MODEL
CODE OF CONDUCT FOR
TENANT & RESIDENT ASSOCIATION (TRA) COMMITTEES

Introduction

This Model Code of Conduct has been drawn up as an example for TRA committee members and can be adopted by a TRA Committee at any time. The Code applies to TRA committee members during their term of office and subject to the Constitution and Standing Orders.

1 Conduct of TRA committee members

1.1 Members should not bring the association into disrepute.

1.2 Members should treat everyone attending meetings respectfully and never use language or behavior that is considered threatening, violent, racist homophobic or sexist.

1.3 Members should observe collective responsibility for committee decisions.

1.4 Members should use TRA funds and resources honestly and appropriately.

1.5 Members should disclose any interest, whether personal or on behalf of any group they represent, that they consider might affect or influence their approach to the matter under discussion.

1.6 Individual members may be affiliated to/or be members of a political party and as residents of the group's area of benefit they are entitled to be on the committee and have a vote. However they may not represent a political party in their role as a committee member.

1.7 Members should respect all individual residents' confidentiality. Information about individual residents will not be discussed at committee / public meetings.

1.8 Members shall, at all times, abide by decisions, which have been made in accordance with the constitution and standing orders at meetings of the TRA.

1.9 Members should not speak or write on behalf of the committee without the prior agreement of the committee. Any correspondence sent on behalf of the committee should be made available to all committee members.

1.10 Members should not use their status to gain favourable personal treatment from the Council or contractors.

2 Using a “vote of no confidence“

2.1 The committee may pass a vote of no confidence in any officer (Chair, Secretary, Treasurer) on the grounds of not showing commitment or capability to carry out his/her duties.

2.2 In the event of a “vote of no confidence” being proposed in the chair or any other officer, this must be seconded and if carried by a simple majority of those present and voting, the officer concerned shall cease to carry out his or her duties for the remainder of that meeting, and for the remainder of that term of office until the next General Meeting, Special General Meeting or AGM; at which time he or she shall be entitled to stand for re-election provided he or she is nominated, and seconded .The officer shall at all such times remain on the committee and retain membership of the Association.

3 Procedures for dealing with conduct breaches

3.1 Where a serious breach of the Code occurs at a meeting, such as behaving in an abusive, threatening or aggressive manner, the person can be asked to leave the meeting immediately.

3.2 Any committee member who has reason to believe that another member has acted against the constitution, standing orders or this code of conduct, may make a complaint to the TRA committee. The complaint may be put to any member of the TRA committee. It is the responsibility of that committee member to ensure that the complaint is brought before a meeting of the committee within 28 days of the complaint being made.

3.3 Within 14 days of receiving a complaint, the committee should inform, in writing, the member about whom a complaint has been made, about the nature of the complaint and the date of the meeting at which it will be considered.

3.4 In considering a complaint, the committee may ask the member who has complained, the member about whom a complaint has been made, any other TRA member, or any other person who has relevant knowledge of the complaint, to attend the committee meeting to put forward their case and answer questions. The committee may consider correspondence and any other relevant material pertaining to the complaint.

3.5 Any member making a complaint, and any member about whom a complaint has been made, shall have the right to attend the committee meeting and shall be given a reasonable amount of time to present their case.

3.6 Parties to a complaint hearing may decide to attend hearings with a friend or family member for support. Any person who has been asked to attend the meeting to give information and who is not a committee member shall leave the meeting after putting forward information and answering any questions.

3.7 The member being complained about shall leave the meeting after putting forward his or her case and answering questions and shall not take part in making the decision about whether or not the complaint is upheld.

3.8 Where the original complaint was made by a member of the committee, that person shall leave the committee meeting after putting his or her case and answering questions, and shall not take part in making the decision about whether or not the complaint is upheld.

3.9 The committee shall take a vote to decide. Membership can only be suspended or ended by two thirds of the majority of the committee.

3.10 The committee shall decide on further action from the following options:

- Written reprimand to the member concerned.

- The member concerned to be suspended from holding an officer or committee position until the AGM; at which time he or she will be entitled to stand for reelection provided that he or she is nominated, and seconded. The member must not carry out officer or committee duties whilst suspended, but retains ordinary membership of the TRA.

- Member concerned to be suspended from the committee for a period of time to, be specified by the committee; the suspension to take effect as soon as *possible* once the member has been informed in writing. The member must not carry out officer or committee duties whilst suspended, but retains ordinary membership of the TRA.

- Membership of the TRA committee permanently ended. (permanent ending of TRA general membership can only happen at a general meeting)

3.11 A member about whom a complaint has been made shall be informed in writing of the decision of the committee, and the reasons for that decision, within 7 days of the decision being made.

3.12 A member who has been suspended under the above procedure has 14 days from the date that he or she received notification of the disciplinary decision in which to state, in writing to the committee, that he or she wishes to appeal.

3.13 If a committee member who has been disciplined requests an appeal, the committee shall arrange, within 21 days, a Special General Meeting. All members of the TRA shall be given no less than 7 days notice of a Special General Meeting. All members of the TRA shall be entitled to attend the meeting: the quorum and voting rights shall be the same as those for an AGM.

3.14 At the Special General Meeting, a representative of the committee shall explain to the meeting the disciplinary action taken and the reasons for it. The member who has been disciplined shall explain his or her case. Both parties may ask any other person who has relevant knowledge of the circumstances, (whether a member of the TRA or not), to speak to the meeting and answer

questions. A vote shall be taken to decide, by a simple majority of TRA members present at the meeting, whether or not the committee's disciplinary decision should be upheld.

3.15 If an officer or committee member is suspended through such disciplinary procedures, the committee may co-opt another committee member to hold the position until next AGM.

3.16 If the Special General meeting is inquorate, the meeting shall be re-convened.

3.17 If the Special General meeting is inquorate at the second time, the meeting shall not be re-convened. The Committee shall then refer the case to an Independent Appeals Panel comprising of District Management Committee Chair / Vice Chairs, council officers and/or or Ward Councillors. All Parties shall be invited to the External Appeal Panel's hearing and its decision shall be final.

4 **Amendments**

4.1 Amendments to this code of conduct shall be made only by resolution of which not less than 7 day's notice has been given.

4.2 This code of conduct may be amended by resolution carried by a majority of those present and voting.

Signed:_____ Chair.

Signed: _____ Secretary.

Date Agreed:_____.