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Model constitution for Tenants' and Residents' Associations

Contents

- Introduction 2

- Section 1: The model constitution 4
 - 1 Name 4
 - 2 Aims 4
 - 3 Membership 5
 - 4 Affiliation 5
 - 5 The committee 6
 - 6 Sub committees 7
 - 7 Meetings 8
 - 8 Finance 11
 - 9 Changes to the constitution 11
 - 10 Dissolution 12

- Section 2: code of conduct for committee members 14
 - 11 Introduction
 - 12 Personal interest of committee members 15
 - 13 Relations between committee members and other residents 15
 - 14 Finance 10
 - 15 Relations with Lambeth Council and outside bodies 15
 - 16 General 17

- Section 3: equal opportunities statement. 18

INTRODUCTION

This model constitution is intended for all Tenants' and Residents' associations (TRAs) wishing to be formally registered with the council for consultation purposes under Section 105 of the 1985 Housing Act. It does not cover recognition of a 'recognised tenants association' under Section 29 of the Landlord and Tenant Act 1985.

A currently registered TRA which meets the registration criteria can:

- Be consulted and involved in the management of their homes
- Receive funding and support from the housing department and the council.
- Attend and vote at the appropriate area board meeting
- Be considered for election to other housing consultation bodies
- Apply for funding both within the council and from external funding organisations and seek the support of their area housing office

Before applying for registration each TRA **must adopt a formal constitution** based around this model. Most of the clauses in the model constitution are essential for registration. This means you must include these in your constitution. You may add other clauses to this model, and you may not take any away without consulting your resident participation officer (RPO) first.

If you wish to include additional clauses, again we advise you to discuss this with your RPO so that the council are clear about the intention of the change. If the change is justified we will accept the proposed changes.

At the meeting at which your TRA is set up, you will need to go through the terms of the model constitution and formally adopt it. Once the constitution is adopted, the association is bound by it, this includes the quorum. The RPO for your area is able to help residents who are interested in setting up a TRA through this process.

At this meeting, you will also elect a committee to manage your association. The section on "Advice on roles of committee officers" has been included to help you with this.

There are restrictions on those who may be officers of a TRA:

- tenants in rent arrears which are not reducing on a regular basis
- leaseholders in service charge arrears, which are not reducing on a regular basis
- anyone who has an outstanding money judgement.

Once you have agreed the constitution, send it to the RPO for your area, along with your completed registration documents. The RPO for your area will check through the constitution to ensure all the relevant sections have been completed before submitting it for registration.

The minimum number of properties required for an association which qualifies for registration under the council's criteria is 26.

GENERAL

- a. Committee members must never personalise issues and should be willing to recognise that everybody is entitled to express their point of view without unduly preventing progress of discussion on the agenda at a committee or general meetings.

- b. A serious breach of any of the association's code of conduct may result in a committee member, following a majority vote of the committee, being asked to resign.
- c. The committee will take decisions based on there being a unanimous agreement or a simple majority of those present if a vote is taken. Minority voters should always be prepared to accept the majority decision and not take such a decision as any form of personal slight or criticism.
- d. Committee meetings must be held at times which are convenient to the majority of committee members. Every committee member must try to attend committee meetings regularly. If a committee member fails to attend three consecutive meetings without giving good reason, they will be deemed to have resigned. To prevent arguments about attendance at meetings, a record will be kept of those present at the meeting.

THE MODEL CONSTITUTION

1 Name

The name of the association is Woodvale Estate TRA

The association covers the following area (please list all streets and blocks covered by the association)

Longmead House, Pondfield House, Hallane House, Levehurst House, Woodvale Walk

2 Aims

The aims of the association shall be to carry out such purposes which are for the benefit of the community living within the association neighbourhood area. In furtherance of this, the association shall have the following aims and obligations:

- a. To represent all residents within the association area
- b. To promote the rights and needs of Lambeth Council tenants, leaseholders and freeholders in relation to the maintenance and improvement of their housing conditions, amenities and the environment.
- c. To promote, support and achieve changes and improvements to the quality of life for local people and their communities
- d. To promote social, welfare and recreational activities for the benefit of the community.
- e. To promote equal opportunities and work for good relations amongst all local residents.
- f. To acknowledge that humanity is in a climate emergency, and to promote strategies to mitigate climate change.
- g. To promote and increase biodiversity within the estate.
- h. To promote open membership to the TRA for all members of the community.
- i. To work in partnership with Lambeth Council on performance and delivery of housing service's
- j. To build the partnership and improve communication between Lambeth and the association.
- k. To work in partnership with voluntary or private sector organisations to bring activities that benefit the local community
- l. To promote equalities, inclusivity and diversity and work for good relations amongst all members of the community in line with the attached Equalities, Inclusivity and Diversity Statement
- m. To promote organise or commission regular inclusive activities that residents are interested in and encourage community spirit bringing people together

