

Servite Housing Association

Committee Membership Policy

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Introduction

Servite Housing Association (“Servite”) is an Equal Opportunities organisation, is non-political, non-sectarian and seeks as broad and representative a membership across its area of operations as it can secure. The Association works across Tayside and Fife at present.

Servite aims to provide high quality housing and housing services. The overall responsibility for this lies with the Management Committee, which will draw its members from the Association’s membership.

This policy is designed to govern the way in which Members of the Management Committee are elected or selected. It complies with Data Protection legislation and relates to regulatory Performance Standards; Guiding Standards GS1.2; GS2.1 and GS2.2.

Eligibility for Committee Membership

Eligibility for membership of the Committee is governed by Rule 36 in the organisation’s Rules.

Those seeking to join the Committee must:

- Have the skills and aptitudes required by the organisation.
- Not be subject to any of the grounds for disqualification outlined in Rule 42. Prospective Committee Members will be required to sign a declaration that they are not subject to any grounds of disqualification.
- Sign the organisation’s own and the Scottish Federation of Housing Associations’ (SFHA) Codes of Conduct and Governance for Governing Body Members

The key skills and aptitudes required amongst the committee members to manage the organisation include an understanding and knowledge of :

- Local housing needs,
- Tenants and residents needs and concerns
- Strategic management/performance management
- The running of a business
- Financial matters
- Legal matters
- Community relations
- Equality issues
- Working with local authorities
- Property development/building
- Human resources
- Public relations
- Information technology

It is recognised that prospective committee members are unlikely to possess all of the skills/knowledge identified above therefore training and support is provided to enable committee members to discharge their duties.

Ending Membership

A person's membership of the Committee will be ended in the following ways:

- If they resign their position in writing,
- If they leave the membership of the organisation or have their membership withdrawn,
- If they miss four Management Committee Meetings in a row without special leave of absence previously granted by the Committee,
- If they are removed from the Committee by a two thirds vote in favour of their removal
- If they are found to be subject to any of the grounds for ineligibility.

Composition of the Committee

The Committee membership will be controlled by Rules 36 to 44 of the Rules.

The Committee shall consist of a maximum of 12 Members.

If during the period between Annual General Meetings, members of the Committee stand down, are removed or become ineligible, the Committee may fill these places though the mechanism of 'Casual Vacancies' under Rule 40, using existing members of the Association.

The Committee will be free to co-opt individuals on to the Committee under Rule 37 should there be space on the Committee to do so, i.e. that the maximum number of Committee Members is not exceeded. Co-optees may be used for short term appointments only. Co-optees may play a full part in the Committee and/or any sub-committees to which they are appointed and the running of the organisation, but may not:

- a) Take part in decisions relating to membership,
- b) Take part in decisions relating to the election of the Committee's Office Bearers.

Roles and Responsibilities

New and Prospective Committee members should be given an induction programme so that they can learn the workings, policies and procedures of the organisation. There should also be clear information available to new Committee members on what is expected of them. A list of the main roles and responsibilities is appended to this policy.

Public Awareness of the Management Committee

Servite will develop ways of ensuring that tenants, members, owners and members of the community are aware of the composition and role of the Committee. By promoting the Committee, we aim to:

- Improve the understanding of the way in which the organisation works,
- Improve the accountability of the Committee Members,
- Encourage members to become involved, by exercising greater choice when electing the Committee at the AGM
- Encourage members to come forward to become members of the Committee themselves.

Procedures for Filling Vacancies

There are two main procedures for filling vacancies which arise on the Committee:

- Firstly through election at the AGM
- Secondly through advertisement by the Association to fill particular identified skills gaps on the Committee

Procedures For Election

All members of the organisation are entitled to stand for membership of the Committee, provided that they are not subject to any of the grounds that would compromise their eligibility.

Members are entitled to nominate another member for election to the Committee.

Elections to the Committee will be held annually when one third of the Committee will require to stand down. Existing Committee Members who stand down may stand for re-election without being nominated subject to what is later provided with regard to "Period of Service".

