

**METROPOLITAN HOUSING PARTNERSHIP  
RECOGNITION CRITERIA FOR TENANT AND RESIDENT  
ASSOCIATIONS**

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**1.0 Introduction**

1.1 This policy outlines the approach taken by Metropolitan Housing Partnership (MHP) when assessing whether to formerly recognise a tenants or residents association.

**2.0 Legislative/ regulatory context**

2.1 MHP must be accountable to both its residents and its funding body – the Housing Corporation.

2.2 To discharge its duty effectively to both, MHP must ensure that any resident association to which it grants recognition, funding and other support, fulfils certain basic criteria.

2.3 The criteria are based on best practice in resident participation and form part of the core standard, “Standards for Tenant Groups” in the Office of the Deputy Prime Minister’s ‘National Framework for Tenant Participation Compacts’. Whilst Housing Associations are not bound by ‘National Framework for Tenant Participation Compacts’, the good practice contained within it is considered by the Audit Commission when carrying out Housing Inspection of Housing Associations.

2.4 MHP has a responsibility to ensure that a recognised group is acceptable to residents in the area it claims to represent and that it is truly representative and democratically run.

**3.0 Scope**

3.1 This policy applies to all landlords within Metropolitan Housing Partnership.

- 3.2 This policy should be read in conjunction with other relevant policies and procedures.
- 3.3 These recognition criteria specifically apply to resident associations operating within MHP housing stock who wish to receive information, formal consultation and be involved in decision-making relating to housing and related services provided by MHP.
- 4.0** Policy statement (what we believe)
- 4.1 Recognised groups can expect the following resources from MHP:
- a dedicated MHP member of staff to provide advice, information and support
  - advice and assistance to hold public meetings
  - booking and payment of meeting space
  - training and information for tenant representatives
  - an annual grant
  - items of stationery to help administer their organisations
  - travel to and from all relevant events
  - attendance at relevant resident conferences i.e. TPAS
  - help with childcare and carer costs for representatives to attend all MHP hosted events
  - help with printing costs of newsletters and other promotional literature
  - participate in the consultative arrangements set up by MHP relating to housing and associated services
  - request and expect officer attendance from MHP at their meetings provided an agenda and adequate notice is given
  - Expect feedback from officers on agenda items taken away for action within agreed time-scales

The above is not an exhaustive list; individual associations can negotiate levels of support best suited to their needs and local circumstances.

- 4.2 MHP's criteria for the recognition of a Tenant and Resident associations:
- 4.3 The recognition criteria serve a dual purpose. They set out the relationship, rights and responsibilities of both parties – MHP and the Tenant and Resident association.
- 4.4 In MHP, the criteria serve as a binding agreement between the two parties and each must conform to them and take responsibility for its part in them. In so doing, each party will be accountable to the other. The primary focus of this partnership is on housing and estate management and related issues. However, Tenant and Resident associations can and will be encouraged to extend their involvement to other broader local issues of interest and concern according to their local circumstances.
- 4.5 To qualify for recognition a Tenant and Resident association must adopt the model constitution attached (Appendix A), or an approved variation, and comply with it. This includes:
- 4.5.1 set up the association at a public meeting, to which all residents in the defined area are formally invited. Every resident over the age of 18 living in the defined area of the group has a right to vote at the meeting

- 4.5.2 democratically elect a committee at either:
- a) a public inaugural meeting
  - b) a public inaugural meeting in conjunction with a postal ballot of all residents living in the defined area
- 4.5.3 at each annual general meeting a committee should be elected. This meeting and the subsequent election can be facilitated by a staff member of MHP. However one will be in attendance.
- 4.5.4 adopt the MHP model constitution (attached in Appendix A) or an approved variation at a public meeting, which:
- clearly defines the area which the association will represent
  - states the association's aims and objectives
  - states the minimum number of general meetings it will hold each year
  - states the minimum number of committee meetings it will hold each year
  - makes provision to account for all its financial transactions
- 4.5.5 Furthermore, mechanisms have been, or will be, put in place to ensure Tenant and Resident Associations can demonstrate the following:
- Annual improvements in support levels of members and/or evidence of work towards improvement over the year
  - The make-up of the management committee reflects the make-up of the members
  - They are operating as completely non-political organisations
  - Only one person per household holds an executive post on the committee
  - Copies of annual accounts (relating to the grant funding from MHP), annual reports, and attendance lists of annual general meetings and general meetings are sent annually to a relevant member of staff in MHP
  - Committee meetings are being regularly held and agendas and attendance lists of meetings are sent to a relevant member of staff in MHP on request
  - Minutes of meetings attended by MHP staff are supplied to the relevant staff
  - Minutes of all committee and general meetings are sent to all committee members and are accessible to any member of the association who wishes to see them
  - They are acting in accordance with their equal opportunity statement or policy and are making every effort to involve and represent all sections of their community
  - The general members of associations living within the defined area are regularly informed and consulted through newsletters, informal/formal meetings, and other relevant means. Copies of any papers to be made available to MHP staff on request
  - Representatives are reporting their members' views and needs to MHP through regular meetings, estate inspections, and other relevant means. If a committee member is acting on behalf of an individual resident on a personal matter, they should have the resident's written permission to do so
  - Tenant and Resident Associations will be required to register with MHP and apply for recognition in April of each year. A letter from MHP confirming recognition will be awarded to all groups that meet the criteria
- 4.6 MHP staff will provide support and assistance to all new and existing Tenant and Resident associations, to enable them to comply with the criteria

## **5.0 Partnership approach**

- 5.1 This policy has been produced in consultation with the Resident Involvement Working Group and the National Residents Group.
- 5.2 The policy will be published on the MHP intranet and in the Resident Involvement Manual to ensure that it is accessible to all partners

## **6.0 Equality and diversity**

- 6.1 In the implementation of this policy, MHP will adhere to the Equality and Diversity Policy, and as such will not discriminate against any resident on grounds of their race, ethnic origin, gender, sexuality, marital status, disability, age, religion or class. (Please refer to the [Equality and diversity policy and procedure](#))

## **7.0 Complaints and appeals**

- 7.1 If any person believes that they have not been treated in accordance with this policy, or they are unhappy about anything related to the policy, they may complain through the Customer Feedback procedure. (Please refer to the [Customer Feedback Policy](#).)

## **8.0 Monitoring and evaluation/ Quality Assurance**

- 8.0 The partnership's Resident Involvement Working Group will monitor and review the policy at appropriate intervals, as set out below.

## **9.0 Author**

- 9.1 This policy was drawn up by the Resident Involvement Manager, Quality & Compliance, Metropolitan Housing Partnership
- 9.2 Comments, queries and feedback and help  
We always welcome comments and feedback. Please contact the author/s or the manager of department.

## **10.0 Date for review**

- 10.1 This policy was approved by \_\_\_\_\_ on \_\_\_\_\_
- 10.2 The policy and procedure will be reviewed 3 years after commencement, unless there is a significant change in legislation in which case it may be reviewed earlier.



## Appendix A

### METROPOLITAN HOUSING PARTNERSHIP MODEL CONSTITUTION

#### 1. NAME

The name of the Association shall be .....

#### 2. AIMS

The aims of the Association shall be:

- a) To represent all members on the *estate/street*
- b) To promote the exercise of residents and leaseholders of **name landlord** rights and the maintenance and improvement of their housing conditions, amenities and environment;
- c) To encourage recreation and social activities which will be open to all members;
- d) To uphold equal opportunities and work for good relations amongst all members of the community.

#### 3. MEMBERSHIP

- a) All residents and leaseholders and their households aged 18 and over living in the area as stated in 2.a of **name landlord** are members of the Association. There shall be 1 vote per household.
- b) Any member of the group can be suspended by a relevant MHP member of staff where they are being investigated for breaches of tenancy, anti-social behaviour, breaking the law or suspected misbehaviour within the group. This suspension will be as long as the investigation;
- c) Membership will cease if the resident; gives up or loses their tenancy, is in breach of tenancy including rent arrears, resigns, they become a member of MHP's, Spirita's, CPH's or Granta's board or an employee of MHP;

#### 4. MANAGEMENT

- a) The Association shall be managed by a Committee to be elected at the Annual General Meeting and who will meet at least 4 times a year.
- b) The Committee shall consist of a Chair, Secretary, Treasurer (Officers, with not more than 1 from any one household) and other members who should be fully representative of the area stated in 2.a.
- c) The officers will be elected by the group at the committee's first meeting.
- d) If vacancies occur among the Officers or in the Committee, the Committee shall have the power to fill them from among their members until the next General meeting of the Association when elections for vacancies should take place.
- e) The Committee shall have the power to co-opt members of groups in the defined area onto the Committee and its working parties and all other sub-committees, with the aim of furthering representative ness and encouraging equal opportunities.
- f) In view of the potential conflict of interest no staff member of **name landlord** shall be an officer of the Association.