- n. To regularly consult and inform all members and the community through communications including use of digital tools.
- o. To represent the majority view of the community
- p. Be non party-political
- q. To promote involvement in association activities by all members of the community including youth & young adults, vulnerable persons and ethnic back grounds – Through regular active consultations or engagement
- r. To make applications to funding bodies for grant funding for specific projects and equipment which promote and supported the association
- s. To set annually a subscription, if deemed necessary, for enrolment as a member of the association

3 Membership

- a. Membership of the association is open to all tenants, leaseholders and freeholders in Lambeth (including housing association tenants) and members of their households (aged 16 and above) living in the association area
- b. There can be no more than one committee member from any one household, unless the total number of committee members is less than 10.
- c. The following are allowed to be officer holding members who are also entitled to vote: tenants, leaseholders and freeholders and family members living with tenants of Lambeth [Must be over 16 and listed as family member on tenancy agreement] and who pay service charges to the Housing Revenue Account.
- d. The following are allowed to be non-voting, non-office holding members: Residents from the association's area of benefit who are not any of the above; namely, housing association tenants and private sector residents
- e. Should a person stop living within the area covered by the TRA, they will no longer be a member of the TRA unless they are co-opted to the committee. Should this person be an elected officer of the TRA, the post will become vacant and an election for the newly vacated post must take place at the next general meeting of the TRA.
- f. Councillors or Lambeth Housing staff of LBL are not eligible for membership.
- g. The association will provide new members with support and guidance of the aims and processes of the TRA.
- h. A copy of the constitution will be given freely to all new members of the association, on request
- i. Members should respect the confidentiality of all individual residents, whether present or not and not mention specific individual cases which may cause embarrassment or identification of an individual.
- j. Members should not speak or write on behalf of the committee without prior agreement of the committee. Any correspondence sent on behalf of the committee should be made available to all committee members.

4 Affiliation

The association may affiliate to any non-party political organisation whose aims and objectives are commensurate with those of the association and which can help the association in achieving its aims and objectives.

5 The committee

- a. The committee shall have a minimum of the following officers: a Chair, Secretary, Treasurer, where possible to officers shall be elected as outlined in the Roles and Responsibilities section
- b. Committee members shall be elected at an annual general meeting (AGM). The size of the committee should be no fewer than five and no more than 15 members.
- c. The Chair shall be allowed to run by way of election at the AGM for a maximum of two years. The chair can be re-elected after two terms. If there is no other member elected to succeed, the current chair can be re-elected for a further term.
- d. The chair is responsible for leading all meetings of the association. If agreed or in the absence of the chair, another officer present, and where elected the vice-chair, stand for election to the role of chair for that meeting.
- e. The committee and officers shall, as far as possible, be representative of the community which it serves and reflect the tenure split of the properties the TRA covers.
- f. Where possible a maximum of 2 Resident Leaseholders or Freeholders may be elected as officers and must not make up more than one third of the committee, unless tenants are not interested in performing an officer role, or being members of the committee.
- g. Non resident leaseholders are ineligible
- h. No more than one officer shall be elected per household
- i. Removal of officers or committee members can only be carried out by a majority vote at an AGM or special general meeting called specifically for that purpose
- j. Any vacancies from the committee occurring by resignation or otherwise may be filled by the committee by co-opting members with full voting rights, until the next general meeting, when the committee's decision may or may not be ratified by the general meeting.
- k. The committee may, when necessary or when deemed to be of benefit to the association, co-opt up to three non-voting people not living in the association catchment area, and whose skills or experience would be advantageous to the committee in carrying its functions
- l. In view of the potential conflict of interest, Lambeth councillors and Lambeth Housing Management staff are not eligible to be officers of an association
- m. The committee shall try to ensure the composition of the Committee represents the multi-racial character of the association area.
- n. Any officer or committee member who does not attend three consecutive meetings without giving reasonable apologies shall be deemed to have resigned
- o. The committee will ensure official documents and request are returned back within the deadlines set out. Eg; AGM registration, bidding for funding must all be

received back within the date as set out by the RPO. Late or missed documents may result in the TRA not being recognised or refusal of funds.

