

Constitution and Code of Conduct Shelthorpe Community Association

1) Name.

The name of the Association shall be Shelthorpe Community Association. The area covered by the Association is the Council Ward of Shelthorpe, with the exception of the area covered by the Haddon Way Residents Association, area map attached.

2) Aims.

The aims of the Association shall be to:

- a) Represent the views of residents of Shelthorpe and to work towards ensuring That their best interests are served, including maintaining good relations between all members of the Community.
- b) Encourage residents to formally join the Association.
- c) To ensure all residents are consulted and informed regularly on any changes which affect them.
- d) Improve local housing conditions, services to the community and the environment.
- e) Encourage a sense of community, working towards the elimination of all forms of discrimination by encouraging all members to participate in the Association.
- f) Promote social, welfare, recreational and training activities for all residents within the area.
- g) Build a partnership and improve communications between the service providers, residents and the Association.
- h) The Association shall be non political.

The Association must have been set up for charitable purposes (for funding applications, grants etc), law states our aims need to show; looking to provide relief of poverty, through direct help of through the provision of equipment or advice. Advancement of education, including playgroups, youth organizations, vocational training, research institutes, or the advancement of religion, or other purposes beneficial to the community, eg land or buildings for community use.

3) Powers.

In order to achieve its aims the Association may:

- a) Raise money.
- b) Open bank accounts.
- c) Acquire and run buildings.
- d) Take out insurance.
- e) Employ staff.
- f) Organize courses and events.
- g) Work with similar Associations and exchange information and advice with them.
- h) Do anything that is lawful which will help it to fulfill its aims.

4) Membership.

- a) Membership of the Association shall be open to all residents residing within the defined area (see 1).
- b) Membership of the Association shall be inclusive to all residents and should actively seek to represent the various needs of the area, without prejudice to disability, nationality, political or religious affiliation, race age, gender or sexual orientation.
- c) Membership shall be £1 per household, annually (reviewed at each AGM). To become a member, individuals must complete the 'membership form' on joining with an annual renewal of December.
- d) The Association Secretary will keep an up to date record of membership. All payments will be recorded in an appropriate manner and a receipt given.
- e) All members shall have an equal vote. (one member per household).
- f) Members of the Association are required to conduct themselves in a reasonable manner when attending meetings or any other function in connection with the group. (see code of conduct)
- g) All members should be committed to:
 - Helping the Association achieve its aims.
 - Abide by the rules of the Association and willing to pay any subscription agreed by the Management Committee.

Membership should be inclusive, tenants and residents allowed to join (some grant applications have recently been turned down because the funding body considered the constitution of some associations too limited and excludes some people).

5) Management.

- a) A Management Committee shall be elected to carry out the business of the Association. The Committee shall be elected at the Annual General Meeting for the term of one year.
- b) The Officers of the Management Committee shall be: the Chair, Vice Chair, Treasurer and the Secretary.
- c) The Management Committee may co-opt onto the Executive Committee up to four individuals, in an advisory capacity whom it feels will help to fulfill the aims of the Association. Vacancies arising during the year can be filled by an election at a general meeting.
- d) The Management Committee shall meet once a month and no less than 10 times per year.

- e) At least three Management Committee members must be present for a Management Committee meeting to take place.
- f) Voting at Management Committee meetings shall be by a show of hands. If there is a tied vote then the Chairperson shall have a second vote.
- g) The Management Committee may co-opt any other member of the Association as a Committee member to fill a vacancy between AGM's provided that the maximum prescribed is not exceeded.
- h) Minutes of the committee meetings shall be available to all members on request.

6) Finance.

