



Darlington Tenants' Board

Constitution

1. Name

1.1 The name is Darlington Tenants' Board

2. Area of Benefit

2.1 The area of benefit is Darlington Borough Council (DBC)
Housing, specifically for DBC tenants and leaseholders.

3. Aims and Objectives

3.1 To act as the voice for tenants and leaseholders in relation to the delivery and improvement of the Housing Service, Estate and Environmental Services. To be actively involved in the scrutiny and decision-making process with regard to the planning and delivery. To take part in: policy review; the development of service aims; and the monitoring of service standards and service delivery for Housing Services. To assist in shaping the future of Housing Services and improving the quality of life for Council tenants and leaseholders.

3.2 To promote opportunities and training for tenants and leaseholders to increase their skills and help them to play a more active part in the community. Encourage partnership working with other organisations with the aim of involving more tenants and leaseholders.

3.3 To encourage more tenants to take part meeting times will be arranged to offer the best opportunity for as wide a range of tenants as possible to attend.

4. Membership

4.1 Membership of the Board will not exceed 21.

4.2 Membership will be open to one adult from each household providing they are over the age of 16 years and fulfil the conditions in the Tenants' Board Criteria.

- 4.3 Members cannot be an elected member or member of staff employed by DBC. Only one household member may sit on the Board at any time.
- 4.4 Members will be elected for a three-year period, in accordance with the Annual General Meeting (AGM) procedures.
- 4.5 At the AGM those who have completed their three year term will be eligible for re-election, if they wish to continue on the Board

5. Tenants' Board Elections

- 5.1 Tenants and leaseholders will elect up to 21 members annually. Membership is subject to Board criteria.
- 5.2 Any tenant who applies to join the Board will be expected to write a short statement of their reasons for wanting to join and any experience they have that they can bring to the Board.
- 5.3 The Board will include three Officers: Chair, Vice Chair and Treasurer. Officers will be elected annually. DBC will provide the administration.
- 5.4 At the AGM all three Officers will stand down and an election will be held for the new Officers.
- 5.5 The closing date for voting for new Board members will be the last day of the month prior to the AGM so that all voting can be completed before the AGM. The candidates who receive the highest number of votes will fill the seats that are vacant at that particular AGM. New members will be invited to the Tenants' Board meeting that takes place prior to the AGM.
- 5.6 Membership of the Board will be capped at 21, made up of a combination of elected and co-opted members. The number of co-opted members will be capped at 5. Co-opted members will be allowed to contribute to any discussions and allowed to vote.
- 5.7 At the AGM voting will take place for the Chair, Vice Chair and Treasurer and the results announced. Board members who, with good reason are unable to attend the AGM will be allowed a postal vote for the Officer positions. A postal vote must be requested at the Board meeting prior to the AGM and must be returned to the Tenant Empowerment Team the day before the AGM. Any postal votes will be opened at the AGM when the other votes are counted. If the vote for any Officer role is tied then another vote for that position will take place immediately. Only those members present will be allowed to vote in a tie situation.
- 5.8 If an Officer resigns from their position prior to the AGM all Board members will be asked if they wish to be considered for the role and will need to be prepared to address the Board on their suitability. If more than one nomination is received a secret ballot will take place during the Board meeting to elect a new Officer.
- 5.9 When applying for the role of Chair, Vice Chair or Treasurer a candidate must write a short statement setting out their reasons and their suitability for the post. Any applicants should also be available to attend Housing Executive meetings and attend at

least one Focus or Task and Finish group as well as attending Board meetings.

