



# RUTHERGLEN & CAMBUSLANG HOUSING ASSOCIATION

## MEMBERSHIP OF THE MANAGEMENT COMMITTEE POLICY

ALL OF THE ASSOCIATION'S POLICIES AND PUBLICATIONS CAN BE MADE AVAILABLE IN LARGER PRINT, AUDIO FORM, BRAILLE OR OTHER LANGUAGES AS REQUIRED AND APPROPRIATE.

For further details please contact the office on 0141 647 4917 or by email at [info@randcha.co.uk](mailto:info@randcha.co.uk)

<b>Purpose</b>	Outline the criteria, requirements and methods of accessing membership of the Management Committee and ensure the Association maintains the highest levels of openness, transparency and probity.
<b>Regulatory Requirements</b>	
<b>Regulatory Guidance</b>	

<b>Reviewed</b>	<b>March 2022</b>
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## **1.0 INTRODUCTION**

Rutherglen and Cambuslang Housing Association recognises and respects the vital role the voluntary members of the Management Committee and the responsibilities they carry for ensuring the good governance, financial security and long term viability of the organisation.

Although the Association values the wealth of experience and skills of its longstanding Committee members, it also acknowledges the benefits, fresh perspectives and varied skills new members bring to the Committee and the organisation. To this end, the Association takes a proactive approach to recruiting new members in line with its Management Committee Succession Planning & Recruitment Policy.

Whilst the Association is an Equal Opportunities organisation and seeks to have a balanced and diverse Committee that is representative of its membership, it is also committed to ensuring that the integrity, reputation and ethos of the Association is protected. It therefore seeks to ensure that the composition of the Committee does not allow any one group disproportionate influence and prevents decisions or agendas based on personal affiliations, bias or interests that are in conflict to the objectives and aspirations of the organisation

The Policy on the Membership of the Management Committee is intended to provide a framework for ensuring that applications for membership to the Management Committee meet statutory and regulatory requirements as well as ensuring the Association maintains the highest levels of probity.

## **2.0 POLICY AIMS**

The aims of this policy are to;

- Ensure the Association fulfils its legal and regulatory requirements
- All members of the Management Committee are eligible under the Association's rules
- Give guidance on the routes to membership of the Management Committee
- Protect the Committee from disproportionate representation from any one group
- Ensure decisions by the Management Committee are not influenced by any political or religious beliefs or personal agendas
- Ensure members of the Management Committee are committed to the ethos and values of the Association
- Ensure the Association conducts its affairs in an open and transparent way
- Reflect the Association's commitment to Equality and Human Rights

## **3.0 COMPOSITION OF THE MANAGEMENT COMMITTEE**

The Association's Rules allows a maximum of 15 but no less than 7 members on the Management Committee. Members can be;

- Elected

- Co-opted
- Appointees
- Filling a Casual Vacancy
- Statutory Appointees

The majority of members on the Committee at any one time must be elected members.

### **3.1 Elected Members**

Elections to the Management Committee take place at the Annual General Meeting.

Individuals interested in standing for election must;

- Be nominated in writing by another member of the Association (N.B members cannot nominate themselves)
- State in writing that they are willing to be nominated and serve on the Committee
- Confirm they are eligible to become a member of the Committee

Elected members will serve for up to 3 years before being required to retire but can stand for re-election without the need to be nominated. However, if they have served for more than 9 years, Management Committee must endorse them seeking re-election.

### **3.2 Co-optees**

The Management Committee can co-opt anyone suitable and eligible on to the Committee to fill any vacancies that arise between AGMs. The number of co-optees on the Committee at any time must not be more than one-third of the members of the Committee.

Co-optees;

- Do not need to be members of the Association
- Can only serve until the next AGM
- Can stand for election but will require to apply to become a member beforehand
- Have the same role and responsibilities as elected members.

### **3.3 Appointees**

The Management Committee can appoint individual onto the Committee for a specified period of time or to support a specific activity. The number of appointees on the Committee at any one time must not exceed 5.

Appointees do not need to be members of the Association and are not required to retire but will continue to serve until such times as the specified period has expired or their appointed is revoked by the Management Committee.

### **3.4 Filling a Casual Vacancy**

A casual vacancy occurs when an elected Committee member leaves the Committee between AGMs. The Committee has the authority to select an individual to fill the

vacancy until the next AGM. when they will be required to stand down although they can stand for election.

