**Letter of Intent to Recommend Removal for Cause**

A Chair may recommend removal of a member from the roster for due cause based on a member’s failure to actively participate in committee proceedings or meet committee responsibilities, which include but are not limited to:

1. missing two consecutive committee meetings without prior approval from the committee Chair,
2. failure to attend at least 50% of scheduled committee meetings within any twelve month period,
3. failure to return at least 60% of the letter ballots within any twelve month period, and/or
4. failure to fully disclose a conflict of interest.

Prior to submitting a recommendation for removal, the Chair shall notify the committee member in writing of his/her intent to recommend removal for cause and the reasons why (see example letter of intent below). An offer to the member to resign from the committee rather than be removed for cause is highly recommended.

The recommendation for removal is submitted via the Chair’s Membership Recommendation Form. The Chair shall complete the Removal of Member section of the Chair’s Membership Recommendation Form, and include documentation of the committee Chair’s communication to the member, his/her response, and written justification for the recommendation (e.g., copy of meeting minutes noting absences, letter ballot vote counts noting unreturned ballots, etc.). The recommendation will be acted on by.

**Sample Letter of Intent to Recommend Removal for Cause:**

Dear \_\_\_\_\_\_\_,

I am writing to you because of your recent lack of participation in meetings and e-mail ballots of XX. You have missed XX meetings and have not responded to XX e-mail ballots in the last XX months. {Since it has been possible to attend these meetings electronically this is an unacceptable level of participation.} We are having trouble achieving a quorum because of your lack of participation.

You have several options for how to proceed. These are:

1. Resign – this can be done with a simple email message to me with a copy to the Manager of Standards.
2. Respond and make a case for why you have been absent and how you will be able to actively participate in the future.
3. Become a non-voting member – you can opt to have your voting status changed to [NVM or PSVM] by responding immediately. You will also need to submit required documentation for a change of status without delay when contacted by staff.

If you don’t do any of these things by [date – generally 2 weeks] I will request that [appropriate staff] act at its next meeting to remove you from the roster for lack of participation.

Leaving the committee does not mean that you are unable to participate further. You can join any meeting as a guest and you can participate in the public reviews of the draft standard. I would strongly encourage you to do these things. I appreciate your past service but I think you can understand that in order for the committee to function I must act to remove inactive members. I look forward to learning of your decision.

Best regards,

**SAMPLE LETTER INFORMING A MEMBER THAT THEY FACE AN INVESTIGATION**

**Private and Confidential**

This is to confirm what was said at our meeting on (date of meeting). The meeting took place in (room); (name) was present as your (colleague/support).

You face the possibility of being removed as a Member of the Corporation Board on account of (brief description of the matters of concern). This/these matters will now be investigated further. It is anticipated that the investigation will be completed within (timescale). If there is some good reason for it not to be complete within that timescale I will write to you again with an explanation.

At the end of the investigation the outcome could be that there is no case to answer and in those circumstances I will inform you in writing at the earliest opportunity. Otherwise you will be informed of the need for you to attend a hearing at which you will have the opportunity to respond. You will be given 10 days notice of this, which you can choose to reduce if you so wish.

Please treat this matter as confidential, it is not appropriate that it should be discussed at anything other than a formal meeting called for that specific purpose

It is requested that you do not attend Corporation Board meetings or conduct other Governance business whilst this process is ongoing. This is not meant to infer that there has been any judgement made (explanation given here of circumstances of request not to attend meetings etc).

**SAMPLE LETTER INFORMING A MEMBER OF A HEARING**

**Private and Confidential**

Further to our meeting on (date when member was informed that they may face a hearing) I am now writing to inform you that a hearing is to be held.

This is scheduled to take place at (time) on (date) in (room). You should report to (room) where you should wait until invited into the hearing.

If this date is not convenient for you then you should contact (name) immediately to arrange an alternative. Please note that the time delay is to give you an opportunity to prepare; the hearing can be held sooner by mutual agreement.

If you fail to attend without good reason the meeting will go ahead in your absence. If you seek to delay the meeting you can do so but only by up to a further 5 working days.

The hearing is being called to consider (specific nature of the concern). The meeting will be chaired by (name). Copies of all documents that will be considered at the hearing are enclosed. Any documents that you intend to refer to should be forwarded immediately, addressed to me.

You have a right to be accompanied. This should ideally be by a fellow Governor, but not a member of the Search Committee nor a legal or professional adviser unless the College agrees otherwise having received such a request in advance or if the College intends to be legally represented itself. Members of the staff welfare team are available on request to support and accompany you.

It is the Colleges policy that if you choose not to be accompanied, then a member of the staff welfare team will be asked to attend the hearing as an independent observer. I would therefore appreciate it if you would confirm that you will make your own arrangements to be accompanied and the name of the person accompanying you.

Please remember that this matter is confidential; it is not appropriate that it should be discussed at anything other than a formal meeting called for that specific purpose.

**SAMPLE ‘NO CASE TO ANSWER’ LETTER**

**Private and Confidential**

I am writing to inform you of the outcome of the investigation/hearing.

It has been determined that there is no case for you to answer. This is because (brief explanation).

This means that the matter is now formally closed.

I would like to thank you for your assistance during this process. I realise that this has been a difficult time for you and would like to assure you that your contribution and expertise as a Governor is very much appreciated. I would like to thank you for your cooperation and forbearance during this investigation and look forward to your continued involvement. Please do not hesitate to contact me if you would like further clarification on any of the points made.

**SAMPLE LETTER TO REMOVE A MEMBER WHO IS UNFIT OR UNABLE TO DISCHARGE THE DUTIES OF A GOVERNOR**

**Private and Confidential**

A hearing has been held to consider a number of concerns raised regarding your fitness or ability to discharge the functions of a member, consideration was given to (concerns, eg health or conduct)

At the hearing to consider these issues, the Corporation Board were satisfied that you are unfit/unable to discharge the functions of a Member of the Corporation, and that notice be given that you have been removed from office in accordance with Clause 10(2) of the statutory Instrument of Government, this decision to take effect from (time) on (date of meeting).

I am very sorry that your membership has ended in this way; your contribution to the business of the Corporation has been valued and your expertise considered to be extremely useful during your collaboration with the College over the past few years. If you would like to appeal against the decision to terminate your Membership, please write to the Clerk to the Corporation Board within 10 working days, stating your reasons for appeal. On receipt of your letter, a meeting will be convened to hear your appeal, according to the College’s appeals procedure. I would like to take this opportunity of thanking you for your association and contribution to the work of the Corporation Board during your time as a Member.