- p. The committee will send regular communications and consultations in the form of posters, leaflets and online with regard to activities.

6 Sub committees

- a. The Committee may appoint such sub-committees as may be required to carry out the activities of the Association. Such sub-committee shall be directly accountable to the Committee. The Committee shall agree in advance the terms of reference of any subcommittee, which may then act and apply any finance raised by itself or on its behalf only within those terms.
- b. The Committee should encourage involvement of youth by supporting in creating groups
- c. The elected lead of the committee as set out in the Roles and Responsibilities shall be chair of the sub-committee.
- d. All sub committee's must consist of positions of chair, treasurer and secretary and any subsequent positions they deem necessary to achieve the aims of the sub committee
- e. Sub committees are to make bids for grants through approval of the TRA committee
- f. Where any sub-committee is to continue in existence beyond the Annual General Meeting following its appointment, its members shall submit themselves for re-election at that meeting and annually thereafter.
- g. All sub-committees shall keep proper accounts of income and expenditure, and a proper record of all meetings, and shall report on them or deliver them up as required by the Committee or General Meeting.
- h. The Committee or General Meeting may dissolve any sub-committee whereupon the accounts, records and assets, financial and otherwise of the sub-committee shall pass into the hands of the committee.

7 Powers

In Furtherance of the objects but not otherwise the Committee may exercise the following powers:

- a. Power to raise funds and to invite and receive contribution provided that in raising funds the Committee shall not undertake any substantial permanent trading activities and shall conform to any relevant requirement of the law.
- b. Power to buy, take on lease or exchange any property necessary for the achievement of the objects and to maintain and equip it for use.
- c. Power to employ such staff (who shall not be members of the Committee) as is necessary for the proper pursuit of the objects and to make all reasonable and necessary provision for the payment of pensions and superannuation for staff and their dependents.

- d. Power to affiliate to anybody whose objectives may be of benefit to the Association and its members and do not conflict with its aims) and to exchange information and advice with them
- e. Power to appoint and constitute such advisory committees as the Committee may think fit.
- f. Power to do all such other lawful things as are necessary for the achievement of the objects.

7 Meetings

- a. The committee will make every effort to facilitate the attendance of all members to any of the meetings outlined below by ensuring, as far as possible, appropriate times, dates, venues and digital access, giving consideration to the difficulties of the membership regarding disability, childcare responsibilities etc., and by arranging for the translation of publicity into the appropriate languages if necessary.
- b. Members should observe collective responsibility for committee decisions.
- c. The association shall give Lambeth officers at least two weeks' notice of all meetings. A resident group demonstrating best practice will, if possible, provide the Neighbourhood Manager/Housing Officer/RPO dates of meetings annually from the AGM;
- d. The association should consult members and send Lambeth staff details about the reason for attendance, the Agenda and list of questions should be sent to staff at least a week before the meeting to enable preparedness. Be clear about why the staff member is required at the meeting and whether they need to be at all or part of the meeting.

7.1 Annual general meeting

- a. The association shall hold an AGM once each calendar year and not more than 15 months shall pass between the date of one AGM and the next. This should be made accessible to all by considering venue and digital access.
- b. Where an association has been unsuccessful in holding a quorate AGM within 15 months, they shall be allowed a further three months in the development stage within which to re-start the association.
- c. Where an association has been unsuccessful in re-starting the association within 18 months, all chequebooks, receipts minutes etc. of the association shall be handed to the resident participation officer for the area. These items shall be held in trust until the association either re-starts or a meeting is called to dissolve the association.
- d. The AGM shall:
 - Receive an annual report from the committee
 - Receive a statement of accounts from the Treasurer
 - Appoint an independent auditor or qualified bookkeeper to verify the accounts

