about the person applying for Membership. Should any application be subsequently determined to have been approved due to misrepresentation or withholding of relevant information, the Club may, upon written notice, (i) refuse to approve their application as a Member, or (ii) revoke Membership.

2f. The Club shall notify successful applicants in writing that their application for membership has been successful, and invite them to register as a member.

2g. The Club shall not be required to provide an applicant with any reasons should their application be unsuccessful.

2h. A person becomes a Member upon being accepted by the Membership Committee and upon payment to the Club of any amount due.

2i. All Memberships are individual and non-transferrable.

2j. The Membership Committee

3. Financial Obligations

3a. Annual Membership Fees and Membership Joining Fees are payable in full, in advance

3b. Membership Joining Fees are non-refundable.

3c. Should a Member wish to renew their membership after having cancelled their membership, the Membership Joining Fee will apply upon renewal.

3d. Membership is for a minimum period of one year and renewed automatically thereafter on an annual basis on the anniversary of the initial registration date.

3e. Members may resign at any time by giving one month's notice in writing but shall not be entitled to any refund of annual membership fees or joining fee.

4. Conduct

4a. All Members shall be required to comply with the Principles of Expected Conduct set out in Paragraph Conduct Community Values and House Rules at all times.

4b. In addition any member that exhibits any of the following behaviours may be removed from the premises, or have their Membership suspended or terminated: violent, abusive or intimidating behaviour; any form of discrimination, harassment or bullying on the basis of religion, race, ethnicity, sexual orientation, gender, age, or disability; deliberate or reckless damage to Club property; using or possessing illegal substances or items; or any action, within or outside the Club, which is likely to bring the Club into disrepute or.....

5. Data Privacy

5a. The Club shall handle data and personal information in accordance with the privacy policy.

House Rules

6. Principles of Expected Conduct by Members and Guests.

The Club accepts that creative people will hold differing views on many issues but it will seek to encourage a positive and respectful environment through open dialogue and healthy debate. It is important that members adhere to generally accepted principles of behaviour such as those listed below

A. Respect and Inclusivity

Treating everyone with courtesy and valuing diverse backgrounds and perspectives.

B. Professionalism

Acting responsibly when in the Club premises or when representing the Club in order to uphold the public image and respect of the Club.

C. Communication

Using appropriate language and tone, and being mindful of how words and actions can affect other members.

D. Integrity

Being honest, trustworthy, and acting with integrity in all interactions. The Club will seek to promote ethical behaviours to ensure fairness and respect in the best interests of the Club

E. Following Rules and Procedures

Adhering to established guidelines and club policies, including those related to safety and conduct.

F. Conflict Resolution:

Handling disagreements and difficult situations calmly and constructively.

G. Accountability

Taking responsibility for one's actions and their impact on others.

From time to time, it is inevitable that there may be breaches of club policies or levels of behaviour by a member(s) that require a more formal intervention by the Management Committee or Trustees.

7. The Disciplinary Policy Procedure.

Purpose and scope

1.1 The aim of this policy and procedure is to ensure consistent and fair treatment for all members. It is designed to help and encourage members to achieve and maintain appropriate standards of conduct, observance of Club Policies and Protocols as required by St Ives Arts Club. It is important that all members comply with these standards. This procedure outlines the action that will be taken if these standards are not met.

1.2 This procedure applies to all members

1.3 This procedure applies to all matters relating to Members conduct and behaviour whilst at the Club or engaged in Club activities outside the premises which are relevant to the operation, reputation or regulation of the Club

1.4 The Trustees and The Management Committee have overall responsibility for ensuring the consistent application of this procedure.

2. Principles

2.1 Any disciplinary process should be dealt with in a timely, sensitive and appropriately confidential manner. Any Member should raise any issue of concern as soon as it is reasonably practicable and an investigation should normally begin within ten working days of the incident occurring, or of an issue being brought to Trustees attention. The investigation should normally be completed within fifteen days.

2.2 Disciplinary action will not normally be taken at any of the formal stages against a member until an appropriate investigation has been carried out. An investigation may be carried out by a third party, at the discretion of the Trustees

2.3 The Trustees will endeavour to deal with disciplinary matters without unnecessary delay and expects the member to co-operate to achieve that aim.

2.4 Whilst every effort will be made to adhere to the time limits quoted in this procedure, circumstances may arise, particularly in relation to complex cases, where it is impractical to do so.