#### 5. ANNUAL GENERAL MEETINGS

- a) The Committee shall call an Annual General Meeting for the purposes of receiving the Annual Report of the Committee and the statement of accounts; of accepting the resignations of the Committee and Officers; of electing a Committee and Officers for the coming year; of making recommendations to the Committee and voting, where necessary, to amend the Constitution. This meeting will take place in **state month** each year.
- b) Not less than 14 days notice of the Annual General Meeting shall be given to all those eligible for membership.

- c) Any delegate elected to represent the Association (i.e. RRP rep) shall report back at least once a year, preferably at the Annual General Meeting.
- d) With the approval of the Committee non-members can attend the Annual General Meeting as non-voting observers.
- e) In order to comply with the registration process a representative of the landlord shall be present at each Annual General Meeting to confirm if necessary that the meeting was arranged and conducted in accordance with the Associations' Constitution. The independent observer must be one of the following from **name landlord**: Resident Involvement Officer, Estate Officer, Regeneration officer, Community Investment Officer or their equivalent.

## 6. GENERAL MEETINGS

Decisions of General meetings of the Association shall be binding on the Committee. Not less than 14 days notice of General meetings shall be given to all members. There shall be at least 4 General Meetings a year, one of which will be the Annual General Meeting.

## 7. SPECIAL GENERAL MEETINGS

- a) The Chair or Secretary may at any time call a Special General Meeting of the Association, either for the purpose of altering the Constitution or for considering any matters, which the Committee may decide, should be referred to the members in general.
- b) A Special General Meeting shall be called at the written request to the Secretary of not less than 20% members who give reasons for the request.
- c) Not less than 7 days notice of the Special General Meeting shall be given to all members.

## 8. CONDUCT OF BUSINESS

- a) At all meetings the Code of Conduct agreed by MHP's Resident Involvement Working Group shall be observed. A breach of this shall result in the removal of that member from the meeting.
- b) At all meetings decisions shall be taken by a simple majority of those members present and voting
- c) The quorum for Committee meetings of the Association shall be 50%
- d) The quorum for all General Meetings or Special General Meetings shall be 20% (or 10 members, which ever is the greatest)
- e) The association must operate as a completely non-political organisation.
- f) Copies of annual accounts (relating to the grant funding from MHP or **name landlord**), annual reports, and attendance lists of annual general meetings and general meetings are sent annually to a relevant member of staff in **name landlord**.
- g) Committee meetings are being regularly held and agendas, minutes and attendance lists of meetings are sent to a relevant member of staff of the **name Landlord** on request.
- h) Where a staff member has been invited to a meeting, a copy of agenda and papers will be sent to them before and a copy of the minutes shall be sent after.
- i) The association must register each year to be recognised as a MHP Resident Association.
- j) Any request in writing for a copy of the Constitution must be sent out by the Secretary within seven days of the person requesting the copy.

## 9. FINANCE

- a) All monies raised by or on behalf of the Association shall be applied to further the aims of the Association and for no other purpose.
- b) The Treasurer shall keep proper accounts of the finances of the Association and shall open an account in the name of the Association.
- c) The accounts need to be checked and verified by a relevant staff member at **name Landlord** on an annual basis
- d) The Treasurer should present to each Annual General Meeting a written account of the finances of the Association showing its income, expenditure and balances.

## 10. DISSOLUTION



If the Committee, by a simple majority decide at any time to dissolve the Association, they shall give at least 21 days notice of a meeting to all those eligible for membership. If such a decision shall be confirmed by a simple majority of those present and voting at the meeting, the Committee shall ensure that any assets held by, or in the name of, the Association shall be returned to the **name landlord** to be distributed to other resident groups in the area.