- Elect a chair, treasurer and secretary, (optional) positions as set out in the Roles and Responsibilities section
 - Elect committee members
 - Elect a nominee to the Area Board (who may be a freeholder or housing association tenant but will not be eligible to vote on HRA matters)
 - Agree rates for membership fees (if any), for example, an association may levy a subscription, as a condition of membership, on freeholders equal to the amount received in their administration grant per property (currently £2 per annum)
 - Vote on amendments to the constitution (previously notified)
 - Consider resolutions put forward by members
- e. An independent observer shall attend each AGM. They shall confirm that the meeting was arranged and conducted in accordance with the association's constitution. The Independent observer must be one of the following:
- A member of the resident participation team.
 - An officer of the council.
- f. Ten days general notice, which may be in the form of digital, posters and other such mass communications, shall be given of the AGM. A leaflet and agenda should be delivered to every person in the association's area of benefit seven days prior to the meeting.
- g. Every member present shall have a vote.
- h. Registration documents must be returned in the time set out by the RPO

7.2 General meetings

There shall be at least four general meetings of the association organised during the year

- a. Meetings are open to all people living in the defined area
- b. Attendance records should be kept to show active membership.
- c. Every member present at a general meeting shall have a vote
- d. Decisions of the general meeting shall be binding on the committee
- e. Decisions of the general meeting shall be made via a simple majority of votes.
- f. At least seven days' notice shall be given for a general meeting. Please note this differs from an AGM.
- g. The quorum for a general meeting (including the AGM) shall be five per cent of properties represented or ten properties represented whichever is the greater with a signed attendance sheet to be used

7.3 Special general meetings

The secretary shall call a special general meeting at the request of a majority of the committee; or on receipt of a petition signed by not less than five per cent of the total number of dwellings or ten dwellings whichever is the greater, giving reason for their request. Only one signature on the petition shall be counted for each dwelling in the TRA catchment area. The secretary shall give not less than

seven days' notice of such a meeting, which will take place within 14 days of receipt of the petition.

- a. The committee may pass a vote of no confidence in any officer (Chair, Secretary, Treasurer) on the grounds of not showing commitment or capability to carry out his/her duties.
- b. In the event of a "vote of no confidence" being proposed in the chair or any other officer, this must be seconded and if carried by a simple majority of those present and voting, the officer concerned shall cease to carry out his or her duties for the remainder of that meeting, and for the remainder of that term of office until the next General Meeting, Special General Meeting or AGM; at which time he or she shall be entitled to stand for re-election provided he or she is nominated, and seconded. The officer shall at all such times remain on the committee and retain membership of the Association.

7.4 Committee meetings

- a. The quorum for committee meetings shall be a minimum of 3 elected members.
- b. Committee meetings may be called by the chair and secretary or at the request of one third of the committee members. At least seven days' notice must be given to committee members.
- c. Although committee meetings shall be open to all members, only members of the committee may vote at committee meetings.
- d. The committee has the right to hold a meeting just for committee members where confidential matters need to be discussed. An independent person of Lambeth Council should be invited to attend this meeting.

7.5 Conduct of general meeting business

Voting

- c. At all meetings (except those dealing with alterations to the constitution) decisions shall be taken by a simple majority of those members present and voting. Each member has one vote.
- d. Alterations to the constitution require a two-thirds majority of those present and voting at the meeting at which the constitution is proposed to be changed. Full details of proposed changes must be circulated at least fourteen days before the meeting.
- e. Careful consideration needs to be made in regard to considering potential impact of any comments made. This applies to whether the committee member attending a meeting or carrying out any representative function.
- f. Conflict of interest must be declared. Members with a conflict of interest should then withdraw from discussion and voting on the issue in question.
- g. Freeholders and housing association residents, who are association members, are not eligible to vote on matters affecting the Housing Revenue Account. This shall include (but not exclusively) such items as voting on the level of rent rise, levels of service charges and changes to tenancy agreements.

Minutes

The secretary is responsible for minuting and distributing minutes in a timely manner as set out below.

All voting that takes place at an AGM, general meeting, special general meeting or committee meeting shall be counted and recorded in the minutes.

All formal meetings such as committee meetings, special general meetings and AGMs must be minuted and the minutes formally approved by the next meeting of the committee or general meeting.

- a. The association shall produce minutes of all meetings, making them available to all in attendance. Residents and Lambeth staff can receive copies upon request.
- b. All minutes to be made available online once formally approved.