2.5 At all formal stages of the procedure the member will have the right to be accompanied by a representative.

2.6 All members will be treated in line with the Club's equality and diversity policy.

3. Informal stage

3.1 Where possible, the Club will seek to resolve minor problems and concerns promptly through informal means rather than through formal disciplinary action.

4.2 Through informal meetings, the member will be expected to engage in discussions with the Trustees in an attempt to establish the cause of

concern. The member should be made aware of the implications of failing to reach the agreed standards.

4.3 The Trustees may decide that an informal (oral) warning would be appropriate. This being the case, the Trustees should highlight the unacceptable standard of conduct and behaviour and give clear instructions on the improvements required. The member should be made aware that failure to meet the required level of improvement could lead to formal disciplinary action.

4.4 No formal disciplinary action is taken at this stage. Should it become clear during discussions that the matter is more serious and requires consideration under the formal procedure, the Trustees should stop the meeting and consider the next steps.

4.5 Mediation can be used as a means of resolving a disciplinary or a potential disciplinary issue where it has put a strain on working relationships. If a member wishes to explore the possibility of utilising mediation for this purpose, then the Trustees will take appropriate action.

5. Investigation

5.1 It is important to carry out an appropriate investigation of potential disciplinary matters without unreasonable delay in order to establish the facts. In most situations this will require holding an investigatory interview with the member before deciding whether or not consideration under the formal stage of the disciplinary procedure is warranted.

5.2 In the interests of fairness, where possible, different people should carry out the investigation and disciplinary hearing. No disciplinary action will be taken until the matter is investigated and the member has had an opportunity to respond to the allegations.

5.3 The investigation is normally carried out by the appointed Trustee. In cases of misconduct it may be appropriate for the investigation to be carried out by an alternative member of senior staff, designated by the director of human resources. During the investigation, the investigating trustee should not discuss the case with the member being investigated except during the investigatory interview.

5.4 During the investigation it may be necessary for the investigating trustee to interview other members or witnesses who are able to provide

information relevant to the investigation. It is important that the investigating trustee keeps an open mind and looks for evidence which may support the members case as well as evidence against.

5.6 Statements taken during the investigation should be clear, concise, accurate and signed by the person being interviewed.

5.7 In safeguarding both the reputation of the person under investigation and the integrity of the investigation itself, it is important that those involved in the investigation process are bound by confidentiality and do not discuss the case with anyone other than the investigating trustee.

5.8 There is no statutory right to be accompanied to an investigatory meeting. However, the Club would encourage members to be accompanied by an independent representative where possible.

5.9 The investigating trustee will ascertain the facts and produce, if appropriate, a concise report that clarifies the issues under investigation and, if any, the procedures, policies and protocols or standards that have been breached. The report will make a recommendation as to whether the matter requires consideration under the formal stage of the disciplinary procedure. In the absence of a report, a recommendation should still be made.

5.10 In some circumstances it may not possible to interview a potential witness prior to the recommendation that the formal stages of this procedure are invoked. In these circumstances the witness may be interviewed prior to the disciplinary hearing to ascertain whether or not they have any useful additional information.

6. Suspension

6.1 There may be instances where suspension from membership is necessary while investigations are carried out. In such cases, the Trustees will decide if suspension is appropriate and will send written confirmation of the suspension details to the member.

6.2 It should be made clear that suspension is a neutral act; it is not an assumption of guilt and is not considered a disciplinary sanction. Normally the aim of suspension is to ensure that individuals and members are protected and/or to ensure that a fair investigation is carried out. The period of suspension will be as short as possible, normally lasting no longer than fifteen working days. In exceptional circumstances where suspension exceeds this time limit or continues

until the matter is fully resolved, the member will be informed as to the reasons and the progress.

6.3 The authority to suspend is obtained from the Trustees.

7. Formal stage

7.1 If the matter is not resolved through the informal stage, the investigating Trustee may proceed to the formal stage. In certain circumstances, depending on the severity of the allegations, it may be necessary for the matter to proceed directly to the formal stage following an investigation. Either way, the member will be notified in writing the stage at which the matter is being dealt with.

8. Disciplinary Hearing Procedure

8.1 The member will be written to inviting them to attend a disciplinary hearing at least five working days before the hearing. The letter will contain sufficient information about the alleged misconduct and its possible consequences to enable the member of staff to prepare to respond at the hearing. The letter will include details of the time of the disciplinary hearing, the venue, and will enclose a copy of this disciplinary policy and procedure together with copies of any written evidence, including witness statements. The member will also be advised of their right to be accompanied to the hearing by an independent representative.

