



**MEMBERSHIP POLICY**

**AS WITH ALL OF THE CO-OPERATIVE'S POLICIES and PROCEDURES, THIS GUIDE, IN FULL AND IN PART, IS AVAILABLE IN SUMMARY, ON TAPE, IN BRAILLE, AND IN TRANSLATION INTO MOST OTHER LANGUAGES –**

**PLEASE ASK A MEMBER OF STAFF IF YOU WOULD LIKE A VERSION IN A DIFFERENT FORMAT**

**DATE PASSED AT COMMITTEE – 12 DECEMBER 2007  
REVIEW DATE – DECEMBER 2009**



### **The aims of the Policy**

The Co-operative's Membership Policy accords with the Rules of the Co-operative and the various legal requirements pertaining to the organisation.

The Co-operative's Membership Policy provides more detailed criteria (rather than the broad terms in the Model Rules) as to who the Co-operative seeks to recruit as members and how it will go about recruiting them.

The Co-operative's Membership Policy seeks to ensure a wide representation on its membership of the communities and groups, which it serves.

This Policy is in two separate sections: -

- £1 Share Membership
- Membership of the Management Committee

This policy sets out the following: -

- How to apply for membership
- What grounds an application for membership could be refused
- How the Co-operative will actively promote the membership opportunities to its tenants and throughout the communities it serves
- The categories of membership
- The requirements for induction training for all new Committee members.
- Monitoring of the general membership
- Membership of the Management Committee

This Policy provides a framework to aid the achievement of our key strategic objectives and as such sets itself the following *secondary objectives*: -

- To encourage full participation from local residents in the Co-operative's activities
- To encourage maximum representation from the communities it serves



- To seek increased representation from minority communities within the communities it serves
- To comply with raising standards in housing “Governance & accountability”
- To comply with Performance Standards for Social Landlords (Guiding Standards 4 RSL Governance and Financial Management).



## **PART ONE**

### **£1 SHARE MEMBERSHIP**

#### Membership Eligibility

- 1 Any tenant of the Co-operative
- 2 Any person who has an interest in the Co-operative

#### **Applying for Share Membership: Our Procedure**

- 1 To apply for membership, you must submit an application form and one pound to the Co-operative's Secretary at our registered office at 79 Kinloch Drive, ForgeWood.
- 2 An applicant will complete the membership application form providing his/her name, address, gender, ethnic origin, age group and field of employment (if applicable) together with a statement as to why they wish to join the Cooperative if requested. The personal information will be used for monitoring purposes only.
- 3 Our Committee will upon receipt of the fully completed application form consider you're application, at its next meeting or as soon as possible after that. We will return your money if we do not approve your application.
- 4 In this respect it is important that you fully complete the form.
- 5 The Co-operative's Secretary is responsible for the administration of membership applications, and following confirmation of residency details, will submit the application to the Management Committee. Thereafter, the following will apply:-
  - The Minutes of the meeting will record the Committees approval/disapproval of the application
  - If approved, within 14 days of the meeting the approval application will be recorded in the Membership Register.
  - A £1 Share Certificate will be issued in the name of the new member.
  - The Certificate will be sent to the member along with a copy of the Cooperative's rules.
  - If your membership is not approved we will write to you giving reasons for refusal.



### **Ending Your Membership: Procedure**

The Co-operative's Secretary will provide details of membership to be cancelled to the Management Committee on one of the following grounds; -

- Death of a Member.
- Written resignation of a member.
- The Committee is satisfied that:
  - you have failed to tell us of a change of address as set out in Rule 11 of the Model Rulebook; or
  - you have failed to attend and submit apologies for five Annual General Meetings. In this respect we will end your Membership and cancel your Share.

We may end your Membership if we receive a complaint about your behaviour and two-thirds of the Members voting at a Special General Meeting agree to this. At this meeting the Members can vote in person or through a representative by proxy, the following conditions apply to this procedure:

1. The complaint must be in writing and must relate to behaviour, which could harm the Co-operative's interests.
2. The Secretary must notify the Member of the complaint in writing not less than one calendar month before the meeting referred at (1) takes place.
3. You will be called to answer the complaint at the meeting. The Members present will consider the evidence supporting the complaint and any evidence you decide to introduce; and
4. If you receive proper notice, but do not go to the meeting referred to at (1) above without providing a good reason, the meeting may go ahead without you.
5. If we end your Membership in this way, any further application for Membership by you would need to be approved by two-thirds of the Members voting at a General Meeting.



