

HALTON HOUSING TRUST

MEMBERSHIP POLICY

Date due for Review :

Introduction

The aim of this policy is to set out criteria by which the Board of Halton Housing Trust ("the Trust") judge applications for membership and to set out the procedure for the appointment and removal of Members.

This policy should be read in conjunction with the Trust's Memorandum and Articles of Association.

Membership

Summary of Articles Applicable to Membership

Article 4 confirms that the original subscribers, the Local Authority (Halton Borough Council) and other persons are Members of the Trust, with prior approval of the Board. This Article gives the Board discretion as to who to admit to membership of the Trust, and sets out that everyone who wishes to be a Member must apply to the Board on a required form.

Article 5 sets out that any Member (except the Council) will be designated a "Tenant Member" or an "Independent Member".

Article 5 does not allow the Board to admit as an Independent Member any "local authority person".

Article 24 sets out that a quorum for general meetings is 3 including at least the Local Council as Local Authority Member (through its nominal representative), one Independent Member and one Tenant Member.

Definitions

For the purposes of this policy :-

"Local Authority" means Halton Borough Council or any successor body.

“Independent Member” means any Member designated as such by the Board.

“Local Authority Person” means any person :-

- who is or has been a member of a Relevant Local Authority in the preceding four years; or
- who is an officer of a Relevant Local Authority (apart from a non-managerial or non-housing employee); or
- who is or has been both an employee and either a director, manager, secretary or similar officer of a company which is under the control of a Relevant Local Authority.

“Member” means any person, firm, company or other organisation admitted to membership of the Trust.

“Relevant Local Authority” means any local authority (as defined in Section 67(3) of the Local Government and Housing Act 1989), with which the Trust has a business relationship (as defined in Section 69(3) of that Act).

“Tenant” means an individual who holds an assured tenancy (or comparable successor tenancy), lease or licence from and occupies a property belonging to the Trust.

“Tenant Member” means a Member who is a Tenant.

Policy Statement

The Board acknowledges the Trust's responsibility to stakeholders including tenants, future tenants, the Council, local residents and others interested in furthering social housing objectives locally.

This policy will ensure that those persons applying for membership of the Trust should have the aims and objectives of the Trust (being the furtherance of social housing provision) as the primary motivation in applying for membership.

Membership is open to all Tenants, who shall be invited to become Members of the Trust.

Independent businesses and social representatives of the community may be invited to become Members of the Trust.

The Trust believes that the membership will be a valuable resource for future board members who will have the time, experience and commitment for the development and running of the Trust.

All applications for membership to the Trust will be dealt with in accordance with the Procedure Section of this policy.

Implementation

Rights of Members

All members are entitled to receive a copy of the Annual Report and Accounts.

As well as other individuals, Tenant members and Independent members have the right to stand for election to vacant places on the Board. Independent members must first be recommended by the Board or proposed by another Member.

All members must be invited to the Annual General Meeting and Special General Meeting of the Trust.

Subject to legal requirements, Members have the right of information about the Trust's affairs and they can obtain this information from the staff or from Board members. Information classed as confidential cannot be disclosed to Members.

All members have the right to vote on resolutions at meetings, including changes to the Memorandum and Articles. In the case of a vote on a show of hands, all Members present each have one vote. In the case of a vote on a poll, the Members present (in person or by proxy) shall carry the following percentages of votes:

- the Local Authority Members: 331/3 %
- the Tenant Members: 331/3% apportioned equally between them
- the Independent Members: 331/3% apportioned equally between them.

Any members who are Local Authority Persons (other than the Local Authority Member) are not entitled to vote at any general meeting.

Member's Guarantee

Every Member undertakes to contribute to the assets of the Trust, in the event of the same being wound up while they are a Member, or within one year after they cease to be a member. The amount required may not exceed £1.00.

Cessation of Membership

Any Member may resign from the Trust by giving notice in writing to the Trust's Company Secretary. The Member ceases to be a Member from the date of receipt of the notice.

Any Member may be removed by a resolution passed by a majority of at least three quarters of the votes cast at a General Meeting (Article 10) of which not less than 28 clear days' notice has been given to the Member concerned.

An Independent Member shall automatically cease to be a Member if they become a Local Authority Person.

A Tenant Member shall automatically cease to be a Member if they cease to be a Tenant.

An Independent Member shall automatically cease to be a Member if they become a Tenant, but they may apply to become a Tenant Member.

A Member shall automatically cease to be a Member if that Member becomes insolvent, bankrupt, incapable, dies or is wound up.

A Member who is a Tenant Member and is in serious breach of his/her tenancy obligations including:

- using the premises for illegal purposes;
- harassing anybody who is lawfully within the locality of the premises occupied by the tenant;
- the premises deteriorating owing to the neglect of the tenant.
- is subject to possession proceedings for breach of tenancy or has previously been evicted for breach of tenancy within the last 5 years; or
- has been convicted of an indictable offence within the last 5 years;

shall be given written notice by the Trust's Company Secretary that 28 days from the date of the notice the Member shall cease to be a Member. The Member has a right to appeal against the Company Secretary's decision within 28 days of the date of the notice and this right shall be set out in the notice. The Member's appeal shall be heard by the Chief Executive and the Chair of the Board within 28 days of notice of the appeal being received by the Trust. The decision of the Chief Executive and the Chair shall be final.

