

SHELTERED HOUSING PANEL CONSTITUTION

This is the constitution of Tendring District Council's Sheltered Housing Panel and should be read in conjunction with the Code of Conduct for Members of the Sheltered Housing Panel.

1.0 Purpose of the Constitution

The purpose of the constitution is to set out how the Sheltered Housing Panel will operate.

2.0 Aims of the Sheltered Housing Panel

The aims of the Panel shall be to:

- To provide comments and recommendations to the Tenants Panel, as applicable, on a range of issues relating to the Council's sheltered housing policies and the management and maintenance of its sheltered housing properties.
- To work, without prejudice, with the Council as landlord, for the benefit of all tenants of sheltered housing
- To ensure that the Council as a landlord is accountable and transparent to its tenants
- To ensure that there is a customer focused commitment to service delivery
- To act as a mechanism for providing feedback of sheltered housing tenants views to the Tenants Panel, Housing Portfolio Holder, Council and other national agencies such as the Homes and Communities Agency
- To be non political and to abide by its Equal Opportunities Statement

3. Role of the Sheltered Housing Panel

To achieve its stated aims, it will be the role of the Sheltered Housing Panel to

- Represent and promote the opinions of tenants living in sheltered accommodation to ensure that this becomes central to the delivery of all relevant housing services.
- Participate in the management of housing services for and on behalf of all sheltered housing tenants in the district
- Influence practices and policies that govern the management of sheltered housing in the district.
- Make recommendations to the Tenants Panel on the management of sheltered housing in the district.
- Maintain effective partnership working with officers who manage sheltered housing.

- To receive and respond to reports and information submitted to it by the Council as a landlord relating to service provision in sheltered housing and to make recommendations to the Tenants Panel as applicable.

4. Equal Opportunities

The Sheltered Housing Panel opposes any form of discrimination and will aim, at all times, to promote awareness of equal opportunity issues and good practice in tenant participation initiatives

The Sheltered Housing Panel will not discriminate on any grounds. This includes but is not restricted to all of the protected characteristics covered by the Equality Act 2010 (age, disability, gender reassignment, marriage and civil partnership, pregnancy or maternity, race, religion and belief, sex and sexual orientation)

5. Membership

The Sheltered Housing Panel shall be made up of two representatives from each sheltered housing scheme owned by the Council. Where there are more than two representatives of any one scheme, attendance shall be via a rota system.

Tenants of sheltered housing will be excluded from membership in the following circumstances:

Where the Council has commenced legal proceedings for rent arrears or a serious breach of its tenancy conditions or if proceedings have been commenced or been taken against the tenant in question in the last two years

Existing Panel members will have their membership suspended if the Council issues legal proceedings against them for rent arrears or for any other breach of their tenancy agreement.

All persons wishing to join the Sheltered Housing Panel must initially be referred to the Council to enable their eligibility to be confirmed.

Members of the Sheltered Housing Panel are not elected and therefore, represent tenant opinion as a whole within sheltered housing.

It is a condition of membership that panellists at all times uphold the objectives of the Sheltered Housing Panel and conduct themselves in a reasonable manner when attending panel meetings. Any panellist may be excluded for breach of this condition or for any other conduct contravening the objectives of the panel by a majority of those present and voting at any panel meeting. Any panellist so excluded will have the right of appeal to the next or subsequent meeting of the panel.

Membership is open to any tenant of sheltered accommodation, regardless of race, colour, age, sex, religious or political beliefs, cultural background, disability or illness, gender, marital status, sexual orientation, class, appearance or employment status and subject only to the conditions set out above.

For logistical reasons, it has been agreed by the Panel that its membership shall not exceed 20 people (2 representatives per scheme).

6. Attendance

Members of the Sheltered Housing Panel are required to attend a minimum of two meetings each year.

Anyone who fails to meet this minimum attendance criterion will be deemed to have resigned from the Panel, subject to any special circumstances.

Members of the Sheltered Housing Panel must send their apologies in advance for their non attendance to a Council representative.

Two representatives of the Panel will be selected to attend meetings of the Tenants Panel to provide feedback on the operation of the Sheltered Housing Panel and to receive reports and presentations.

7. Meetings

The Council will be responsible for arranging all meetings, which will normally be held every three months at one of the Council's sheltered housing schemes. Additional special meetings may be called, if appropriate.

The Council will be responsible for distributing an agenda at least seven working days prior to any meeting, together with any supporting documentation.

Items for inclusion on the agenda will either have been agreed at the preceding meeting or through discussion with council representatives. Minor items can be raised as 'Any Other Business' at the appropriate point during the meeting by either Panel members or officers.

All panel members should read any papers sent to them in advance of a meeting and ensure that they come properly prepared for the meeting, with all relevant papers that have been sent to them.

A Council representative will be responsible for taking the minutes of the Sheltered Housing Panel and for circulating these to panel members.

Chairing arrangements

The Chair is to be elected once every two years and will be responsible for chairing all meetings.

Quorum

This is the least number of members of the Sheltered Housing Panel that need to attend a meeting to make all the proceedings at that meeting valid. Meetings of the Sheltered Housing Panel will only be deemed to be quorate if at least 10 panellists are present and voting.

If a quorum is not present within thirty minutes of the time appointed for holding the meeting then the Chair will be responsible for deciding whether an informal meeting should still take place. This decision will be based upon a consideration of the issues due to be discussed and the opinions of those present.

Voting

Members of the Sheltered Housing Panel should aim to make decisions by consensus.

Where a vote is necessary, every Panel member present shall have one vote and every decision shall be made by a majority of votes.

A resolution that is put to the vote of the meeting will be decided upon a show of hands unless a ballot is demanded by either the Council or at least 5 members of the the Sheltered Housing Panel who are present and entitled to vote.

Council Support

The Council will provide reasonable financial, administrative and practical assistance to support the meetings of the Sheltered Housing Panel and the training and development of its members.

A representative from the Council will attend all meetings of the Sheltered Housing Panel in order to service the requirements of the panel. The attendance of other Council officers and elected Members will be at the request of the Sheltered Housing Panell, subject to availability, or for the purpose of presenting or discussing agenda items. Refreshments appropriate to the type and duration of any meeting of the Panel will be provided.

Allowances

Expenses incurred in connection with attendance at Sheltered Housing Panel meetings and any associated events will be reimbursed by payment of a flat rate fee, which will be subject to regular review. Transport will be arranged for those unable to attend meetings otherwise but a flat rate fee will not be payable in these circumstances.

Restrictions

Panellists acknowledge that their membership of the Sheltered Housing Panel does not grant them any additional rights other than as tenants of Tendring District Council and they should not use their position for any personal or perceived gain or benefit.

Individual tenancy matters or other individual problems are outside of the constitution of the Sheltered Housing Panel and should be raised in accordance with accepted procedures.

Review and Amendments to the Constitution

This constitution shall be reviewed by the Council and members of the Sheltered Housing Panel automatically once every three years or on request.. Any proposed changes must subsequently be approved by a majority of those present and voting at a panel meeting

Suspension of the Panel

In the event of any meeting of the Sheltered Housing Panel breaching this agreed constitution and code of conduct, the Council reserves the right to temporarily suspend the operation of the Panel.

Dissolution of the Panel

The Panel may recommend its dissolution to the Council after consultation with Panel members and in order to make way for a new tenant involvement structure.

This revised constitution was approved by a majority of those present and voting at the meeting on the 12 April 2016.

CODE OF CONDUCT

FOR MEMBERS OF THE SHELTERED HOUSING PANEL

The purpose of this code is to explain how members of the Sheltered Housing Panel are expected to carry out their role. Members are required to follow this Code of Conduct not only in panel meetings but also in any other situations where they are representing this group. It is each panellist's responsibility to make sure that what they do complies with the requirements of this code. This Code of Conduct should be read in conjunction with the Sheltered Housing Panel Constitution.

General

Panel members must:

- Promote equality by not discriminating unlawfully against any person
- Treat others with respect
- Not do anything which compromises or is likely to compromise the impartiality of the Council
- Work for the benefit of all tenants, setting aside personal interests.
- Ensure that, at all times they are acting in their capacity as a member of the Sheltered Housing Panel, their behaviour is fair and reasonable and in accordance with the Panel's constitution and code of conduct.
- Not, in their capacity as a Panel member, conduct him or herself in a manner which could be regarded as bringing his or her Panel membership or the Panel generally into disrepute
- Not, in their capacity as a Panel member, use this membership to gain or seek to gain undue favour, influence or benefit

Confidentiality

The business of the Sheltered Housing Panel may involve dealing with issues, which are controversial, sensitive or confidential in nature. Members of the panel must therefore, exercise discretion and care in performing their duties. Any confidential information that is presented to or discussed by the panel must not be disclosed to anyone apart from members of the group in order to allow the business of the meeting to take place.