Potential Committee Members must be nominated if they wish to stand for election to the Committee. The 'Committee Membership Nomination Form' appended with this policy should be completed by the member making a nomination and the nominee. The completed form should be received by the Secretary at the Registered office of the organisation 10 days in advance of the General Meeting taking place, complete with any biographical information that the member seeking election would like to be made available to the meeting.

Members of the Organisation putting themselves forward for election to the Management Committee may contact the organisation in person, in writing, via e-mail or by telephone. They will then be sent the following within two working days:

- A copy of this policy
- Copies of the Relevant Nomination and Eligibility Declaration Forms
- Copies of the SFHA and Servite's Codes of Governance/Conduct
- Copy of the latest Accounts and Annual Report.

Procedures for Filling Skills Gaps

The Management Committee is responsible for ensuring that it has the necessary expertise to control the business of the organisation. The Committee will consider annually any gaps in the skills and knowledge of the Committee. Where the association has identified particular skills or knowledge gaps then efforts will be made to advertise for suitable candidates to bolster the Committee. The advertising for suitable candidates will be through a range of methods including:

- Approaching individuals with those recognised skills and/or knowledge and invite them to become co-opted members of the Committee, or where this expertise is required on an ongoing basis, invite co-optees to become members of the Association, as long as the co-optee fulfils the membership criteria.
- Advertising through our tenant newsletter
- Advertising in specialist and/or local media

The advertisement will set out the key skills and/or criteria required. Interested candidates will be invited to complete an application form.

The process of advertisement may be supplemented by personal approaches from members of the Management Committee and senior staff of the association. In the event of such an approach being positive, and subject to confirmation of eligibility, the details of the individual will be submitted to the Chief Executive, who will issue the application and information on becoming a member.

Completed application forms will be sent to the Association's offices, and the Chief Executive will screen the applications with a view to confirming eligibility.

Eligible applicants will then be invited to attend an informal meeting with the Chief Executive and one or more members of the Management Committee (of whom one will normally be an office bearer). The purpose of the meeting will be to:

- Confirm the applicant's eligibility to act as a member of the Management Committee
- Establish the applicant understands the role of a Management Committee member.
- Establish the potential contribution likely to be made by the applicant, in the light of the skills, knowledge and experience sought by the association.
- Answer any questions from the applicant.
- Explain the potential benefits of having an experienced Committee member supporting and mentoring the applicant, if successful.

Successful candidates will be nominated to the next Committee meeting and will either:

- Be approved by the Committee to fill any casual vacancy which has occurred in line with section 42 of our Rules or;
- Be nominated to stand for election at the AGM in line with section 41.2 of our Rules, and as detailed in the previous section of this document on 'Procedures for Election' or;
- Be co-opted onto the Committee in line with section 39 of our Rules

Subject in all cases to compliance with the Rules of the Association dealing with minimum and maximum numbers of members of the Committee.

After Appointment

All successful candidates will be sent a letter of appointment covering the following areas:

- Date of election/appointment

- Duration of term of office
- Estimated time commitment, number of governing body meetings and sub-committee meetings per month, any away days, plus time for preparation for meetings. The estimate may also wish to refer to a requirement for training.
- Acceptance of membership of the governing body by the new member indicates that they have time available to fulfil these commitments.
- Description of the role and tasks of the governing body
- Outline of any payments and benefits (i.e. those allowed under Schedule 7 of the Housing (Scotland) Act 2001)
- Requirement to declare any potential conflicts of interest
- Requirement to respect confidentiality of information.
- Commitment of the organisation to provide an induction programme
- Commitment to review the performance of the governing body and its individual members annually.
- Outline of the directors' and officers' insurance cover available

Any new member of the governing body will receive an induction programme, tailored to the individual if possible. Such a programme is likely to cover:

- An introduction to housing associations, their governance and their regulation
- Briefing of the particular aims and objectives of Servite and what housing and community needs it is aiming to meet
- Servite's rules
- Servite's current programme and activities
- SFHA Code of Governance,
- Servite's commitment to Equal Opportunities,
- Roles and Responsibilities of governing body members
- Arrangements for appraisal of the governing body and its members

Period of Service

In the interests of good governance, Committee Members should normally retire after serving a total of six consecutive years. Although, it is recognised that Committee Members could remain beyond this period, such as; where their skill/knowledge is difficult to fill and this would leave a skills/knowledge gap on the Committee, or where additional Committee Members cannot be recruited.