Section 6 Role of Task and Finish Groups and Housing Executive

- 6.1 The Board has the power to appoint such Focus and Task Finish groups as it requires. Focus and Task and Finish groups will be advisory only and will report back to the Board. There should be a minimum of 2 Board members on any of these groups and these members should feed back key decisions from the groups to the Board meetings.
- 6.2 The role of the Housing Executive is to: set the agenda for future Board meetings, discuss issues that may have been brought up at Board meetings and make referrals of recommendations made by the Board, Focus and Task and Finish groups to the Council.
- 6.3 If an Officer is unable to attend the Housing Executive, and sufficient notice is given, another Board member can be invited to attend in their place
- 6.4 Annually one or two Board members can attend one Housing Executive meeting as an observer to develop their skills and knowledge.
- 6.5 At the first meeting following the AGM the Board will agree the dates and times of the Executive meetings. The meetings should be at times that will allow all members to attend.

Section 7 Annual General Meeting (AGM)

- 7.1 An AGM will take place annually.
- 7.2 DBC on behalf of the Board will give 21 days notice of an AGM.
- 7.3 The AGM will be publicised in Hot News and on the Council Website.
- 7.4 At the AGM:
 - The current Chair will deliver the Board's Annual Report
 - The current Treasurer will deliver the Board's budget statement
 - The results of the Tenants' Board elections will be announced

Section 8 Special General Meetings (SGM)

- 8.1 A Special General Meeting (SGM) will be called where issues Relating to the Constitution or management of the Board are raised at a time when an AGM cannot be called.
- 8.2 In addition, an SGM will be called by DBC following a majority vote of the Board
- 8.3 Twenty-one days notice will be given for an SGM. It will be publicised in Hot News and on the Council website, stating in writing any proposed changes to the Constitution.

Section 9 Tenants' Board Meetings

- 9.1 There will be a minimum of 10 meetings per year
- 9.2 Attendance at meetings will be reviewed on an annual basis and if a Board member fails to attend and does not send apologies over a period of three months, they will forfeit their place on the Board
- 9.3 No retrospective apologies will be accepted for Board, Focus or Task and Finish groups
- 9.4 Where a member sends apologies, but has been unable to attend for three months or more, the Chair will contact the member to discuss the situation. The Chair will report back to the Board on the outcome of their contact with the member concerned. If it is felt that further involvement is unlikely, this will be discussed at the next Board meeting and a decision will be made as to whether to ask the member to stand down.

Section 10 Quorum

- 10.1 There must be 50% of the Board present for a decision to be made at a meeting. Meetings may continue without a quorum but no policy decisions may be made.

Section 11 Voting

- 11.1 All decisions requiring a vote must be passed by a majority of those present and entitled to vote
- 11.2 If a member is unable to attend they will be encouraged to send in their comments/opinions to be considered by the Board as part of the discussion. They will not be allowed to vote on the topic.
- 11.3 All Board papers, including reports and documents, will be circulated at least ten days before the meeting and any confidential reports/documents will be distributed no less than half an hour before the meeting. Twenty four hours notice of this will be given. If this does not happen the Board may choose not to consider the report/document.
- 11.4 In the case of equal votes being cast, the Chair of that meeting will have the casting vote, provided that he/she has voted in the first instance.

Section 12 Finances

- 12.1 During the March Board meeting DBC will agree the annual Allocation of a budget for the work and development of the Board in consultation with Board members.
- 12.2 The Board will be responsible for ensuring the grant is spent appropriately to meet the aims and objectives of the Board.
- 12.3 The Treasurer will keep income and expenditure accounts and

manage a bank account in the name of the Board. A brief written statement of expenditure will be made at each Board meeting. The Treasurer, Chair or Vice Chair will authorise and pay out all petty cash, keeping a record of the reason for and amount of each payment.

- 12.4 Once a year, the accounts will be audited and presented to the AGM and published on the Council website. The auditor will be approved by the Board and all financial records, including the audited accounts, will be made available to DBC and Tenants' Board members.

Section 13 Amendments to the Constitution

- 13.1 This Constitution can only be amended at an AGM or an SGM called for this purpose.
- 13.2 Details of any proposed amendment must be submitted in writing to the Board, who will call a meeting.
- 13.3 The Board will give at least 21 days notice of any amendment to the Constitution to be proposed at an AGM or SGM. DBC will be responsible for any paperwork for the AGM or SGM.