### **How the Co-operative Will Actively Promote Share Membership & Committee Membership Opportunities To Its Tenants And Throughout The Communities It Serves**

The Co-operative will at every given opportunity seek to actively promote Share Membership and Committee Membership by the use of the following: -

- Share Membership & Committee Membership Information Packages.
- Publicity and Promotion
- Sponsorship of events

### **Categories Of Membership**

The following categories of membership are operated by the Co-operative

- Individual membership for tenants of the Co-operative
- Individual membership for any other individual

### **Membership Monitoring**

Reflecting the SFHA's requirements for governance and accountability the Co-operative will find it useful to monitor its membership. For example, in respect to:

- Their connection with the Co-operative e.g., tenant, local resident, etc.
- Age, gender, ethnic origin or disability.
- Profession, and paid and voluntary work experience.
- Other relevant skills or experience.

- 1 The Co-operative will monitor the gender, age group and ethnic origin of its membership and develop strategies to ensure that no sector of the community is disadvantaged by the organisation policies.
- 2 Where it is noted by the Management Committee that there is an under representation of particular groups appropriate action will be taken to target these groups. Recruitment strategies will be approved by the committee and implemented by the Director. Progress reports will be provided by the Director.

The Management Committee will receive an Annual Report on the Membership Profile.



## **PART TWO**

### **MEMBERSHIP OF THE MANAGEMENT COMMITTEE**

#### **General Background**

The Committee is responsible for directing the affairs of the Co-operative and its business and may use all its powers to carry out its duties. The Committee is not permitted to exercise any powers which, are reserved to the Co-operative in general meetings either by these Rules or by statute. Each Committee Member must operate in accordance with the Co-operative's objects and these Rules.

The Committee acts in our name in everything it does. A third party acting in good faith and without prior notice does not need to check if the powers of the Committee have been restricted, unless they are already aware that such as restriction may exist.

Amongst its most important powers, the Committee can: -

Buy, sell, build upon, lease or excamb any land and accept responsibility for any related contracts and expenses.

Agree the terms of engagement and remuneration of anyone employed in connection with our business.

Grant heritable securities over our land and floating charges over all or any part of our property and assets both present and in future.

Decide, monitor and vary the terms and conditions under which our property is to be let, managed, used or disposed of

Appoint and remove our solicitors, surveyors, consultants, managing agents and employees, as required in the Cooperative's business.

Refund any necessary expenses as are wholly necessary incurred by Committee and sub-committee Members in connection with their duties.

Compromise, settle, conduct, enforce or resist either in a Court of Law or by arbitration any suit, debt, liability or claim by or against the Co-operative.



### **Committee decisions**

All acts done in good faith as a result of a Committee meeting will be valid. This is so even if it is discovered afterwards that a Committee Member was not entitled to be on the Committee.

A written resolution signed by all Committee Members or all the Committee Members of a sub-committee will be as valid as if it had been passed at a Committee or sub-committee meeting duly called and constituted.

### **Membership of the Management Committee**

#### **Co-optees**

The Committee can co-opt to the Committee anyone who is suitable to become a Committee Member. Co-optees do not need to be members of the co-op but they can only serve as co-optees on the Committee until the next Annual General Meeting or until removed by the Committee. Additionally, Co-options will be used, if at all possible, to increase representation from minority communities within the communities the Co-operative's services.

Co-optees can take part in the Committees discussions and vote at Committee Meetings on all matters except those which directly affect the Membership of the Cooperative and the election of the Cooperative's Office Bearers. Co-optees may not stand for election, nor be elected as one of the Office Bearers of the Committee.

Committee Members co-opted in this way must not make up more than **1/3 of the total of 3** Committee Members at any one time. The presence of co-optees at meetings of the Committee will not be counted when establishing whether the minimum number of Committee Members are present to allow the meeting to take place as per the Cooperative's Rule Book, Rule No. 47).



### **Eligibility For The Committee**

Whilst membership of the various Management Committee categories is open to anyone fulfilling the relevant criteria there are some instances that preclude Share Members becoming Management Committee Members. You cannot, therefore, become or remain or be re-elected as a Committee Member if one of the following has happened to you:-

- . You are declared bankrupt under the Bankruptcy (Scotland) Act 1985.
- . You are involved in an arrangement with your creditors.
- . In the opinion of a qualified medical doctor, you are unable to go to Committee meetings for 12 months because of incapacity due to a physical or mental illness.
- . You are sent to prison for a month or more or have been convicted of a crime of dishonesty for which the rehabilitation period in terms of the Rehabilitation of Offenders Act 1974 has not expired or for which rehabilitation is excluded in terms of the said Act.
- . You are involved in any legal proceedings in any Court of Law by or against us.
- . You are or will be away for a period of 12 months and are thus unable to attend the Committee meetings.
- . You have been removed by Communities Scotland from the Committee of another Housing Co-operative/Association.
- . You have been removed from a charity under Section 7 of the Law Reform Miscellaneous Provisions) (Scotland) Act 1990 (in connection with the power of a Court to remove or suspend any person who is concerned in the management or control of a charity); or
- . **A Disqualification Order has been made against** you under the Company Directors' Disqualification Act 1986 (which related to the power of a Court to prevent someone from being a director, liquidator or administrator of a company or a receiver or manager of company property or being involved in the promotion, formation or management of a company).

