

# **STV Constitution**

## **A. NAME**

1. The Group shall be called SWINDON TENANTS VOICE (STV) and will comprise volunteer tenants and leaseholders of Swindon Borough Council.

## **B. AIMS AND OBJECTIVES**

1. To bring together tenants & leaseholders to provide them with a voice and to promote their interest in working in partnership with their landlord, Swindon Borough Council, to improve housing services.
2. To give tenants and leaseholders the opportunity for full discussion on matters affecting the management of their homes with members and officers of the Council and any other relevant organisations.
3. To nominate members of STV to serve on the Housing Advisory Forum and other relevant task groups and working parties.
4. To identify all areas where tenants & leaseholders may be able to influence decisions made by the Council, including the development of policies and strategies.
5. To nominate members of STV to work with various members and officers of the Council on specific tasks.
6. To encourage and promote new and existing forms of tenant & leaseholder participation in the management of their homes.
7. To share ideas about good practice with other tenant groups both locally and nationally to bring about an improvement to services provided in Swindon.
8. To promote the interests of all Swindon Borough Council's tenants and leaseholders, and to assist in maintaining good relations between all members of the community.
9. To promote Swindon Borough Council tenants' and leaseholders' rights and the maintenance and improvement of housing, including tenant participation.
10. To work towards the elimination of all forms of discrimination that tenants and leaseholders may experience, encouraging all members of the tenant community to participate in STV.
11. The Group shall be non-political.

12. To participate in the review of the Tenant Participation Agreement when required.

## **C. MEMBERSHIP**

1. Membership of STV is open to all Swindon Borough Council's tenants and leaseholders regardless of age, disability, gender, race, religion or sexual orientation.
2. STV upholds equal opportunities and works for good relations with all the community.
3. Membership will be conditional on signing and adhering to STV's constitution and code of conduct. *(Attached as an Appendix)*

## **D OFFICERS OF THE GROUP**

1. The Group shall elect the following officers from amongst its members:-

### **CHAIRPERSON**

Duties:- The Chairperson will:-

- Chair meetings and ensure compliance with the code of conduct
- Be the official spokesperson for STV
- Set the agenda for meetings in conjunction with other officers of STV and the Housing Participation team
- Provide a report at the A.G.M. on how the objectives of STV have been achieved over the year
- Have a casting vote only
- Lead the investigation of any alleged misconduct or inappropriate behaviour by members of STV
- Attend appropriate training

### **VICE-CHAIRPERSON**

Duties:- The Vice-Chairperson will:-

- Deputise for the Chairperson if he/she is not available
- In the event that the Chairperson stands down, assume the role of Chairperson until the next Annual General Meeting
- Attend appropriate training
- Help set the agenda for meetings in conjunction with other officers of STV and the Housing Involvement Team.
- Assist with the investigation of any alleged misconduct or inappropriate behaviour by members of STV

### **SECRETARY / NOTE-TAKER (x2)**

Duties (all these duties will be carried out in conjunction with the Housing

Involvement Team):- The Secretary will:-

- Ensure that all members of STV are kept informed of meeting dates
  - Ensure that the agenda and minutes of the previous meeting are sent out at least seven days before the next meeting
  - Keep an up-to-date record of contact information for members of STV
  - Deal with general correspondence in consultation with other officers of STV
  - Keep records in a confidential manner, in line with the requirements of current legislation
  - Attend appropriate training
  - Keep a list of attendees at all meetings
2. Officers will be elected at an Annual General Meeting (A.G.M.) to stand for a period of one year, (from AGM to AGM), but may then stand again for re-election.
  3. If an officer, other than the Chairperson, resigns, or is unable to continue in his/her role, before the term of office is completed, a successor will be elected at the first available full STV meeting to stand for the remainder of the term, until formal elections can take place at the next A.G.M.
  4. If members of STV wish to remove the Chair during his/her term of office, this may be done at an Extraordinary General Meeting that is quorate by a vote of at least two thirds of the members present in favour.

## **E. FULL MEETINGS OF SWINDON TENANTS VOICE**

1. The quorum of any full meeting shall be one third of the current membership of The Group, or a minimum of ten members.
2. Meetings shall be fixed by STV annually in advance, usually on a six weekly basis, but with a minimum of seven meetings per year.
3. Any member of STV, other tenant groups, or Council officers may submit items to be considered for inclusion on the agenda of a meeting of Swindon Tenants Voice, provided that the Chairperson is given sufficient details of the item a minimum of fourteen days before the meeting.
4. The agenda of a meeting shall be decided by the Chairperson in conjunction with other STV officers, and minutes of the previous meeting shall be circulated to Swindon Tenants Voice members at least seven days in advance of the meeting. Reports should explain the context of the issues and outline what options are available, but be as brief as possible. Agenda items should be clearly identified as being for information, discussion or decision.

5. If someone has suggested an item to go on the agenda, and STV officers decide not to include this, then an explanation by the Chairperson must be included as an addendum to the agenda.
6. Copies of minutes and reports shall be available to any tenant, leaseholder or other interested party on request, subject to minutes having been agreed by STV as a true record. Minutes of recent meetings will also be made available to download from the Council website.
7. The Chairperson shall deal with business in the order it appears on the agenda, except that the Chairperson may, with the consent of STV members present, bring forward items, which are considered urgent or to enable a report to be given which The Group has requested. The Chairperson may permit urgent new business to be raised without prior notice, or defer items to the next meeting, with the consent of those present.
8. Where agreed by STV, reports or recommendations shall be submitted to the appropriate Council meeting.
9. Meetings will be open to all members of the public as observers. Observers may only speak if invited to do so by the Chairperson.
10. The Chairperson may ask Council officers and Council members to leave a meeting for a specific item, subject to the agreement of members present and giving an appropriate reason for doing so.
11. All members of STV are required to give their apologies for non attendance to an STV officer before meetings. Failure to attend three consecutive full meetings without giving apologies may result in suspension from STV.

## **F. ANNUAL GENERAL MEETINGS (A.G.M)**

1. There shall be an Annual General Meeting in, or close to September each year.
2. The quorum for the meeting will be one third of current members or a minimum of ten members.
3. All tenants and leaseholders are welcome to attend the A.G.M. as observers.
4. Officers of STV will normally be elected at the A.G.M.
5. Changes to the Constitution and Code of Conduct may only be agreed at an A.G.M. or at an Extraordinary General Meeting ( E.G.M ) and must be proposed and seconded by members of STV. Any changes need to be carried by a two-thirds majority vote of current members

present at the meeting. Any proposed changes to the Constitution must be notified to the Secretary fourteen days prior to the A.G.M. or the E.G.M.

6. The Secretary will notify all members of the date and business of the meeting not fewer than fourteen days before the date of the A.G.M.
7. The Chairperson will give a report on how the objectives of STV have been achieved over the past year.

## **G. EXTRAORDINARY GENERAL MEETINGS (E.G.M)**

1. An Extraordinary General Meeting may be held if at least one third of current members of STV request it in writing. Members of STV will be given a minimum of fourteen days' written notice of the date, time and venue of the meeting, by letter or email.

## **H. CONDUCT**

1. All Members shall at all times, conduct themselves in a reasonable manner during STV meetings and any meetings they may attend on STV's behalf. STV members should also behave in a reasonable manner when attending informal functions on behalf of STV, (for example, conferences and social functions). All members shall act in accordance with the STV Code of Conduct to which they have signed. Any member can be excluded from a meeting if in breach of the Code of Conduct. Any Member shall be excluded from an STV meeting (and STV) for disruptive or offensive behaviour, or using abusive, racist and offensive comments or remarks, or any actions that may bring STV into disrepute.

*(Please note that Swindon Borough Council employees are required to comply with the Council's own Code of Conduct. In the event of any alleged breach, the Chair of STV and Head of Housing should be informed)*

2. Following an incidence of unacceptable conduct or inappropriate behaviour during a meeting which results in exclusion, or at any other time where a complaint has been made against a member of STV due to alleged misconduct or inappropriate behaviour, the Chairperson may decide to suspend the person from attending future meetings whilst the matter is investigated.
3. Where a member has been excluded or a formal complaint received, the Chairperson will inform them in writing within seven days, explaining the nature of the complaint and the process to be followed.

4. The Chairperson will then lead an investigation into the allegations to consider the evidence and details of the incident. This will include an opportunity for the member to discuss the allegations made against them, before any decisions are reached. The member may also choose to be accompanied at this meeting by one other person of their choice.
5. At the start of the formal hearing, the member of STV against whom the allegations have been made, will be given copies of all information received. The hearing may be adjourned if the member of STV wishes to call additional witnesses.
6. The investigation will normally be carried out by the Chairperson and Vice-Chairperson, who should aim to conclude the process within thirty days, and will include a Housing officer to attend as observer and note-taker during interviews. Where there is any potential conflict of interest, the role of Chairperson or Vice-Chairperson in this process will be taken by another member of STV.
7. If the allegations are found to be unsubstantiated, this will be confirmed in writing to the member of STV and no further action taken.
8. If following investigation the allegations are proven, dependent on the severity of the offence the Chairperson in consultation with the Vice-Chairperson will then decide whether to:
  - Accept a formal apology
  - Give a verbal warning, which will remain in place for twelve months after which it will be disregarded
  - Issue a formal written warning, which will remain in place for twelve months, after which it will be disregarded
  - Exclude the person temporarily from attending STV meetings and representing STV, for a maximum of six months
  - Refer to a full meeting
  - Refer to a full meeting with a recommendation to exclude the person permanently from membership of STV

Once the decision has been made, the member will be informed in writing, with a follow-up report to the next full meeting.

9. Should there be any further proven incidence of unacceptable conduct or inappropriate behaviour within twelve months of a previous sanction being issued to a member of STV, this will also be taken into account when considering what further action should be taken. With the exception of permanent exclusion, any previous sanctions issued will be disregarded on expiry after twelve months.
10. The member may appeal against the decision, providing this is received within fourteen days of the decision being given. The appeal must be in writing and sent to both the Chairperson and

Vice-Chairperson. This should include any new facts or evidence considered missed during the initial investigation, along with any statement of unfairness that they feel had previously prevailed.

11. The appeal will then be considered at a full meeting of STV and a final decision made. This will take into account the evidence from the initial investigation, together with details of the appeal. The member will be informed of the outcome in writing.

## **I. VOTING**

1. Only members of STV are eligible to vote.
2. Each member of STV will hold one vote.
3. Any member of STV may make a proposal. For this to be voted on, another member of STV must also second this.
4. Should there be a tie, the chairperson will then have the casting vote.
5. Voting will normally take place by show of hands and the result announced by the chairperson.
6. Any member of STV present at the meeting may query the result. In these circumstances, the vote will be taken again and another member of STV asked to recount.
7. Where a decision is required to elect STV officers or appoint representatives to working groups & forums, a formal ballot will be held if the total number of nominations received exceeds the number of places available.
8. The chairperson may also recommend use of a formal ballot where, due to the subject matter being considered, this approach may be deemed more appropriate.
9. Where a formal ballot is conducted, each member of STV present at the meeting will be provided with an anonymous voting slip on which they will be required to indicate their preference(s) using a tick or cross. These will then be collected and counted by an independent person, who is not a member of STV. The count will also be observed by a member of STV decided by the group, who will then countersign the result to confirm its accuracy.
10. Subject to being agreed at a previous full meeting of STV, the use of a postal vote may be offered to those members of STV unable to attend on the date of the formal ballot.
11. All members of STV shall at all times abide by decisions, which have

been properly made at meetings of STV.

## **J. DISSOLUTION**

1. Any proposal by STV members to dissolve STV may be put forward in writing in advance of an A.G.M. or E.G.M, subject to fourteen days' notice being given.
2. To be successful, any such proposal must be supported by a two-thirds majority vote of current members present at the meeting.

## **SIGNATURES**

1. Chairperson, Vice-Chairperson.

4th October 2012

*This Constitution to be reviewed before AGM of 2014*



## ***Appendix: Swindon Tenants Voice*** **Code of Conduct**

This Code of Conduct provides guidance to all voluntary members of Swindon Tenants Voice about how they are expected to carry out their role, both at STV meetings and at all other times, including formal meetings and informal functions while representing STV, and to ensure that their actions do not bring STV into disrepute.

### **Conduct of Meetings:**

1. Meetings must start at the stated time and abide by the agenda. In exceptional circumstances, the Chairperson may allow late amendments to be made to the agenda prior to the start of the meeting.
2. The Chairperson should welcome anyone present who has not previously attended a meeting of Swindon Tenants Voice.
3. Members must declare an interest, at the start of the meeting, on any matter on the agenda that raises a conflict of interest.
4. Late arrivals should enter quietly and not disrupt the meeting with apologies. Apologies for non-attendance to be given in advance to an Officer of STV.
5. **It is the responsibility of each member to ensure that they are prepared for the meeting by reading all the relevant papers and bringing them to the meeting along with any relevant questions.** (Where feasible, this information may be provided on audiotape for any member of STV who is visually impaired)
6. Members should be courteous to each other and support and assist each other at all times.
7. The Chairperson should generally avoid getting involved in debates their main task is to chair the meeting. STV members chairing sub groups should also avoid getting involved in debates in sub group meetings.
8. Speakers should go through the Chairperson and keep to the subject being discussed.
9. Only one member should speak at a time and there should be no cross-talking.
10. Mobile phones should be switched off during the meeting, other than in exceptional circumstances when they should be placed on a silent setting and answered outside of the meeting room.
11. If things are getting heated, a five minute “time-out” can be called for at

the discretion of the Chairperson. Assuming the offending person or persons are able to apologise, and that this is accepted, the meeting can continue as normal.

12. Jargon should be avoided wherever possible. If it is used, then a full explanation should be given.
13. Expenses should be paid before the meeting commences and should in no way delay the start.
14. The purpose of the meeting is to benefit all tenants and leaseholders generally and not specific individuals. During discussions members may only use general issues to highlight problems. However, personal issues may be discussed with relevant SBC officers outside of meetings.
15. No member of Swindon Tenants Voice should speak on behalf of the group to the media without STV Officer's consent and having previously undertaken the appropriate training. Any correspondence sent on behalf of the group should be made available to all members of the group. Officers wishing to communicate with other organisations etc on behalf of group to obtain the approval of other officers before doing so.
16. Swindon Tenants Voice **is a non-political group**.
17. All those attending meetings should operate within the spirit of partnership set out in the Tenant Participation Agreement.

### **Equalities:**

18. No member will discriminate on any grounds against any other member of the group. Discriminatory/Offensive language will not be used in discussions. All those who attend meetings have the right to be treated with dignity and respect.
19. Members of Swindon Tenants Voice do not receive any special treatment in their dealings with the Council, nor should they be treated any less favourably.

### **Confidentiality:**

20. Members of Swindon Tenants Voice **are not expected, or authorised, to undertake casework** on behalf of other tenants or leaseholders.
21. If during the course of their voluntary work with Swindon Tenants Voice, sight or knowledge of information relating to other members of the public is obtained it is expected that the confidentiality of this information will be respected. No information gained in this way should be disclosed to any third party.

4<sup>th</sup> October 2012 – *This Code of Conduct to be reviewed before AGM of 2014.*

As a member of Swindon Tenants Voice, I agree to abide by the above Code of Conduct and have read and understood the Constitution (*dated 4th October 2012*):

***Name:*** (*Please print*)

***Signed:***

***Dated:***

I agree to the following contact details being given to the members of the group

Name:

Address:

Telephone:

Mobile:

E Mail:

*(Please return completed form to Paul Wilkins, Housing Involvement Team, Housing, FREEPOST 178, Swindon SN1 2BR – thank you)*