- a) All monies received by or on behalf of the Association shall be applied to further the aims of the Association and for no other purpose.
- b) Any bank accounts opened for the Association shall be in the name of the Association.
- c) Cheques of a value up to £50.00 (fifty pounds) may be issued on the signature of the treasurer and the chair or the secretary. All cheques valued over £50.00 (fifty pounds) must be signed by the treasurer, chair and the secretary. Any cheques issued over a value of £1000.00 (one thousand pounds) must be discussed and voted upon at a meeting of the full management committee.
- d) The Association shall ensure that its accounts are audited or independently examined every year (e.g. council for voluntary service) and the accounts made available and signed off at the AGM.
- e) A member (other than the Chair or Vice-Chair deputizing for the Chair) appointed to represent the Association in discussions with any other body, including the media and to deal with correspondence shall act only on the instructions of the Committee or Chairperson.

7) Equality.

No member will discriminate on any ground against any individual of the association. Discriminatory or offensive language or behavior will not be tolerated. All individuals have the right to be treated with dignity and respect, without prejudice to disability, nationality, political or religious affiliation, race, age, gender or sexual orientation, or any other matter which causes people to be treated with injustice.

8) Annual General Meetings.

- a) The Association shall hold an Annual General Meeting (A.G.M) in the month of December.
- b) All members shall be given not less than **21 days** notice in writing of the A.G.M by the secretary and shall be entitled to attend and vote. Public Notice announcements will be published in the local press not less than twenty-one days prior to the A.G.M. (Company law requires this, as a charitable association we do not have to follow company law, but it makes sense for us to do this and is highly recommended by TPAS professionals, as we need to comply for funding applicants etc).
- c) The business of the A.G.M shall include:
 - receiving a report from the Chair on the Association's activities over the year.
 - receiving a report from the Treasurer on the finances of the Association including a final audited account to be signed off for the previous financial year.
 - All current key post holders resigning and the election of a new Management Committee.
 - Consider any changes/developments to the Constitution. In addition the Association will review the Constitution every two years, to ensure compliance with any new legislation and to ensure that the document develops with the Association.

9) Special General Meeting.

A special General Meeting may be requested by any member, to discuss an urgent matter. A signed, written request must be submitted to the Chair or Secretary for consideration. The Secretary shall give all members seven days notice (wherever possible) of any Special General Meeting together with notice of the business to be discussed.

10) Meetings.

There will be a general meeting at least every two months.

All residents may attend meetings of the Association providing they live within the defined area.

Officers of the Borough Council and County Council including councilors and representatives of the Health, Police and Education authorities and other organizations and residents groups will be invited to attend to respond to specific queries raised by the committee where appropriate.

All meetings will be minuted and made available on request, to all residents living within the defined area.

Apologies must be received where practicable for non attendance by committee members but their voting rights cannot be transferred in their absence.

11) Quorum.

No General Meeting or Annual General Meeting shall take place if less than 4 members are present.

12) Changes to the Constitution.

Any changes to this Constitution must be agreed by at least two-thirds of those members present at any Annual or Special General Meeting called for that purpose. Notification of intended amendments to the Constitution will be circulated in advance by the Secretary for consideration.

13) Dissolution.

The Association may be dissolved at any time if agreed by two-thirds of those members present and voting at any Annual General Meeting, or a special General Meeting called for that purpose. The meeting must be advertised at least 21 days before the meeting.

In the event of winding up any assets (financial or otherwise) remaining after all debts have been paid. The funds shall be given to another organization, where possible for the benefit of the community of Shelthorpe.

Any spare income originally generated from external funding bodies will be returned to the funding body.

This constitution was amended and newly adopted on (date)

The Duties of the Officers.

The duties of the Chairperson shall be to:

Chair meetings of the Committee and the Association.

Represent the Association at functions/meetings to which the Association has been invited and act as the spokesperson of the Association when necessary.

The duties of the Vice-Chairperson shall be to:

To deputise where necessary as Chairperson.

The duties of the Secretary shall be to:

Keep a membership list.

Prepare in consultation with the Chairperson the agenda for meetings of the Committee and the Association.

Take, keep and circulate minutes of all meetings.

Collect and circulate any relevant information and correspondence within the Association, with guidance and approval from the Chairperson.

The duties of the Treasurer shall be to:

Supervise the financial affairs of the association.

Keep proper accounts that show all monies received and paid out by the Association.