Anyone retiring after six consecutive years would be eligible for election to the Committee again one year thereafter.

Review

This policy will be subject to review three years after the date of its agreement by the Committee. It will be subject to review on a three-year cycle thereafter.

Data Protection

Servite regards privacy as important and any personal information supplied will be used in accordance with the Data Protection Act 1998. Any information will only be

used for the reasons specified, and it will not be shared with any third party without consent unless required by law.

Servite Housing Association Committee Membership Nomination Form

Section A

To be completed by the member making the nomination

I _____, hereby nominate
(Name of Member)
_____, for election
(Name of Nominee)

on to the Committee of Management of Servite Housing Association

Nominating Members Signature: _____

Membership Certificate No. _____

Date _____

Section B

To be completed by member accepting nomination

I hereby agree to be nominated for election on to the Committee of Management of
(organisation)

Name _____

Address _____

Membership Certificate No. _____

Date _____

Signature _____

Nominees may wish to attach brief, biographical details about themselves that can be presented to members attending the General Meeting

Appendix 2

Servite Housing Association Committee Membership Eligibility Declaration Form

Members of Servite Housing Association seeking to become members of the Committee of Management must :

- Undertake to sign and abide by the Scottish Federation Code of Governance and Servite's own Code of Conduct
- Be committed to the interests and objectives of Servite Housing Association.

I declare that the above conditions are acceptable to me.

Signed _____ Date _____

A potential Committee Member is not eligible for election if, the individual:

- has been declared bankrupt under the Bankruptcy (Scotland) Act 1985
- is party to an arrangement with his/her creditors
 - will be unable to take part in the Committee for the next 12 months due to physical or mental illness, or being otherwise away and unable to participate during that period
 - has been sent to prison for a month or more or been convicted of a crime of dishonesty for which the rehabilitation period in terms of the Rehabilitation of Offenders Act 1974 has not expired or for which rehabilitation is excluded
 - is involved in Legal Proceedings against Servite
 - has been removed by Communities Scotland from the committee of another Registered Social Landlord
 - has been removed from a charity under Section 7 of the Law Reform (Miscellaneous Provisions) (Scotland) Act 1990 (in connection with the power of a Court to remove or suspend any person who is concerned in the management or control of a charity,)
 - A Disqualification Order has been made against him/her under the Company Directors' Disqualification Act 1986 (which relates to the power of a Court to prevent someone from being a director, liquidator or administrator of a company or a receiver or manager of company property or being involved in the promotion, formation or management of a company.)

I can declare that none of the above apply to my nomination to stand as a member of the Committee of Management of Servite Housing Association

Signed _____ Date _____

Appendix 3

COMMITTEE ROLES AND RESPONSIBILITIES

A summary of the main responsibilities of the Committee, individual Committee Members and Office Bearers is appended here for information.

Individual Committee Members should be aware that they are obliged to:-

- Uphold the values, objectives and policies of Servite.
 - Contribute to and be responsible for governing body decisions.
 - Prepare for meetings.
 - Attend meetings punctually.
 - Attend relevant training and events.
 - Represent the organisation positively.
 - Declare any relevant interests
 - Respect confidentiality of information.
 - Uphold the Codes of Conduct and Statement of Common Values of the SFHA.

The Management Committee is responsible for:

- The direction and control of the organisation.
- Ensuring that it receives appropriate information and advice to carry out its duties.
- The risks and legal responsibilities arising from its control.
- Ensuring that the objectives of the organisation are in line with the Rules.
- Regularly reviewing the objectives.
- Ensuring there is a mechanism for regular performance reviews.
- Ensuring there is a balance of skills, experience and diversity on the governing body, if necessary making use of co-options and casual vacancies.