8.2 During a formal hearing convened under this procedure, the person accompanying the member may put forward and sum up the member of staff's case, question witnesses, respond on behalf of the member of staff and confer with the member of staff, but cannot answer questions on the member of staff's behalf.

8.3 Where the Club or member intends to call relevant witnesses, a day's advance notice shall be given on either side of their intention to do so.

8.4 At the disciplinary hearing, the investigating Trustee who will explain how the meeting will be conducted and explain that the purpose of the meeting is to consider whether disciplinary action should be taken in accordance with the procedure.

8.5 In addition to the Trustee parties normally in attendance at the hearing will be the person who conducted the investigation, any witnesses if appropriate and a member of human resources.

8.6 The investigating trustee will state the complaint against the member of staff and clearly outline the case by referring to the evidence gathered during the investigation process.

8.7 The member will have the opportunity to present their case, cite any mitigating circumstances and answer any allegations that have been made. The member will be given reasonable opportunity to ask questions, present evidence and call any relevant witnesses.

8.8 The Investigating Trustee may ask questions of all relevant parties and any witnesses called.

8.9 Should new facts emerge at the hearing, the investigating trustee may deem it necessary to adjourn to have these investigated and reconvene the hearing when the investigation has been completed.

8.10 At the end of the hearing, the I T will summarise the main points of the discussion to allow both parties to be reminded of the nature of the complaint, the arguments and evidence put forward and to ensure nothing has been missed. The IT will check that the member has nothing further to add.

8.11 Before reaching a decision, it may be necessary to adjourn the hearing, in order to allow time for reflection and proper consideration of the discussion that has taken place. This adjournment may also allow for any further checking of any matters raised, particularly if there is any dispute over facts.

8.12 A written record of the hearing will be available to all parties, which is not normally a verbatim record. If there is any disagreement over this account, details will be added to the record.

8.13 Normally the decision will be communicated to the member in writing with reasons within five working days with the member of staff's right of appeal outlined in the letter.

9. Appeals

9.1 If the member of staff wishes to appeal against the outcome of the disciplinary hearing, they should write to the Chair of the Trustees outlining their reason(s) within ten working days from the date of receipt of the letter in 8.13. The Chair will designate an appropriate independent lay person to hear the appeal.

9.2 The member will be invited to attend an appeal hearing giving a minimum of at least five working days' notice in advance of the hearing.

9.3 At the appeal hearing the member of staff will have the opportunity to outline:

A. Any new information that was not available at the time of the original hearing; and/or

B. Any complaints of a failure in the original decision-making process e.g. a failure to follow procedures or a failure to provide a fair hearing.

9.4 The appeal hearing will be of a similar format as the disciplinary hearing without the attendance of witnesses.

9.5 Normally appeal decisions will be confirmed in writing, within five working days of the meeting, outlining the College's final response. The outcome of the appeal may:

- Uphold the original decision and confirm the original outcome;
- Substantially confirm the original decision but substitute a new outcome; or
- Override the original decision.

10. Outcomes of the Disciplinary Procedure

10.1 **Stage one** – first written warning the member will be provided with the reason for the warning, in writing, and the change in behaviour required. If appropriate, the member of staff will be offered extra training and/or support. The member will be given specific timescales for improvement and will be advised of the implications should the required standard of conduct not be achieved. A record of the written warning will remain active for 1 full membership year.

10.2 **Stage two** – final written warning A final written warning will be considered where: -

a) a members conduct fails to improve having already been given a first written warning. Under these circumstances demotion may also be considered, dependent on the individual case; and/or

b) a members actions (whilst falling short of serious breach justifying dismissal) are deemed by the College to be serious enough to warrant only one written warning. In cases of this nature, the College may issue a final written warning, without having previously issued a first written warning.

The member of staff will be provided with the reason for the final written warning and informed of the action required to reach a standard of conduct that is acceptable to the College. The member of staff will also be reminded that if the required standard is not achieved, or if there is further misconduct, then this could lead to dismissal. If appropriate, the member of staff will be offered extra training and/or support. The member of staff will be given specific timescales for improvement. A record of the written warning will remain active on the member of staff's personal file for twelve months, after which time it will be considered expired.

10.3 **Stage three** – removal from membership will be considered where:

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a) a members conduct fails to improve having already been given a final written warning; and/or

b) the circumstances of the case are considered an act of gross misconduct.

In all cases of removal from membership the notification will include:

- the reason(s) for removal
- the date at which the repeal will be affected - and for how long.