Individuals selected to fill a casual vacancy;

- Must be a member of the Association
- Are required to retire at the next AGM
- Can stand for election
- Have the same roles & responsibilities as elected members

### **3.5 Statutory Appointments by the Scottish Housing Regulator**

The Scottish Housing Regulator has the authority to instruct appointees onto the Management Committee where;

- It has removed a Committee member under Section 60 or 62 of The Housing (Scotland) Act 2020
- The number of Committee members has fallen below 7
- It considers it necessary to rectify a failure by the Association to meet the regulatory standards, comply with an obligation relating to its financial or other business affairs

There is no limit to the number of appointees that can be made by the Regulator and can be appointed over and above the 15 members allowed by the Rules.

Appointees need not be members of the Association and are appointed under statute and therefore are not required to be elected at an Annual General Meeting. The period of the appointment will be set by the Regulator who will also determine the terms and conditions deemed necessary and appropriate.

Appointees will have the same roles & responsibilities as elected members.

## **4.0 ELIGIBILITY**

Anyone over 18 years of age can apply to join the Management Committee but must meet the eligibility criteria.

### **4.1 Eligibility Criteria**

Eligibility criteria for joining the Management Committee is detailed in the Association Rules which are available on the Association's website. In particular individuals seeking to join the Committee must;

- Declare in writing that they are not subject to any of the grounds for disqualification as outlined in the Rules
- Sign to confirm that they understand and agree to abide by the Code of Conduct
- Confirm that they have no conflict of interests that would influence their decisions relating to the Association's business activities or finances

On annual basis Members will be required to;

- Confirm they remain eligible to serve on the Committee
- Sign the Code of Conduct

- Declare any interests as defined in the Association’s Declaration of Interest Policy or

## 4.2 Staff Members

An employee of the Association or a close relative of an employee cannot join the Management Committee.

Do members want to set a time limit for when ex-employees can join e.g. 3/5 years? If so I would recommend checking this out with the Association’s legal advisor.

## 4.3 Relatives of Existing Committee Members

Close relatives of existing Committee Members are not automatically excluded from joining the Committee. However, normally, no more than 2 members from the same family or household will be permitted to serve on the Committee at any one time in order to avoid any one family or household having a disproportionate influence on the decision-making process.

Do members feel this clause provides adequate protection? If so I would recommend checking this out with the Association’s legal advisor.

## 5.0 APPLICATIONS TO JOIN THE MANAGEMENT COMMITTEE

### 5.1 Applications

Anyone interested in joining the Committee via nomination for election, as a co-optee or to fill a casual vacancy will be required to complete an application form. As part of the application interested parties will be required to declare any;

- Close connections to existing members of the Management Committee
- Close family relations with current members of staff
- Affiliations with pressure groups
- Potential conflicts of with the ethos, values or objectives of the Association

### 5.2 Consideration of Applications

The Management Committee will consider applications at the first meeting following the submission of completed application form.

Interested parties standing for election will be considered at the Management Committee prior to the AGM.

### 5.3 Rejecting Applications

The Management Committee reserves the right under the Association's Rules to reject a nomination or application on one or more of the following grounds:

- Where election of the nominee or accepting the applicant would be contrary to the Association's Rules or policies
- Where a conflict of interest may exist which may adversely affect the work of the Association
- Where there is clear evidence of relevant circumstances from which it is concluded that the nominee/applicant joining the Management Committee would not be in the best interests of the Association

The decision to reject a nomination/application must be made by no fewer than three quarters of the Management Committee.

The nominee will be informed of the decision to reject their application in writing prior to the AGM and applicants for co-option will be informed as soon as possible.

## **6.0 OFFICER BEARERS**

Under the Association's Rules the Management Committee is required to have a Chairperson and Secretary. To support good governance and robust succession planning, the Committee will also have a Vice Chair.

All Office Bearers will be elected by the Management Committee at its first meeting after the Annual General Meeting and will hold office until the end of the next AGM.

### **6.1 The Chair**

The Chair is responsible for the leadership of the Management Committee and ensuring members discharge their duties and responsibilities as required by law and the Association's Rules and Standing Orders.

The Chair must be an elected member of the Management Committee and be prepared to hold office until the end of the next AGM. The Chair can be re-elected but must not hold office continuously for more than five years.

Do members want to add a clause giving a time before a Chair that has served for five years can be re-elected as the Chair? If so I would recommend checking this out with the Association's legal advisor.