You will no longer be a Member of the Committee if you:

- . Resign your position in writing; or
- . Leave the membership of the Co-operative or have your membership withdrawn; or
- . Miss four Management Committee meetings in a row without special leave of absence previously granted by the Committee.
- . Are excluded under Rule 44.1



### **Members interests**

If you serve on the Committee or any sub-committee you must not have any financial interest whether:

- . personally; or
- . as a member of a firm; or
- . as a Director or other officer of a business trading for profit; or
- . in any other way whatsoever, in a contract or other transaction with the Co-operative except if it is permitted under these Rules

We will not make any payment to you or provide any benefit for you unless it is permitted by Schedule 7 of the Housing (Scotland) Act 2001 and our relevant policies.

If while serving on the Committee you have any conflict of interest or an interest other than a financial interest in any contract or other agreement about to be discussed at a meeting, you must tell the Committee. You will usually be asked to leave the meeting while the matter is discussed and will not be allowed to vote on the matter. If you are inadvertently allowed to stay in the meeting and vote on the matter, your vote will not be counted.

If you have a financial interest personally, or, as a member of a firm or, as a Director or, other officer of a business trading for profit or, in any other way whatsoever in a contact or, other transaction with the Cooperative as described in Rule 45.1; or, you receive any payment or, benefit from us other than those listed above under Schedule 7 of the 2001 Act, your membership of the Committee will end. If you fail to disclose an interest described in rule 46.1, you must leave the Committee if required to do so by the majority of the remaining Committee Members voting at a Committee meeting specially convened for the purpose.

### **Electing Committee Members**

At the end of every annual general meeting, at least one-third of the elected Committee Members, or the nearest whole number thereto, must retire. Anybody appointed as a co-optee under our Model Rule 39.1 or to fill a casual vacancy under Model Rule 42 and who retires for that reason, shall not count towards the one third provision.

The retiring Committee Members should be those who have served the longest on the Committee since the date of their last election. If two or more Committee members have served equally long and cannot agree who should retire, they must draw lots.

Committee Members must also retire if they have been co-opted onto the Committee under Model Rule 39.1 or have filled casual vacancies under Model Rule 42.



If you retire from the Committee in terms of this rule before or on the date of the next annual general meeting, you can stand for re-election without being nominated.

If, at the annual general meeting the number of members standing for election is equal to the number of Committee Members to be elected, the Chairperson will declare them elected without a vote. If there are more members standing for election than there are vacant places, those present at the general meeting will elect members onto the Committee. Each member present or who has appointed a representative will have one vote for each place to be filled on the Committee. You must not give more than one vote to any one candidate.

Nominations for the Committee must be in writing and must give the full name, address and occupation of the member being nominated. Nominations must be signed by and include a signed statement from the member being nominated to show that they are willing to be elected. Nominations must be delivered to the Secretary or left at our registered office at least seven days before the meeting.

If an elected Committee Member leaves the Committee between the annual general meetings, the Committee can appoint a member to take their place on the Committee until the next annual general meeting. This is known as a casual vacancy.

### **Leaving the Committee**

A Committee Member must leave the Committee if the majority of the members voting at a general meeting decide this. The members will then elect someone to take his/her place. If a replacement is not elected at the meeting, the Committee may appoint a Committee Member.

A Committee Member must leave the Committee if two thirds of the remaining Committee Members vote in favour of this at a special meeting of the Committee convened for the purpose.

The vote to ask a Committee Member to leave the Committee must relate to one of the following issues:

- . Failure to perform to the published standards laid down by the SFHA and the regulatory body (Communities Scotland ) adopted and operated by the Cooperative
- . Failure to comply with the Cooperative's Code of Conduct for Committee Members;
- . **A serious breach of** the Cooperative's rules or standing orders.
- . **A serious breach of** Schedule 7 of the Housing (Scotland) Act 2005



**Training Needs Assessment**

A Skills Audit of the Management Committee will be carried out each year in order to provide information to the Management Committee with regards to “skills gaps” that will require to be addressed.