8 Finance

- a. A simple record of income and expenditure must be produced each year at the AGM and be available to members on request.
- b. Accounts should be independently audited or verified.
- c. Accounts should be open to inspection by members on request.
- d. The association may raise funds either by donation, grant application or other means. The proceeds of any such fundraising shall be used in accordance with: and to the furtherance of: the aims and objectives of the association.
- e. Bank account(s) must be opened in the name of the association. Cheques, transfers and other banking instruments or instructions shall be signed by **at least two signatories** who must be members of the committee.
- f. Signatories must not be related or be members of the same household.
- g. Proper records of all petty cash transactions must be kept.
- h. Where an association has not spent its administration grant, or has underspent it, in any two years, it shall be at the discretion of the resident participation officer for the area as to whether they qualify for a further administration grant if the TRA cannot demonstrate their intentions for the grant.
- i. All payments from the council shall be by BACS. When completing the registration forms after the AGM, a photocopy of your association's most recent bank statement or the page from your passbook showing the account name and number must be provided; the information on the 'Administration Grant Payment' page of your application must be completed accurately and completely to prevent delay in receiving the administration grant
- j. The committee must ensure official documents and request are returned back within the deadlines set out. Eg; AGM registration, bidding for funding must all be received back as set out by the RPO. Late or missed documents may result in the TRA not being recognised or refusal of funds.

9 Changes to the constitution

- a. Any proposed change to this constitution can only be made at a special general meeting called specifically to discuss these changes, or an AGM.

- b. Any proposed change to this constitution must be sent to the secretary not less than 28 days prior to the meeting at which the alteration is to be discussed.
- c. The secretary will circulate the new wording (amendment) together with the old wording and notice of the meeting at least 14 days prior to the meeting at which the alteration is to be discussed.
- d. Alterations to the constitution require a two-thirds majority of those present and voting.

10 Dissolution

- a. A special general meeting called specifically to consider a motion to dissolve the association can only dissolve the association.
- b. All members shall be given 14 days' written notice of such a meeting.
- c. For the purposes of a dissolution special general meeting, a quorum need not apply.
- d. The association can only dissolve if a majority of the members present and voting at the special general meeting vote for a motion to dissolve the association.
- e. The meeting shall decide on the disposal of any assets remaining after the satisfaction of debts and any other liabilities. These assets must be applied to charitable purposes agreed with the members of the association.
- f. Any council assets the association has been permitted to use and which have not been transferred into the ownership of the association by way of outright donation or gift must be returned to the council if they so wish.
- g. An independent observer shall attend the 'winding up' meeting. They shall confirm that the meeting was arranged and conducted in accordance with the association's constitution clauses on dissolution. The independent observer must be one of the following:
 - A member of the resident participation team
 - An officer of the council
- h. The independent observer shall report back to the RPO and shall give an accounting of any monies distributed for the benefit of the community on dissolution.

12 Annual Reviews for continued recognition

Lambeth will undertake an annual review of all formally recognised resident associations, to assess whether they should still be formally recognised by Lambeth. The recognition of an association will be renewed, if the association shows evidence of the following;

- a. The Association still meets the recognition criteria set out in this guide
- b. The Income received from Lambeth has been used for the purpose intended and its financial accounts have been properly maintained
- c. The Association has not been subject to a vote of no confidence or official complaint

- d. Decisions have been made democratically and in the interests of the wider membership
- e. Demonstrates how the group has developed committee skills and encouraged new members; Lambeth will support with training.
- f. The Association has not been in breach of the Code of Excellence or Equality & Diversity Policy
- g. The association has submitted all documents and request within the deadlines
- h. In any case where the Association falls short of any of the above criteria, Lambeth will, where appropriate, agree a support and action plan with the committee, to help them achieve the required standard.

11 Community Facilities

The provision of good quality community facilities not only allows for the enjoyment of residents, workers and visitors in the borough, they also help raise the quality of life and promote healthy living. Therefore, the Council, as a local planning authority, will constantly seek to facilitate the supply of appropriate premises across the borough.

- a. To encourage the provision of community facilities to meet the wide-ranging needs of people living, working, studying in and visiting the borough; these facilities will be used to provide shared mixed-use community benefits from TRA and community organisations
- b. Use of the facility is subject to guidelines as set out by Lambeth
- c. Unless there is an agreed signed lease; all community facilities are owned by Lambeth Council and where possible will be provided to the TRA for use of community activities and meetings
- d. Lambeth is responsible for the repairs and maintenance of the building
- e. TRA and any other user using the facility are responsible for the upkeep including cleaning and keeping in good working order
- f. Lambeth reserves the right to partner any organisation they see fit to use the space and provide community benefits from the facility
- g. The RPO will facilitate a bookings and payment system which the TRA must use for renting out the hall
- h. Any revenue generated through the renting of the community facility must be transparent and clear. All members at their request should have access to the financial information

CODE OF CONDUCT FOR COMMITTEE MEMBERS/ TRA CODE OF EXCELLENCE

The role of the committee is to carry out the day to day business of the association in an efficient, fair and responsive way. In taking decisions on behalf of the association, committee members must always be aware of their responsibility to represent the best interests of residents in their area/estate and try to reflect and understand the views of the community.