Members of the Sheltered Housing Panel should never disclose or use information they have received by virtue of their membership of the Panel for their own personal advantage or that of anyone known to them or to the disadvantage or discredit of the Council or anyone else.

Panellists should also respect all individual tenants' confidentiality and should refrain from mentioning specific matters, which may cause embarrassment or the identification of any individual. Prior consent should be obtained from any tenant if it is necessary to make a personal reference to them at any meeting.

Personal information volunteered during the course of any meetings or training sessions must remain confidential

Members of the Panel shall ensure that all paperwork provided to them in connection with this membership should be kept in a secure place and either returned to the Council or destroyed following resignation from the Panel.

Audio or visual recordings of Panel meetings are prohibited

Any confidential information that is presented to or discussed by the Sheltered Housing Panel must not be disclosed to anyone apart from members of the group in order to allow the business of the meeting to take place. In the event of any disagreement relating to this matter, the issue will be referred back to the Panel.

Conduct of meetings

Members should at all times observe the following accepted practice while taking part in a panel meeting:

- Read all papers sent to them in advance of the meeting and arrive properly prepared for the meeting
- All comments should be addressed via the Chair
- Allow each other the opportunity to speak and comment without interruption
- Each person to speak only once on an issue until every other member has had the opportunity to speak unless the Chair gives permission otherwise
- To be courteous to each other and to support and assist other members in seeking the best possible solution to the problems being discussed.
- To respect the right of all tenants and officers attending panel meetings to speak and comment on the issues being discussed
- Aim to keep to the subject under discussion
- All members must be prepared to be wrong
- Not to level criticism or comment of a personal nature at individual tenants, officers or elected members
- To follow the guidance of the Chair in the conduct of the meeting
- Members must remember to follow the agenda of the meeting and to help each other to reach effective decisions
- To remember that the panel exists to benefit tenants of sheltered housing generally and not specific individuals and that officers serve the interests of all tenants
- To bear in mind the rights of individual residents and the rights and duties of staff when proposing solutions to problems
- Not to use offensive, racist or abusive language

- Not to speak or write on behalf of the group without the prior agreement of the group. Any correspondence sent on behalf of the group should be made available to all members of the group
- To operate within the agreed constitution and code of conduct
- Address staff in a professional manner. Personal attacks and abusive comments will not be tolerated
- Decisions of the Sheltered Housing Panel should be upheld and supported by members of the Panel outside of meetings
- No smoking is permitted within the boundaries of Council premises or communal areas of sheltered housing schemes
- Any tenant suspected to be under the influence of alcohol or non prescription drugs may be excluded from the meeting
- Late arrivals should enter quietly without disrupting the business of the meeting
- Mobile phones should be switched off or onto silent at all times during meetings of the Panel or any of its themed sub groups.

Discrimination

No member of the Sheltered Housing Panel will discriminate on any ground against any other member of the group or other person attending the meeting.

Discriminatory, racist, abusive or inflammatory language will not be tolerated in discussions and the Chair has the discretion to ask any member using such language to leave the meeting.

All those who attend meetings have the right to be treated with dignity and respect, regardless of age, disability, gender reassignment, marriage or civil partnership, pregnancy or maternity, race, religion or belief, sex or sexual orientation or any other matter which causes people to be treated with injustice.

Constitution

All members of the Sheltered Housing Panel should familiarise themselves with the agreed constitution to make sure that they continue to meet the aims and objectives of the group.

Conflicts of interest

Individual members:

- Should disclose any interest, whether personal, family or on behalf of any group they represent, that they consider may affect or influence their approach to the matter under discussion
- Must not expect to receive more or less favourable treatment by the Council as a landlord or its officers because of their membership of this group

- Should avoid placing themselves in a position which could lead other tenants to think that they receiving preferential treatment or benefit
- Must use the established Council procedures for reporting repairs or pursuing any other matters relating to their own property or on behalf of another individual resident
- Should never seek to use their position to seek preferential treatment or undue influence for friends, relatives or any firm or body with which they are personally connected.
- Should consider whether any personal or professional connection they may have is inconsistent with their membership of the panel.