### **6.2 The Vice-Chair**

The Vice-Chair will deputise for the Chair in his/her absence and when doing so will assume the duties and responsibilities of the Chair.

The Vice-Chair must be an elected member of the Management Committee and be prepared to hold office until the end of the next AGM.

### **6.3 The Secretary**

The Secretary's duties can be delegated to an appropriate member of staff although the Secretary will assume the responsibility for ensuring the duties are carried out effectively and in line with the Association's Rules and Standing Orders.

## **7.0 LEAVE OF ABSENCE**

### **7.1 Requesting a Leave of Absence**

A Committee Member can request a Leave of Absence which will, where appropriate, be granted for a specified period which cannot normally exceed 6 months in any one year.

Specifically, no leave of absence can be longer than 12 months as this contravenes Rule 43.1.4 that states a person will not be eligible to be a Committee Member if **“he/she is unable to attend the Committee Meetings for a period of 12 months”**.

Requests for a leave of absence will normally require to be in writing unless there are exceptional circumstances preventing the member for making a written request.

The Management Committee has the discretion to implement a leave of absence without being formally requested.

### **7.2 Required Leave of Absence**

The Management Committee can require a Committee Member to take a Leave of Absence where the member is being investigated for a potential breach of the Association's Code of Conduct.

While on a required Leave of Absence the member will not receive any Committee papers or documentation relating to the Association's business and cannot attend any Committee meetings.

### **7.3 Delegation of Duties**

Where the Committee Member seeking a leave of absence has specific duties or responsibilities on the Committee (e.g. Chair, Secretary etc), these will be temporarily delegated to another member.

## **8.0 ENDING MEMBERSHIP OF MANAGEMENT COMMITTEE**

In accordance with the Association's Rules, an individual's membership of the Management Committee will end if they;

- Resign their position on the Committee in writing
- Are an elected member or are filling a casual vacancy and cease to be a member of the Association or their membership is withdrawn
- Miss four consecutive Committee meetings without having a leave of absence previously granted or implemented by the Committee



- Become ineligible according the criteria for eligibility
- Are a cop-tee or appointee whose period of office has ended
- Are an appointee whose appointment has been revoked by the resolution of the Committee

## 9.0 REMOVAL FROM THE MANAGEMENT COMMITTEE

A member of the Management Committee can be removed where the majority of the Management Committee vote at a General Meeting or at specially convened Committee Meeting to remove individual from the Committee where it is found that the member has;

- Failed to perform to the published standards laid down by the Scottish Federation of Housing Association and/or The Scottish Housing Regulator that have been adopted by the Association
- Failed to sign the Code of Conduct
- Breached the Code of Conduct
- Breached the Association's Rules, Standing Orders or other policy requirements

## 10.0 PERIOD OF SERVICE

It is recognised that, to support good governance, Committee members should normally retire after servicing a total of nine consecutive years. However, it is also acknowledged that there is a need to retain continuity on the Committee and, more importantly, a good level of experience, knowledge and skills.

Members of the Management Committee can, therefore, remain beyond the 9 year period where;

- They have a particular skill or knowledge that would be difficult to replace, thereby leaving a skills/knowledge gap on the Committee
- New Management Committee members cannot be recruited
- By retiring the number members on the Management Committee would fall below seven or the number of elected members would be in the minority

Members with more than 9 years' service that wish to stand for re-election will require to demonstrate and give assurance of their continued effectiveness and objectivity.

Members retiring after nine years' consecutive service would be eligible to be nominated for election to the Management Committee after 1 year.

Do members wish to give ex-members the opportunity to re-join the Committee after a period of time and, if so, should this be set at 1/2/3 years?

## 11.0 DATA PROTECTION

The Association handles the personal data we use in line with our obligations under data protection and GDPR legislation as well as the Association's Policies. Information on how it handles personal data and the legal basis for processing such data is available in the Association's Fair Processing Notice.

## **12.0 EQUALITY & HUMAN RIGHTS**

The Notifiable Events Policy reflects the Association's commitment to meeting its Equality obligations to advance equality, promoting good relations between protected characteristics and eliminating discrimination in the way it provides its services.

The policy also aims the Association's commitment to considering the Equalities and Human Rights impacts of what it does, including how it communicates and provides information to tenants and other service users.

## **13.0 POLICY REVIEW**

This policy will be reviewed by the Management Committee at least every 3 years. However, aspects of the policy may be reviewed within this period as required to ensure compliance with changes in legislation, regulatory standards or good practice.