To ensure the best financial return for any financial investment made.

To negotiate financial transactions/accounts to best reflect the aims of the association.

To ensure that all services are provided by legitimate businesses with all invoices and quotes on letter headed paper.

Be prepared to present the accounts for an independent audit on request.

Code of Conduct

Why Have a Code of Conduct?

A Code of Conduct explains how members are expected to behave whilst on Association activities. By agreeing to and abiding by a Code of Conduct a group is demonstrating that it intends to conduct its business in a reasonable, fair and responsible manner.

Confidentiality

The business of the group may involve members in dealing with sensitive, confidential or controversial issues. Members must exercise discretion and care in performing their duties and responsibilities, particularly when they are party to privileged information. If confidential or privileged information is provided, it may only be used for the business of the group and it must not be passed on to anyone who is not a member.

Resident representatives must not cause any individual tenant or resident or group of tenants or residents, embarrassment by their actions.

Members should respect at all time all individual tenants'/residents' confidentiality, whether present or not, and refrain from mentioning specific individual cases which may cause embarrassment or identification of an individual.

Conduct of Members

Members should observe the following;

- To be courteous & respectful to each other and support and assist other members in seeking the best possible solution to problems being discussed.
- To allow each other the opportunity to speak and comment at meetings.

- To follow the guidance of the Chair in the conduct of the meeting.
- To remember that they are not just representing themselves but other residents in their community or in the Borough.
- To remember that their purpose is to benefit residents generally and improve services provided to residents and not just to assist individual tenants.
- To bear in mind the rights of individual residents and the duties and responsibilities of Council employees when proposing solutions to problems.
- To operate within the rules laid down in their constitution.
- To arrive at meetings on time & keep to the agenda.
- To ensure that they are as prepared for the meeting as possible, for example reading the necessary paperwork or carrying out previously agreed tasks.
- Members are expected to behave in a reasonable and responsible manner and must not behave in a way that is likely to bring the group into disrepute, such as violent or abusive behaviour towards another resident or a Council officer or behaviour that is contrary to the rules of equality as stated in the Constitution.

Conflict of Interest

Members

- Must not expect favorable treatment by Housing staff or the group itself, nor should they be treated any less favourably, for example completion of a repair or allocation of a property.
- Must use the agreed procedures for reporting repairs, or pursuing any other matters relating to their own dwelling, or on behalf of another individual resident. When dealing with a member of the Council's staff, members must make clear whether they are acting as an individual resident, or in their capacity as a member of the group.
- Must notify the group if they have any personal, financial or material interest in any matter being considered by the group.

Discrimination

No member will discriminate on any ground against any individual of the group. Discriminatory or offensive language or behaviour will not be tolerated. All those who attend meetings have the right to be treated with dignity and respect, regardless of their race, colour, ethnic or national origins, nationality, gender, marital status, age, sexuality, religion or any other matter.

Constitution

It is important for members to be aware of the written Constitution of their group. This will help prevent time being taken with individual issues which it is not the job of the group to discuss. Members must remember to follow the agenda, and to help each other to reach effective decisions.

Financial Management

Charnwood Borough Council will provide all the necessary training to assist groups in managing their finances. Where it is found that deliberate financial mismanagement has taken place, the group, without warnings (see below), will expel the person(s) responsible. Where necessary, Charnwood Borough Council may instigate police involvement in any investigations.

Breach of Code of Conduct

Should there be a breach of this Code at a meeting, by a tenant, resident, officer of the Council or elected member, the Chair of the meeting has the power to give a verbal warning to the individual, and, if that person continues to breach the Code, the Chair may ask them to leave the meeting.

The Chair may give the member of the committee/group, or member of the public two further warnings (a maximum of three warnings in any one meeting and/or three consecutive meetings). If the member of the committee/group or member of the public continues to ignore the code then the Chair will ask the meeting to vote on whether the member should be asked to leave.

* Code of Conduct adopted from Charnwood Borough council's Code of Conduct for Tenant Participation.