This Constitution was adopted as the Constitution of Residents Association at a public meeting held at

Tenants and  
on

Signed ..... (Chair)

Signed ..... (Secretary)

Signed ..... (Landlord representative)

## Appendix B

### METROPOLITAN HOUSING PARTNERSHIP MODEL CODE OF CONDUCT

For members of Tenant and Resident Association recognised by MHP.

#### 1. Purpose of the Code of Conduct

This Code of Conduct explains how members are expected to carry out their duties. Members should be mindful at all times that they are representing the views of MHP service users and residents. All members are expected to abide by the following rules. If members deliberately or frequently breach them, the TRA and/or MHP have the right to take action which could result in membership being suspended or withdrawn.

#### 2. Conduct of meetings

Members must at all times observe accepted practice while taking part in a meeting:

- to arrive on time for meetings and observe meeting ground rules
- to follow the guidance of the Chair in the conduct of the meeting
- to be courteous 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
- to remember that the purpose of the meeting is to benefit residents generally and not specific individuals. Personal issues should only be raised in the context of the issue been discussed
- not to speak on behalf of the TRA outside of meetings without prior agreement from the group
- to operate within the rules laid down in the TRA constitution.

#### 3. Conflict of interest

- Members must not expect favourable treatment by MHP staff, nor should they be treated any less favourably: e.g. completion of repairs or housing allocations etc.
- Members must use current MHP procedures when reporting repairs, problems and in making complaints etc.
- Members must disclose if they have an interest in any contracts being awarded by MHP, for example if they have a close relative working for a company bidding for a repairs contract within the area of the TRA.

#### 4. Partnership

TRA members, MHP staff and other partners should at all times work in an atmosphere of mutual respect and courtesy.



**5. Equality & Diversity**

No member will discriminate against any other member, member of MHP staff or other partners. Discriminatory language or behaviour will not be tolerated and could result in disciplinary action.

**6. Breach of Code of Conduct**

See separate procedure

## Appendix C

### METROPOLITAN HOUSING PARTNERSHIP PROCEDURE for BREACH OF CODE OF CONDUCT

For members of Tenant and Resident Association recognised by MHP.

#### 1. **Purpose of the Procedure**

Is to inform TRA members and MHP staff how to deal with a situation where there is a breach of the code of conduct. Members should be mindful at all times that they are representing the views of MHP service users and residents.

#### 2. **Actions for Breach of Code of conduct**

- If a member of the committee or group, or member of the public does not abide by the code of conduct, the chair will warn that if they break the code again they may be asked to leave the meeting
- The chair may give the member of the committee or 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 or 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.
- Where the breach is persistent and/or serious the Chair can write to a member of MHP staff asking them to attend the next meeting to support what further action the group will take. This could include expelling the member from the group and if appropriate a breach of tenancy been investigated.

#### 3. **MHP Staff and Breach of Code of Conduct**

- MHP staff are responsible for making sure that TRA's conduct business in an appropriate way and in line with the code of conduct. If there is a breach, and action is not taken or instigated by the TRA, then the MHP staff member will have the ability to take appropriate measures.



## Appendix D

### METROPOLITAN HOUSING PARTNERSHIP

#### TRA Diversity and Equality Statement

The ***NAME OF TRA*** recognises that Residents and Service User's of Metropolitan Housing Partnership (MHP) come from diverse communities. It seeks to actively encourage the participation of different communities to ensure that the views of the Partnership are truly representative of the communities it serves. Where appropriate, the ***NAME OF TRA*** will make all necessary arrangements to facilitate the inclusion of those who are diverse as a result of:

- Race, colour, immigration status, ethnic and national origin
- Gender
- Religion or belief
- Sexual orientation
- Disability
- Age
- Employment status
- Caring responsibilities
- Social class

The ***NAME OF TRA*** is committed to ensuring that it develops and maintains the necessary skills and awareness of equality issues to enable it to meet MHP's commitment to community cohesion.

The ***NAME OF TRA*** aims to fully reflect and represent the interests of Residents and Service User's, to assist MHP in building 'better homes and stronger communities'.