Exclusion

The Board may suspend any Member or a Member Organisation that acts in a manner calculated to damage, disrupt or defame the Trust or to bring it into disrepute. The Board may convene a Special General Meeting to consider the expulsion of such a Member or Member Organisation.

Procedure

Transferring Tenants will be invited to become a Member by way of a letter sent out with their new tenancy agreement. New tenants joining the Trust after transfer will be invited to become a Member at the time they sign their tenancy agreement.

Applicants for membership should complete the application form set out in Schedule 1.

Applications will be considered by the Board at its next meeting (or as soon as possible thereafter) having regard to this policy and, if accepted by the Board,

Applicants will be designated Tenant or Independent Members and will be asked to complete the declaration set out in Schedule 2 to this policy. Applicants who are not successful will be advised of this in writing, setting out the reasons why the Board refuses their application.

The names and other relevant details of successful applicants will be entered in the Trust's Register of Members.

Copies

Copies of this policy will be available to members of the public on receipt of a written request sent to the Trust's registered office.

Monitoring & Review

The Trust will implement the following steps to ensure that the membership process is regularly monitored and reviewed:-

- undertake an annual review of this policy, to report the outcome according to protocol and adopt any changes to the process accordingly;
- create, monitor and maintain a comprehensive membership register including each Member's name, full address, contact details, joining date, leaving date and reasons for leaving;
- communicate changes to the Board and to the Membership at the Trust's Annual General Meeting.

Consultation

The Trust will ensure that all interested parties, including the Housing Corporation, are consulted on any proposals to amend or change this policy.

Associated Documents

Board Membership Policy
Equality and Diversity Policies
Independence Policy
Standing Orders
The Trust's Memorandum and Articles of Association

SCHEDULE 1

APPLICATION FOR COMPANY MEMBERSHIP

Application for Company Membership



1.	Name:	
	Address:	
2.	Are you over 18 years old?	Yes/No
3.	Are you a tenant/leaseholder of Halton Housing Trust?	Yes/No
4.	Are you a current or previous* employee of the Trust or employed by a current or previous* contractor or consultant of the Trust?	Yes/No
	If yes, please give details	
5.	Are you a member of the family** of a current or previous* Board Member or employee of the Trust?	Yes/No
	If Yes please give details	
6.	Are you in financial indebtedness to the Trust?	Yes/No
	If Yes please give details	
7.	Are you a current elected member of Halton Borough Council or have you been an elected member of Halton Borough Council within the last four years	Yes/No
	If Yes please give details	

	
8.	Are you an employee of Halton Borough Council?	Yes/No
	If Yes please give details	
9.	Will you agree to uphold the aims and values of the Trust and be subject to its Code of Conduct?	Yes/No
10.	Please give your reasons for wanting to become a Member: (outlining any skills/experience which you believe would enable you to make a positive contribution to the Trust)	

* last 12 months

** membership of the family has the meaning given under Section 62 of the Housing Act 1996 namely spouse, or person living as husband or wife of that person, parent, grandparent, child, grandchild, brother, sister, half brother or sister, step child, uncle, aunt, nephew or niece.

This application form should be completed and returned to the following address:

The Company Secretary [insert address]

All applications for membership of the Trust are considered by the Management Board of Halton Housing Trust. There are, however, guidelines for membership to which the Board will refer to when considering your application, which are enclosed.

Signed.....

Date.....

Membership Consideration Guidelines



- Ø Does the applicant have the commitment and/or relevant skills/experience to make a positive contribution to the Trust?
- Ø Will the applicant help improve the representation of local communities within the Trust's membership and/or committee membership.
- Ø Will the applicant contribute to achieving a balanced mix within the Trust's membership?
- Ø Applicants must not be a current or previous* employee of the Trust or be employed by a current or previous* contractor or consultant of the Trust.
- Ø The applicant must be at least 18 years of age.
- Ø The applicant must not be a member of the family** of a current or previous * Board Member or employee of the Trust.
- Ø The applicant must not be in financial indebtedness to the Trust.
- Ø The applicant must agree to uphold the aims and values of the Trust and be subject to the Code of Conduct.

* last 12 months

** - membership of the family has the meaning given under Section 62 of the Housing Act 1996 namely spouse, or person living as husband or wife of that person, parent, grandparent, child, grandchild, brother, sister, half brother or sister, step child, uncle, aunt, nephew or niece.

It is important that you provide additional information to support your application (particularly to the questions listed above).

SCHEDULE 2

MEMBER DECLARATION

I, *[insert name]* of *[insert address]* apply to become a Member of Halton Housing Trust Limited (the "**Trust**"). I agree to be bound by the Memorandum and Articles of Association of the Trust and any Rules or Byelaws adopted by the Trust. I confirm that if the Trust is wound up while I am a Member, or within one year of my ceasing to be a Member, I will contribute towards the payment of the debts and liabilities of the Trust contracted before I cease to be a Member, and of the costs, charges and expenses of winding-up, and for the adjustment of the rights of the contributories amongst the Members, as may be required but not exceeding one pound (£1.00).

Signed:

Dated: