

WEST LANCASHIRE BOROUGH COUNCIL

TENANTS AND RESIDENTS' FORUM

CONSTITUTION

1.0 TITLE

1.1 The West Lancashire Tenants and Residents' Forum (thereinafter referred to as "the Forum")

2.0 AIMS AND OBJECTIVES

- a) To provide a regular method of consultation between Council tenants, leaseholders and residents, to ensure their views are central to shaping Council services, with, Elected Members and Council Officers. However, substantial matters will also be consulted upon with tenants in accordance with S105 of the Housing Act 1985
- b) To provide an informal communication network, offering support and advice to West Lancashire Borough Council tenants and residents
- c) To promote and encourage good practice in Tenant and Resident Involvement.
- d) To represent, as far as possible, tenants and residents living in West Lancashire
- e) To organise and participate in regular information and training opportunities, which raise awareness on housing strategy and housing policy issues, through training, seminars and visits.
- f) To provide the opportunity for council departments and external agencies to consult and discuss services and other issues with tenants and residents on matters as necessary.
- g) To participate in the development of projects, programmes and policies which determine the future of housing provision and management in the Borough and have an effective influence on housing issues in general
- h) To encourage and support community initiative by funding the development of agreed projects.
- i) To be accountable for the fair and effective distribution of grants provided to the Forum.
- j) To discuss housing and neighbourhood matters which affect tenants and residents at a local, Borough wide and national level
- k) To ensure the Council is kept informed and made aware of the views, needs, aspirations, priorities and issues of concern for its tenants and residents and issues are addressed as appropriate.

- l) To share good practice between Forum members and Tenant and Resident Associations and bench mark against other similar organisations.
- m) To agree the annual tenants training programme.

3.0 MEMBERSHIP

- a) The Forum is open to all tenants and residents and it is intended that the majority of the membership will always be West Lancashire Borough Council tenants, and as such, admission to membership of the Forum may be restricted at times to ensure this.
- b) Any member, who fails to attend 3 consecutive meetings without tendering apologies, will be deemed to cease their membership and will be contacted by the Tenant Involvement Team to inform them of this matter.
- c) Officer positions available at the Annual General Meeting will be the Chairperson, Vice Chairperson and Secretary.

4.0 FORUM STRUCTURE

Tenants and Residents' Forum

- a) The Forum is to have a Chairperson, Vice Chairperson and Secretary which will be elected at an Annual General Meeting.
- b) In order for a meeting to be quorate, there must be at least 10 members in attendance who are eligible to vote. A copy of the Forum structure can be found at Appendix A.
- c) The Officers of the Forum will be required to attend quarterly meetings with the Officers of other Tenant Involvement Groups e.g. Service Evaluation Group and Service Improvement Groups

Project Approval Task and Finish Group

When necessary a Project Approval Task and Finish Group will be called to review and consider any projects which are brought to the Forum

This Task and Finish Group will have a Terms of Reference and process to follow as agreed by the Forum.

5.0 FORUM REPRESENTATIVES AND EQUAL OPPORTUNITIES

- a) Each Tenants and Residents' Association representative must seek to represent the views of the community they represent; all Forum members

must not discriminate on the grounds of nationality, race, religion, gender, sexuality, age or disability.

- b) The Forum will actively promote equal opportunities wherever possible and encourage Tenants and Residents to become involved with the Forum.
- c) The Forum will encourage equality of opportunities for tenants and residents by actively encouraging wide Involvement and will attempt to develop membership from the whole community.
- d) The Forum will work in line with the Councils Equality & Diversity Policy. A copy of the policy is available from the Tenant Involvement Officer on request.
- e) The Forum will also try to be aware of and identify solutions to any barriers or obstacles that may prevent Tenants and Residents from attending meetings.
- f) If a member fails to fulfil the membership criteria (e.g. a tenant leaves West Lancashire) he/she ceases to be a member of the Forum.
- g) Tenants and Residents attending Forum meetings, or any other meetings where they have been asked to represent the Forum may claim the cost of reasonable travelling expenses from the Forum budget where transport has not been provided. Representatives attending any such meeting must provide a detailed report back to the Forum.
- h) Forum members are encouraged to attend other appropriate community meetings.
- i) Councillors are invited to attend Forum meetings as observers only but can raise points of information through the Chair for clarification purposes.

6.0 OFFICER REPRESENTATION

- a) Officers of the Council will attend meetings of the Forum & other associated meetings, as appropriate, to provide advice, information and assistance but will not be entitled to vote.

7.0 CHAIRPERSON, VICE-CHAIRPERSON, SECRETARY AND TREASURER

- a) A Chairperson, Vice-Chairperson and Secretary shall be appointed annually. At each Annual General Meeting all officers will stand down but may be re-elected. The Chairperson and Vice Chairperson **must** be tenants of the Council.
- b) In the absence from a meeting of the Chairperson and Vice-Chairperson, a Chairperson for the meeting shall be appointed by the Forum who **must** be a Council tenant.

- c) In the absence from a meeting of the Secretary, a Secretary for the meeting shall be appointed by the Forum.
- d) Officers are expected to attend relevant training when appointed: e.g. Chair training, minute taking and running effective meetings
- e) Vacancies arising during the year in the above posts may be filled at a Forum meeting.

8.0 APPOINTMENT TO THE LANDLORD SERVICES COMMITTEE

- a) The Forum will annually appoint 2 members to the Landlord Services Committee. The term of office for the Landlord Services is 2 years.
- b) Only WLBC tenants are eligible to sit on the Landlord Services Committee
- c) Voting for Landlord Services Committee members will be open to eligible tenant members only, using a secret ballot
- d) A procedure for appointment to the Landlord Services Committee can be found at Appendix C

9.0 CODE OF CONDUCT

- a) There will be a code of conduct for all members of the Forum both at meetings and whilst representing the Forum externally. Forum members will show common courtesy to each other at all times. If a member does not show courtesy the Chair can ask them to leave the meeting. The Code of Conduct is shown in Appendix D.
- b) The Chairperson will facilitate and control the meeting in accordance with the agenda, ensuring that it runs to time and that the members present get a fair opportunity to contribute to the meeting.
- c) The use of bad language, offensive or aggressive behaviour will not be accepted.
- d) Members who breach the Code of Conduct will be sanctioned and this may lead to being excluded from attending Forum meetings in accordance with the "Breach of code of conduct" in Appendix D.
- e) Members who have been asked to leave a meeting or who have been excluded from attending future meetings have the right to appeal to writing for consideration by the Grievance Committee in accordance with the grievance procedure

10.0 GRIEVANCE PROCEDURE

Any members aggrieved by a decision made by any other Committee can have their case reviewed by a Grievance Tribunal.

The Grievance Tribunal will consist of 3 Forum members elected on an ad-hoc basis by the Forum and will be supported by a West Lancashire Borough Council Officer.

The Officer will not be able to vote on this Committee.

The Grievance Tribunal will make the final decision on any grievance claims, in accordance with any policy agreed by the Forum and within any available budgetary provision

The Tribunal will report their decision in writing to the member/s making the claim and will also report the decision back to the Tenants and Residents' Forum.

Any member of the Forum who wishes to raise a grievance should contact a member of the Tenant Involvement Team or an Officer of the Forum.

11.0 MEETINGS, MINUTES AND PROCEDURES

- a) All Forum meetings, including Committees, Boards and Groups, shall have a maximum time limit of 3 hours. It is the responsibility of the Chairperson to ensure that meetings run to the Agenda and within the set time limit.
- b) The Forum shall meet every two months.
- c) There shall be no fewer than 6 Forum meetings per year.
- d) All Forum members will complete the attendance register at each meeting as a record of their attendance.
- e) Minutes shall be kept of all General Meetings, Ordinary meetings and meetings of other Forum bodies, by the relevant secretary, who shall record all attendances, proceedings and resolutions. The Chair is responsible for ensuring that minutes are taken.
- f) The Secretary of the Forum will be responsible for producing the minutes, which will be submitted to the next meeting of the Forum for approval as a correct record.
- g) The Secretary of the Forum will, with the assistance of the Tenant Involvement Officer be responsible for the distribution of the minutes, agenda and any other relevant paper work, to the members of the Forum.

- h) An agenda and minutes of the previous meeting shall, wherever practicable, be issued to all members of the Forum seven calendar days prior to the next scheduled meeting. Late agenda items will need to be agreed by the Chair before the meeting by reason of urgency. AOB will be allowed by the Chair if time allows and matters raised are relevant to the Forum. Requests for agenda items can be made at a Forum meeting or by contacting the Chair or Tenant Involvement Team.
- i) Late items or AOB which is not able to be discussed at the meeting should be deferred to the agenda of the next meeting.
- j) Appropriate items arising from the meeting of the forum should be directed to the Landlord service Committee for tenant related issues and appropriate committees for resident wide issues.
- k) No matter shall be included on an agenda if, in the view of the Chairperson, it relates to the individual affairs of a tenant or resident, or the particular circumstances of a decision taken by or on behalf of the Council on the basis of confidential/ exempt information or offends the aims and objectives of the Forum.
- l) Complaints regarding the action of Council staff shall be dealt with via the Council's normal procedures and not by the Forum. Complaints of misconduct by Councillors shall be dealt with via the Standards Board for England
- m) Focus groups, training sessions or any other meetings may be held in various locations throughout the Borough.
- n) Apologies for non attendance should be given to a member of the Tenant Involvement Team prior to the meeting or in writing to another Forum member to pass to the secretary at the Forum meeting.
- o) Updates from the Landlord Services Committee, Service Evaluation Groups, Service Improvement Groups, Working Groups and Task and Finish Groups shall be given to the Forum at each meeting by means of "Your Voice" the newsletter for involved tenants.
- p) The groups on the involvement structure, detailed in Appendix B may consult with the Forum on matters arising which require additional tenant involvement or consultation.
- q) At the end of all Task and Finish Groups or projects carried out by any of the Working Groups or Improvement Groups, a report will be given to the Forum for consultation or information.

11.1 Annual General Meetings

- a) Officers of the Forum will be elected by a majority vote of those eligible to vote at the Annual General Meeting of each year.

- b) Forum members will be given at least 21 calendar days notice of when the AGM is to be held.
- c) Nomination papers along with the relevant paper work for the meeting will be sent to all forum members who can nominate themselves for an officer position which must be seconded by another member of the Tenants and Residents' Forum.
- d) Nominations for the position of an officer must be received by the Tenant Involvement Officer ten calendar days before the Annual General Meeting.
- e) Member's eligible to vote who can not attend the AGM can vote by proxy or by post. The Tenant Involvement Officer will send voting papers or proxy nomination forms to eligible members no later than 7 calendar days before the AGM. Proxy and Postal votes will be returned to the Tenant Involvement Officer no later than 5 calendar days before the AGM.
- f) Postal votes will not be opened by the Tenant Involvement Officer until the AGM or will be put into the ballot box if a secret ballot is held.
- g) Where a member submits a proxy vote and then subsequently attends the meeting, the proxy vote will not stand.
- h) The Chair will give a report of the achievement of the forum before standing down
- i) The Tenant Involvement Officer will produce a financial report at each Annual General Meeting
- j) A vote of thanks should be passed to Council officers, however if the motion fails by a majority vote, of those eligible to vote, the Chair will write to the relevant body to explain the reasons

11.2 Special General Meetings

- a) The Tenant Involvement Officer may call a Special General Meeting, if requested to do so by 5 eligible voting members; sufficient information shall be provided of the issue concerned to enable an agenda to be compiled.
- b) A Special General Meeting can be held to change the Forums Constitution.
- c) If an SGM is called, 14 calendar days notice will be given.

12.0 VOTING ARRANGEMENTS

- a) A member of the Forum must attend 4 out of the previous 6 meetings, in order to be eligible to vote.

