



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 a voice for tenants and leaseholders in relation to the delivery and improvement of the Housing Service and Environmental Services. To actively be involved in the scrutiny and decision-making process with regard to the planning and delivery of Housing Services and Environmental Services for DBC tenants. 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. To adhere to the vision statement set out in the Borough-wide Tenants Compact and Action Plan.

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.

4. Membership

- 4.1 Membership of the Board will not exceed 20.
- 4.2 Membership will be open to any tenant or leaseholder over the age of 16 years. The partner of any tenant or leaseholder who has lived in the property for at least five years will also qualify. All members must fulfill the nomination process and the Tenants' Board Criteria (Appendix 1). Anyone involved in a dispute with the Council will be excluded.
- 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. (See section 7).

5. Tenants Board Elections

- 5.1 At the AGM, tenants and leaseholders will elect up to 20 members. Membership is subject to Board criteria as outlined in Appendix 1.
- 5.2 All elected members will serve for a three-year term.
- 5.3 At the AGM those who have completed their three-year term must stand down, but will be eligible for re-election.
- 5.4 Members may serve a maximum of three terms. 12 months after the end of their third term, they will be eligible for re-election.
- 5.5 The closing date for voting for new Board members will be the last day of February 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 March Tenants' Board meeting.
- 5.6 Any vacancies on the Board may be filled by co-opting members (by a majority Board vote) on to the Board until the next AGM. New members will be eligible to vote.
- 5.7 The Board will include three Officers: Chair, Vice-Chair and Treasurer. Officers will be elected annually. DBC will provide the administration.
- 5.8 At the AGM voting will take place for the Chair, Vice Chair and Treasurer and the results announced. Both elected members and co

opted members will be eligible to vote.

- 5.9 Officers will be eligible to hold office for a total of three years, putting themselves up for re-election annually.
- 5.10 If an Officer resigns from their position prior to the AGM the Board will ask for nominations to fill the post until the AGM. If more than one nomination is received a secret ballot will take place to elect a new Officer.
- 5.11 When applying for the role of Chair, Vice Chair or Treasurer, candidates must write a short statement setting out their reasons and their suitability for the post.

6. Role of Task and Finish Groups and Housing Executive

- 6.1 The Board has the power to appoint such Task and Finish groups as it requires. Task and Finish Groups will be advisory only and will report back to the Board.
- 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 and Task and Finish groups to the Council.

7. Annual General Meeting “AGM”

- 7.1 An AGM will take place in March of each year.
- 7.2 DBC on behalf of the Board will give 21 days notice of an AGM.
- 7.3 The AGM will be publicised as widely as possible.
- 7.4 The AGM will:
- Receive an annual report from the Board.
 - Receive a financial statement from the Treasurer.
 - Announce the results of the election.

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, a SGM will be called by DBC, following a majority vote of the Board or a written request signed by at least 50% of the Board containing particulars of the business to be discussed.
- 8.3 Twenty-one days notice will be given for a SGM. It will be publicised as widely as possible, stating in writing any proposed changes to the Constitution.

9. Tenants' Board Meetings

- 9.1 Meetings are to take place at least six times a year.
- 9.2 If a Board member fails to attend and does not send apologies over a period of 3 months, they forfeit their place on the Board.
- 9.3 No retrospective apologies will be accepted.
- 9.4 Where a member sends apologies, but has been unable to attend for 3 months or more, the Chair will contact the member to discuss the situation. If it is felt that further involvement is unlikely, the member may be asked to stand down. The member standing down is welcome to stand for election again at the next AGM
- 9.5 The Chair will report back to the Board the outcome of their contact with the member concerned.

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.

11. Voting

- 11.1 All decisions requiring a vote must be passed by a majority of those present and entitled to vote.
- 11.2 In the case of equal votes being cast, the Chair or the Vice Chair will have the casting vote, provided that he/she voted in the first instance.

12. Finances

- 12.1 The Treasurer will keep proper accounts and manage a bank account in the name of the Board.
- 12.2 The three Officers will be signatories on the account. Withdrawals of cash or cheques will require two of these signatories.
- 12.3 No Officer will sign a blank cheque.
- 12.4 Once a year, the accounts will be audited and presented to the AGM. The auditor will be either: i) a competent Officer from DBC; or ii) any other competent auditor approved by the Board.