Section 14 Review of the Constitution

- 14.1 This Constitution and the working of the Board will be reviewed five years from the date of signature or earlier if the Board deems necessary. When the Constitution is adopted all Board members will be required to sign it.



Tenants Board Criteria

Membership Criteria

1) Membership will be open to one adult from each household providing they are over the age of 16 years and are not in breach of the following:

- Where a household owes a sum equivalent to 4 weeks or more net rent and have not agreed to a repayment plan they will not be allowed to join the Board unless there are mitigating circumstances.
- Leaseholders owing a sum equivalent to one months' service charge who have not agreed to a repayment plan will not be allowed to join the Board unless there are mitigating circumstances.
- Tenants in breach of their tenancy agreement where legal proceedings have been started will be suspended from the Board until the outcome is decided. If legal proceedings are not withdrawn they will not qualify for membership of the board e.g. where a Notice of Seeking Possession is issued and the Council proceed to court against a tenant due to neighbour nuisance, rent arrears and or anti social behaviour.
- Tenants with Anti Social Behaviour Orders currently operating against a member of the household will not be allowed to join the board
- Tenants with convictions, which are not spent under the terms of the Rehabilitation of Offenders Act 1972, shall be disqualified from Tenant Board membership. If a member is subject to criminal proceedings which result in legal action they will be suspended from the Board until the matter is resolved.

2) Members of the board will be elected for a 3 year period.

3) The Board will have the right to remove members should the code of conduct be breached. However there will be a right of appeal to the non-tenant representatives of the Executive Committee.

4) Board members cannot receive payment for undertaking Board business other than reasonable expenses incurred. However if a Board member takes part in a focus or task and finish group where non Board members receive

vouchers as a reward for taking part. In these circumstances Board members will be offered the option of accepting vouchers.

Code of Conduct

- 1) Members of the Board will be representative of and accountable to the tenants and leaseholders of Council housing. Board members will not have access to the personal files of employees, contractors, tenants or leaseholders.
- 2) Members will leave all personal matters or disputes outside the door at all meetings; talk through the chair at all times; keep to the point, follow the agenda, listen to others and speak in as concise a form as possible.
- 3) Members of the Board will be expected to gain a reasonable knowledge of the operation of the Council Housing Service. Appropriate training will be provided to all members and a commitment must be made to try and attend all training sessions.
- 4) Members of the Board will receive all papers at least 10 days before the Board meeting and they will be expected to have read the material to ensure they are knowledgeable of the items to be discussed. Confidential reports / documents will be issued at least half an hour before the meeting to allow members to have time to read the information. Members of the Board will not divulge any business that is classed as confidential.
- 5) Once a decision is made by a majority of members present, this will be supported by all members, whether or not they are in favour of the decision.
- 6) Members of the Board will be expected to be committed to and to attend annual training on Equal Opportunities
- 7) Members of the Board will actively seek the views of all tenants and leaseholders
- 8) On occasions a member will have an interest in an agenda item whether on a personal, professional, political or business basis. The member(s) must make the Chair aware of that interest and the member(s) may not be able to take part in the debate or vote on the matter.
- 9) Members must seek approval from the board before attending meetings or other similar events as a representative of the board. In an emergency the Chair, Vice Chair or Treasurer of the Board will have delegated powers to make the decision on behalf of the board

- 10) No member shall make contact with the media on any business associated with the board without the permission of the board and DBC. In an emergency the Chair of the Board will have delegated powers to make the decision on behalf of the board
- 11) All members should conduct themselves in a way, which maintains the image of the Board and the Council.
- 12) If a member is asked to make enquiries on behalf of another tenant they should make sure that the tenant has already gone through the correct process before agreeing to raise it at a Board meeting. A member should also complete a Request for Action form for this enquiry and hand it to the Tenant Empowerment Team for action.

As a Member of Tenants Board, I agree to abide by the code of conduct

Print name _____

Signature _____

Date _____

Address _____

Home Telephone _____

Mobile Telephone _____

E-mail address _____