- b) In the case of an equality of votes the Chairperson, or the Member of the Forum acting as Chairperson for the occasion, shall upon any question have a second or casting vote.
- c) Voting will usually be done by a show of hands, however a secret ballot may be held at the request of the majority of members attending if necessary.
- d) Voting for officers and Landlord Service Committee members will be elected through a secret ballot.
- e) Any proposals must be seconded.
- f) Matters which exclusively affect council tenants can only be voted upon by eligible tenant members
- g) Council officers and Councillors cannot vote.

13.0 CONSTITUTION

- a) The Forum will review its operation and Constitution at the Annual General Meeting or at a Special General Meeting.
- b) Any minor amendments to the Constitution will need to be approved by the Landlord Services Committee. Major revisions of the Constitution will be taken to Cabinet/Council/Overview and Scrutiny for approval

14.0 FINANCIAL REGULATIONS

- a) The Council's Borough Treasurer may specify Financial Regulations to apply to the Forum's activities.
If such Financial Regulations are specified, they shall be observed by Forum members at all times.
- b) All income shall be used solely towards the promotion of Tenant Involvement or for Community projects.
- c) A Financial Report and Accounts will be presented at the AGM for the previous financial year
- d) Members of the Forum will not receive payment for their work.
- e) All expenses allowed to members will be as per the Tenant Involvement Expenses Policy
- f) As the Forum is a Council sponsored body, the Tenant Involvement Officer shall report to the Council on the performance, achievements and spending decisions of the Forum by means of an Annual Report.