13. Amendments to the Constitution

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

14 Review of the Constitution

- 14.1 This Constitution and the working of the Board will be reviewed on a five-year basis. The next review is due **April 2015**.

This Constitution was adopted on 5 March 2010

By

Signed

Richard Westmorland Chair	
John Davidson Vice Chair	
Kay Roberts Treasurer	



TENANTS BOARD CRITERIA

Tenant Board Membership

The board will be made up of 20 members voted into office by Darlington Borough Council tenants and leaseholders.

Aim of the Tenants Board

To actively be involved in the scrutiny and decision making process in relation to the planning and delivery of Housing Services and Environmental services for Darlington Borough Council Tenants.

Membership Criteria

- 1) Representatives of the board must be current tenants or leaseholders of Darlington Borough Council
- 2) Members of the board will be elected for a 3 year period.
- 3) Tenants owing a sum equivalent to 8 weeks or more rent who have not agreed to a repayment plan will not be allowed to join the board unless there are mitigating circumstances.
- 4) Leaseholders owing a sum equivalent to two months service charge who have not agreed to a repayment plan will not be allowed to join the board unless there are mitigating circumstances.
- 5) Tenants in breach of their tenancy agreement where legal proceedings have been started and not withdrawn will not qualify for membership of the board e.g. where the Council proceed to court against a tenant due to neighbour nuisance and or anti social behaviour.
- 6) Tenants with Anti Social Behaviour Orders currently operating against a member of the household will not be allowed to join the board
- 7) Tenants with convictions, which are not spent under the terms of the Rehabilitation of Offenders Act 1972, shall be disqualified from Tenant Board membership. Tenants with convictions for any sexual offence, assault, wounding or grievous bodily harm whether spent or unspent under the terms of the Rehabilitation of Offenders Act 1974 shall be disqualified from Tenant Board membership. Tenants who are included on the Sex Offenders Register shall be disqualified from Tenant Board membership. Tenants who have been at any time convicted for a Schedule One Offence (as amended by the Sexual Offences Act 2003) shall be disqualified from Tenant Board membership.
- 8) 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.
- 9) Board members cannot receive payment for undertaking board business other than reasonable expenses incurred.

Code of Conduct

- 1) Members of the board will be representative of and accountable to the tenants and leaseholders of Council housing.
- 2) Members of the board must make every reasonable effort to attend all the board meetings. If absent for 3 consecutive meetings without good reason then the board member will be asked to leave the board. (See section 9 of the Constitution)
- 3) 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.
- 4) 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 attend all training sessions.
- 5) Members of the board will where appropriate receive reading material prior to meetings and they will be expected to have read the material to ensure they are knowledgeable of the items to be discussed.
- 6) 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.
- 7) Members of the board will not divulge any business that is classed as confidential.
- 8) Members of the board will be committed to Equal Opportunities and Members will not cause offence to others through racist, sexist or other derogatory remarks.
- 9) Members of the board will actively seek the views of all tenants and leaseholders
- 10) 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) will not be able to take part in the debate or vote on the matter.
- 11) 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 or the Vice Chair of the board will have delegated powers to make the decision on behalf of the board
- 12) 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
- 13) All members should conduct themselves in a way, which maintains the integrity of the board and the Council.
- 14) Board members will not have access to the personal files of employees, contractors, tenants or leaseholders.



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 _____

AGE – TICK ONE ONLY

16-24

25-34

35-44

45-54

55-59

60-64

65-74

75+

To which of these groups do you consider you belong?

TICK ONE BOX ONLY

White
British

1

Irish

2

Any other White background (please tick and write in)

3

Mixed

White and Black Caribbean 4

White and Black African 5

White Asian 6

Any other mixed background (please tick and write in) 7

Asian or Asian British

Indian 8

Pakistani 9

Bangladeshi 10

Any other Asian background (please tick and write in) 11

Black or Black British

Caribbean 12

African 13

Any other Black background (please tick and write in) 14

Chinese 15

Other (please tick and write in) 16