All committee members must comply with the constitution and code of excellence.

TRA's shall exercise best and excellent practise:

- a. As an association representing the people, Members shall conduct themselves with a high standard of courtesy in their dealings with each other, Lambeth and organisations in a manner that will not cause offence to others.
- b. Members should treat everyone attending meetings respectfully and never use language or behaviour that is considered intimidating, threatening, rude, aggressive, violent, racist, homophobic, sexist or inflammatory remarks. Careful consideration needs to be made in regard to considering potential impact of any comments made. This applies to whether the committee member attending a meeting or carrying out any representative function.
- c. Members should not bring the association into disrepute.
- d. In the event of continuous or serious breaches of the constitution or code of excellence, membership of the association can be suspended by a two-thirds majority vote of the committee
- e. A member whose membership has been suspended in accordance with clause shall be entitled to have that suspension reviewed at the next general meeting
- f. Members must not disclose information deemed confidential. From time to time, members will acquire and have access to confidential information and information that has not yet been made public. When members are advised that information is confidential it must not be disclosed to other people under any circumstances. Such information must not be used for personal gain;
- g. Any member under the influence of alcohol and drugs in meetings is not allowed and should be asked to leave.
- h. If the breach occurs in a meeting, the chair or committee members will warn members of their behaviour. If they persist they will be asked to leave the meeting until further notice. The committee must arrange a date and time and hold a meeting for them to discuss the incident and make a decision for what action to take. If an allegation of inappropriate behaviour takes place outside a meeting, any reports of breaches will be investigated by the RPO who will take appropriate action which could include suspension depending on the seriousness of breach.

13 Personal interest of committee members

- a. Committee members must never use their position or status to gain preferential treatment from the Council or Contractors for themselves, their family, or relatives. Nor should they be treated less favourably when requesting services from the council.
- b. Committee members must use the agreed normal procedure for reporting repairs or making other enquiries about their property.

14 Relations between committee members and other residents

- a. Committee members shall not be involved in harassment and anti-social behaviour. Action will be taken under the code of conduct against anyone in breach of this condition.
- b. Committee members will not have access to personal and individual files of estate residents.
- c. Committee members will not deal with neighbour or inter-personal disputes involving residents in the area. If a committee member is approached by a resident and asked to take up a complaint or enquiry on their behalf, the committee member must refer them to the council. The committee will deal with matters relating to the maintenance, repair and upkeep of the external fabric of the area.

15 Finance

Members should use TRA funds and resources honestly and appropriately.

Committee members cannot receive payment from the association other than for bona fide expenses, which have been submitted to the Treasurer not less than seven days before the next committee meeting.

16 Communications with Lambeth Council and outside bodies

- a. Requests for statements to the media or other organisations should be made to the chair. Any communication must be notified to the committee.
- b. Members must adhere to protocols for corresponding with Lambeth staff on behalf of the committee. When liaising with Lambeth, committee members should be clear with regard to whether they are expressing a personal view or representing the views of the committee. If a member of the committee is sending out correspondence or acting on behalf of the group, the approach should be agreed in advance by the committee, and copies of any correspondence should be provided to all committee members;
- c. Members may raise issues with staff, but not give officers instructions on the day to day performance of their duties. Residents wishing to comment on the performance of an officer, should do so through an appropriate manager.
- d. Communications sent on behalf of the association must be signed by the secretary and notified to the committee.
- e. Committee members must not divulge any association business, which is treated as confidential to other persons or organisations. Failure to comply with this will result in the issue being discussed at the next committee meeting as a breach of the Code of Conduct.

17 Procedures for dealing with conduct breaches

Where a serious breach of the Code occurs at a meeting, such as behaving in an abusive, threatening or aggressive manner, the person can be asked to leave the meeting immediately.

Any committee member who has reason to believe that another member has acted against the constitution, standing orders or this code of conduct, may make a complaint to the TRA committee. The complaint may be put to any member of the TRA committee. It is the responsibility of that committee member to ensure that the complaint is brought before a meeting of the committee within 28 days of the complaint being made.