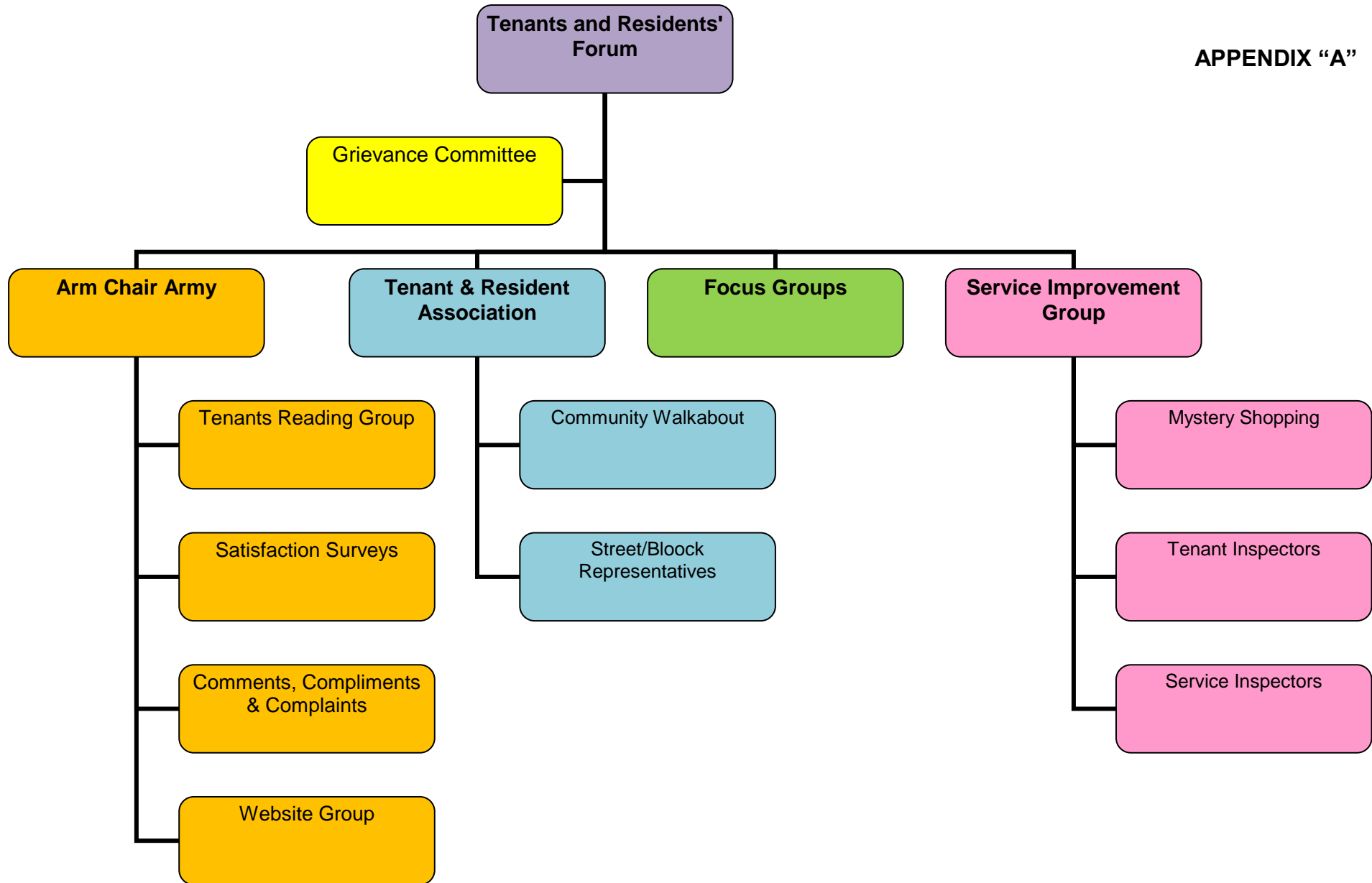
15.0 RELATED PROCEDURES

The related procedures set out in Appendices A, B C and D attached shall form part of this Constitution. The related procedures may be amended as and when necessary, following the procedures at clause 11.

Signature of the Chairperson of the Forum:

Signature of the Portfolio Holder for Landlord Services:
.....

Date:



Appointment procedure for the Landlord Service Committee from the Tenants and Residents’ Forum

- All Tenant Forum members are eligible to nominate themselves for a position on the Landlord Services Committee.
- 2 places for the Landlord Services Committee will be available annually
- All nominations must be seconded by another tenant forum member
- Tenants who nominate themselves must complete the pro-forma to explain to why they wish to be nominated
- Nominations for a position and the Landlord Service Committee must be received by the Tenant Involvement team at least ten days before the Annual General Meeting.
- All nominations must be received by the Tenant Involvement Team at least 10 days before the relevant meeting
- Voting will take place as per the Forum Constitution including proxy and postal voting

TENANTS AND RESIDENTS' FORUM CODE OF CONDUCT

The Code of Conduct sets out the working relationship between members of the Tenants and Residents' Forum, Council Officers and Councillors and the rules and procedures that should be followed at the Tenants and Residents' Forum meetings and all related meetings.

The Code of Conduct has been drawn up following joint discussion between Tenant Representatives, Housing staff and Councillors.

It has been developed in the spirit of mutual respect and understanding of each other roles and responsibilities. The aim of the Code of Conduct is to ensure that the Tenants and Residents' Forum has a culture of partnership and co-operation. The Code of Conduct will also allow for a professional and positive relationship to develop between members of the Tenants and Residents' Forum, Council Officers and Councillors.

Members of the Tenants and Residents' Forum, Council Officers and Councillors must agree to adopt and abide by the Code of Conduct; any failure to do so may result in the individual being excluded permanently from the Forum.

This Code of Conduct complements the rules laid down in the Tenants and Residents' Forum Constitution.

All elements of the following Code of Conduct apply equally to Tenants, Residents, Councillors and Council staff, who will hereafter be referred to as Participants, unless specifically noted.

Conduct at meetings of the Forum and all related bodies

- The Chair should welcome participants and any others to the meeting.
- All participants will prepare for Tenants and Residents' Forum meetings by reading the information sent to them prior to the meeting and bringing it with them to the meeting.
- Participants are expected to stay for the duration of each meeting. However if a Participant wishes to leave the meeting early for whatever reason, they should inform the Chair at the beginning of the meeting.
- Participants should exit the meeting with minimum disruption.
- Refreshment breaks should only be taken at an agreed point in the meeting
- Participants who arrive late to a meeting should enter quietly and not disrupt the meeting with apologies.

- Speakers should go through the Chair and keep to the subject being discussed. Any participant wishing to ask a question or raise a point must raise their hand and wait. The Chair or the Tenant Involvement Officer will note the raised hands and will note the order for questions to be asked or points to be raised. This is to ensure that all participants get an opportunity to speak.
- Any participant unable to attend a meeting should always give apologies in advance of meetings.
- Only one participant should speak at a time and there should be no cross-talking or separate discussions held.
- Where available, a microphone should be used when a participant is speaking
- Participants must listen respectfully to whoever is speaking and not hold their own conversation with others who are sat around them.
- Wherever possible, jargon should be avoided, however if it is used, then a full explanation should be given.
- Participants should remember that the purpose of the meeting is to benefit tenants and residents generally and not specific individual/s.
- No smoking is allowed during the meeting and smoking is not allowed immediately outside any Council buildings, where the meeting is being held.
- All dealings will be fair and impartial.
- During a meeting, participants may be assertive in an attempt to put over their view, however this must not be in an aggressive manner.
- In carrying out their role, no participant will discriminate against any person in a manner that is contrary to the Councils Equal Opportunities Policy. All participants shall ensure that everybody is treated with respect and dignity regardless of their sex, race, colour, ethnic origin, religion, creed, marital status, disability, age, or sexual orientation or any other matter, which causes people to be treated with injustice.

Code of Conduct

All participants:

- are required to act in a courteous manner and treat each other with a mutual respect that is open and honest. Personal attacks, offensive and abusive comments will not be tolerated.

- will listen to each other's points of view and respect that people sometimes have differing views.
- should learn from each other and work together as a team and recognise the work that each other does.
- will remember that everyone is human and sometimes makes mistakes.
- will recognise that everyone is an individual and has their own area of expertise.
- will address each other in a professional manner.
- will declare any personal or professional connection they have with an issue if relevant.
- will not abuse any personal connections.
- will expect to be treated equally.
- will use the proper procedures to report issues and not use meetings of the Tenants and Residents' Forum as a reporting platform.
- will not bring personal or political issues to the attention of the Forum,
- will recognise that Councillors are elected to perform their duties in the best interests of the Council and will fully respect the position regardless of their own personal political views.
- will remember that demands on tenants and residents time must be kept to a minimum.
- will offer full explanations about decisions, which have been made.
- will ensure all their communications are in plain English.

Additional information

Council Officers and Councillors are non-voting participants and will abide by the Tenants and Residents' Forum Code of Conduct when attending meetings or in representing the Tenants and Residents' Forum.

Council Officers Code of Conduct

- Officers are responsible to West Lancashire Borough Council and will fulfil their duties in mindful recognition of the Council's Tenant Involvement Policy statement to increase the involvement of tenants in the delivery of services and will support and encourage the development of the Tenants and Residents' Forum.

- Officers will support and advise the Tenants and Residents' Forum on issues concerning Council policy, but will not discuss details of individual tenancies.
- Officers will also abide by the Council's Code of Conduct.

Councillors Code of Conduct

- Councillors will recognise that the Tenants and Residents' Forum is a non-political organisation and will not politicise meetings unless they are asked to clarify a point of information relating to Council policy.
- Councillors are also bound by the Council's own Member Code of Conduct.

Breach of Conduct

Should any Tenants and Residents' Forum member, Council officer or Councillor breach the Code of Conduct at a meeting, they may be given a verbal warning. If the individual continues to breach the Code, or in the case of more serious breaches, that person may be excluded or suspended from the meeting by the Chairperson.

Complaints regarding the action of Council staff shall be dealt with via the Council's normal procedures and not by the Forum. Complaints of misconduct by Councillors shall be dealt with via the Standards Board for England

Participants who breach the Code of Conduct may be excluded from attending further Forum meetings.

If any participant refuses to leave a meeting, after being excluded, the meeting can be closed and reconvened at the Chairs discretion.

Participants who have been asked to leave a meeting or who have been excluded from attending future meetings have a right to appeal to the Forum Secretary in writing for consideration by the Grievance Committee.

If a participant of the Tenants and Residents' Forum feels another participant is breaching the Code of Conduct, the details of the alleged breach shall be made in writing to the Tenant Involvement Officer.

1	Duties of Officers
----------	---------------------------

- a) **The Chair is the person who makes sure things get done, not the person who “does everything”.**

The Chairperson shall be responsible for:

- Chairing the Tenants and Residents' Forum and other associated meetings
- Ensuring that the Forum functions in accordance with its Constitution
- Ensuring that the duties of all Officers and Representatives of the Forum are properly fulfilled.
- Signing correspondence on behalf of the Forum except as may be assigned to another Officer or Committee member
- Carrying out such other relevant duties as she/he may from time to time be called upon to perform by the Forum
- Guiding the Forum to achieving its' Aims and Objectives
- Preparing the agenda in conjunction with the Tenant Involvement Officer
- Encouraging all Forum Members to contribute to meetings
- Challenging any forms of discrimination
- Networking in the community to promote the Forum and obtain views on any issues.

- b) The **Vice-Chairperson** shall fulfil the duties of the Chair in his/her absence or when otherwise called upon to do so.

- c) **The Secretary is the caretaker of the Forum’s files and paperwork**

The Secretary will have responsibility for:

- Ensuring that accurate minutes are kept of all meetings and that these are open for general inspection.
- Ensuring that membership records and all other records are kept up to date
- Ensuring that all members concerned are duly notified of meetings of the Forum
- Distribution of the minutes, agenda and any other relevant paper work, with assistance from the Tenant Involvement Officer
- Assisting the Chair with follow up work between meetings
- Ensuring the correct number of meetings are held in line with the Constitution
- Challenging any forms of discrimination
- Networking in the community to promote the Forum and obtain views on any issues.

- d) **The Members help the Forums’ elected officers to achieve the aims and objectives as set out in the Constitution**

The Members are responsible for:

- Attending meetings or sending their apologies
- Turning up on time with any information needed

- Listening and contributing to discussions
- Carrying out decisions as decided by the Forum
- Challenging all forms of discrimination
- Providing receipts to the Treasurer for any agreed expenses incurred
- Networking in the community to promote the Forum and obtaining views on any issues.

Useful Contacts numbers

<p>Tenants and Residents' Forum John Fleet – Chair, 0752226318 Tracy Berry – Tenant Involvement Manager, 01695 585227 PO Box 16, 52 Derby Street, Ormskirk, L39 2DF</p> <p>www.westlancs.gov.uk</p>	<p>Estate Management & Tenant Involvement Team Tracy Berry – Tenant Involvement Manager 01695 585227 tracy.berry@westlancs.gov.uk</p> <p>Cath Pulford – Service Manager 01695 585204 cath.pulford@westlancs.gov.uk</p>
<p>Ashurst Tenants and Residents' Association Clare Pollard – Chair 01695 726488 66 Lindens Ashurst Skelmersdale WN8 6TL</p>	<p>Birch Green Tenants and Residents' Association Brenda Malloret 9 Ivybridge Birch Green Skelmersdale WN8 6RR</p>
<p>Clay Brow & Holland Moor EMB Margaret Highton – Chair 01695 725483 Digmoor Community Centre Birleywood, Digmoor, Skelmersdale WN8 9HR</p>	<p>Digmoor EMB Margaret Nind – Chair 01695 51014 185 Banksbarn Digmoor Skelmersdale WN8 9ER</p>
<p>Tanhouse Action Group (TAG) John Yates – Acting Chair 01695 50957 103 Elmridge Tanhouse Skelmersdale WN8 6DE</p>	<p>West Lancashire Borough Council 01695 577177</p>