The Core Functions of the Committee include

- Ensuring that the organisation operates within the law and according to its Rules and procedures, and meets the standards laid down by the SFHA, Communities Scotland and other regulatory bodies.
- Establishing business and financial objectives.
- Monitoring performance against those objectives and performance standards.
- Protecting the assets of the organisation.
- Recognising its duty to tenants, applicants and other service-users.
- Developing, operating and regularly reviewing policies designed to achieve these objectives.
- Approving each year's budget, exercising financial management and managing both financial and non-financial risks.
- Overseeing and exercising control over the organisation's work and services.
- Delegating authority to and monitoring the work of the sub-committees and staff.
- Being responsible for employing staff to carry out the work of the organisation and setting their terms and conditions.
- Ensuring standards of performance are set by the organisation.
- Ensuring that the achievements of performance targets are monitored.

- Ensuring that the information collected is used to amend targets, policies and/or procedures as necessary.

Office Bearers

The Chairperson must be an elected governing body member. The responsibilities of the Chairperson should include:

- Ensuring the smooth running of meetings by making sure that all those who wish to contribute are allowed to, allocating adequate time for contributors to speak, ensuring voting procedures are in place and that these are followed, and announcing votes at general meetings.
- Providing support for and establishing a constructive working relationship with the Director or Chief Officer of the organisation.
- Representing the organisation where authorised.
- Taking all other decisions that are the responsibility of the Chairperson as laid down in the organisation's Rules and Standing Orders.
- Participating in training where necessary, to enable the above responsibilities to be taken.

The responsibilities of the Secretary should include:

- Calling, attending and keeping the minutes of general and committee meetings.
- Circulating the relevant papers for these meetings.
- Preparing and sending all necessary reports to Communities Scotland, the Register of Friendly Societies and other regulatory bodies.
- Ensuring that the organisation acts legally and constitutionally within its Rules. Some Rules of Organisations for example, can legitimately provide that certain documents can be delegated to others.
- Keeping the Register of Members, the organisation's Seal and accounts.

If the Secretary is a member of staff, s/he must remain in an advisory role, and must not take part in the governing body decisions.

Appendix 4

Letter of Appointment

Dear _____,

Servite Housing Association Appointment to the Committee of Management

First may I offer you my congratulations on your election to the Committee of Management of the Association. I now look forward to working with you.

The date of your appointment to the Management Committee is **** and this appointment will last until the Annual General Meeting to be held in ****, normally a period of three years. The appointment is probationary for the first three months and will be confirmed assuming you and the Association are happy to continue with your appointment after that time. During your first few months on the Committee you will be paired with (Committee member,) who will assist and brief you during this period.

Joining the Committee of a housing association involves you in a considerable time commitment, which we estimate to be approximately ** hours per month. This takes account of time attending and preparing for Committee Meetings, sub-committee meetings, attending training and conferences and an annual planning away-day. Accepting membership of the Management Committee indicates you do have this time available, and should you take on other significant commitments that might threaten your availability, this should be discussed with the Chair.

The broad areas of activity for the Committee and your responsibilities as an individual committee member are outlined in our Committee Membership Policy, a copy of which you already have.

Please note that your role on the Committee is covered by the provisions of Schedule 7 of the Housing (Scotland) Act 2001 which governs payments and benefits to staff and committee members. Your role on the Management Committee is voluntary and unpaid, although you will be able to claim legitimate expenses incurred in connection with your Association work. More information on this will be supplied to you at your first committee meeting. You will also be asked to complete a register of Committee Members' Interests – if you feel there are any interests that might conflict with your role as a Committee member of the Association, then please put these in the Register. Similarly, if there are any interests that crop up during the course of Committee Meetings, you must declare these at the time.

Servite Housing Association will undertake to provide you with an induction programme of training and information to equip you for your role. There are certain core elements to this, but where possible, we will tailor that programme to your needs. At the end of the induction programme, we will review what has been covered and which additional areas of training might be addressed. Each year, the Committee goes through a collective and individual process of assessment of performance, of which you will be part.

Lastly, I enclose details of the 'Directors and Officers Insurance' which covers all our Committee members.

I trust that this information is clear, should you have any queries, please do not hesitate to contact me at this office,

Yours sincerely

Chief Executive/Chair