Within 14 days of receiving a complaint, the committee should inform, in writing, the member about whom a complaint has been made, about the nature of the complaint and the date of the meeting at which it will be considered.

In considering a complaint, the committee may ask the member who has complained, the member about whom a complaint has been made, any other TRA member, or any other person who has relevant knowledge of the complaint, to attend the committee meeting to put forward their case and answer questions. The committee may consider correspondence and any other relevant material pertaining to the complaint.

Any member making a complaint, and any member about whom a complaint has been made, shall have the right to attend the committee meeting and shall be given a reasonable amount of time to present their case.

Parties to a complaint hearing may decide to attend hearings with a friend or family member for support. Any person who has been asked to attend the meeting to give information and who is not a committee member shall leave the meeting after putting forward information and answering any questions.

The member being complained about shall leave the meeting after putting forward his or her case and answering questions and shall not take part in making the decision about whether or not the complaint is upheld.

Where the original complaint was made by a member of the committee, that person shall leave the committee meeting after putting his or her case and answering questions, and shall not take part in making the decision about whether or not the complaint is upheld.

The committee shall take a vote to decide. Membership can only be suspended or ended by two thirds of the majority of the committee.

The committee shall decide on further action from the following options:

- Written reprimand to the member concerned.
- The member concerned to be suspended from holding an officer or committee position until the AGM; at which time he or she will be entitled to stand for reelection provided that he or she is nominated, and seconded. The

member must not carry out officer or committee duties whilst suspended, but retains ordinary membership of the TRA.

- Member concerned to be suspended from the committee for a period of time to, be specified by the committee; the suspension to take effect as soon as *possible* once the member has been informed in writing. The member must not carry out officer or committee duties whilst suspended, but retains ordinary membership of the TRA.
- Membership of the TRA committee permanently ended. (permanent ending of TRA general membership can only happen at a general meeting)

A member about whom a complaint has been made shall be informed in writing of the decision of the committee, and the reasons for that decision, within 7 days of the decision being made.

A member who has been suspended under the above procedure has 14 days from the date that he or she received notification of the disciplinary decision in which to state, in writing to the committee, that he or she wishes to appeal.

If a committee member who has been disciplined requests an appeal, the committee shall arrange, within 21 days, a Special General Meeting. All members of the TRA shall be given no less than 7 days notice of a Special General Meeting. All members of the TRA shall be entitled to attend the meeting: the quorum and voting rights shall be the same as those for an AGM.

At the Special General Meeting, a representative of the committee shall explain to the meeting the disciplinary action taken and the reasons for it. The member who has been disciplined shall explain his or her case. Both parties may ask any other person who has relevant knowledge of the circumstances, (whether a member of the TRA or not), to speak to the meeting and answer questions. A vote shall be taken to decide, by a simple majority of TRA members present at the meeting, whether or not the committee's disciplinary decision should be upheld.

If an officer or committee member is suspended through such disciplinary procedures, the committee may co-opt another committee member to hold the position until next AGM.

If the Special General meeting is inquorate, the meeting shall be re-convened.

If the Special General meeting is inquorate at the second time, the meeting shall not be re-convened. The Committee shall then refer the case to an Independent Appeals Panel comprising of Neighbourhood Management Committee Chair / Vice Chairs, council officers. All Parties shall be invited to the External Appeal Panel's hearing and its decision shall be final.

Equalities, Inclusivity and Diversity statement.

The London Borough of Lambeth has a diverse, multi-cultural population containing people with a variety of abilities. This association recognises that all sections of the community have a positive contribution to make to the life of the borough. This association will represent the interests of all residents in the neighbourhood to the best of its ability.

We will take steps to make our association as representative of the local neighbourhood community as possible. Our association will promote inclusivity and diversity. We will ensure that our meetings and any other association activities are accessible and welcoming to all residents in the neighbourhood.

All individual members of the association will be responsible for helping the association to meet these aims.

Any resident who feels that they have not been treated fairly and equally by the association can raise this with the Resident Participation Officer.

The constitution, code of excellence for committee members and the equalities, inclusivity and diversity statement has been adopted at a public meeting of the association.

Held at Balmoral Court _____

On 11.05.2022 _____

Chair's signature Kit Smithson (Signed on Registration Form)

Secretary's signature Claudia Evans (Signed on Registration Form)
