

# North Lanarkshire Federation of Tenants & Residents Associations

## Constitution February 2010

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### 1 Name

- a) The name of the organisation shall be the North **Lanarkshire Federation of Tenants and Residents Associations (NLF)**, hereinafter referred to as "The Federation".

### 2 Areas of Operation

- a) The area of operation will include all geographic areas within the Council area of North Lanarkshire.

### 3 Key Principles of Tenant Participation

- a) Underpinning all work of the Federation and in all that the Federation strives to achieve will be the belief in the Key Principles of the National Strategy for Tenant Participation, Partners in Participation (1999).

### 4 Aims and Objectives

- a) To encourage and promote the development of tenant participation practice throughout North Lanarkshire
- b) To actively assist member associations to achieve their goals
- c) To encourage the development of new tenants and residents associations across North Lanarkshire
- d) To safeguard and promote the interests of tenants and residents, and their interests collectively with regard to housing and related services, environment and communities;
- e) To uphold equal opportunities and work for good relations among all members of the community, specifically prohibiting any conduct that discriminates or harasses on the grounds of race, age, ethnicity, religious beliefs, disability, political beliefs, employment status, sex or sexual orientation;
- f) To publish and exchange relevant information to member associations and tenants
- g) To secure effective funding for tenant participation, both locally and nationally)

## 5 Membership

### Ordinary membership

- a) Ordinary Membership is open to all Tenants and Residents Associations who apply and are accepted by the Federation Committee subject to meeting the following criteria:
- i The association operates in an area within the North Lanarkshire Council boundary.
  - ii The association includes in its aims the promotion of the interests of tenants and/or residents, irrespective of landlord.
  - iii The association has been democratically formed and operates under a democratic constitution.
  - iv The association, in all conduct of its affairs, prohibits discrimination or harassment on grounds of race, age, ethnicity, religious beliefs, disability, political beliefs, employment status, sex or sexual orientation;
  - v The association supports the aims stated in the Federation's constitution.
- b) All ordinary members will be eligible to stand for election on the committee, in compliance with the conditions explained in Section 6.
- c) In order to manage its affairs in a fully independent and accountable manner, membership will not be available to the following:
- i Landlords
  - ii Community Councils
  - iii Area Committees
  - iv Elected Members of North Lanarkshire Council (Councillors)

### Individual Associate Membership

- d) Non - voting "Individual Associate Membership" is open to individuals living in any area within North Lanarkshire not covered by a constituted local tenants or residents association. The following rules will apply :-
- i The individual supports the aims and the constitution of the Federation
  - ii Where more than two individuals from the same locality are in membership or apply to join the Federation, they will be encouraged by the Federation to set up a local association. Granting of individual membership will be at the discretion of the Federation Committee.
  - iii Individual Associate members will not be eligible to stand for election to the Federation Committee nor receive voting rights, but can at the discretion of the Federation Committee or a Open Meeting undertake duties allocated to them to further the work of the federation

- e) Any individual serving on the Federation Committee or being eligible to vote at Open Meetings can no longer serve on the Federation Committee or vote at meetings immediately upon ceasing to be a resident of North Lanarkshire.
- f) There shall be no subscription associated with nominations for membership to the Federation

## **6 Federation Committee**

- a) The Federation Committee shall be elected to manage the affairs of the Federation, subject to any guidance from general meetings of the Federation.
- b) The Federation Committee shall consist of the Chairperson, Vice Chairperson, Secretary, Treasurer and eight general Committee Members. The committee may choose one of their numbers to act as a minute secretary.
- c) At the first meeting of the new Federation Committee, the Federation Committee will elect from their number the Chairperson, Vice Chairperson, Secretary and Treasurer
- d) The Federation will strive to represent the six North Lanarkshire Council administration areas, which are as follows (from North to South):
  - i The North (Cumbernauld, Moodiesburn and Kilsyth)
  - ii Airdrie
  - iii Coatbridge
  - iv Bellshill & Viewpark
  - v Wishaw & Shotts
  - vi Motherwell
- e) Where a vote is undertaken to decide matters within the Federation Committee, each committee member will receive one vote. In the event of a tie the Chairperson will also have a second or casting vote.
- f) The Committee shall meet no less than 4 times annually in addition to Open Meetings and the Annual General Meeting
- g) The Quorum at committee meetings shall be 5, including at least 2 Office Bearers
- h) If a committee member fails to attend three consecutive meetings without tendering apologies the committee reserves the right to request that members' resignation
- i) The Federation Committee has the right to appoint sub-committees and shall determine their terms of reference, powers, reporting requirements, duration and composition.
- j) In keeping with the powers granted above, the Federation Committee may undertake the following:

- i Take on lease, hire or otherwise acquire any property and rights or privileges necessary for the promotion of the objectives of the Federation
- ii Engage and pay fees to professional and technical advisers/consultants to assist in the work of the Federation

## **7 Annual General Meetings of the Federation**

- a) The AGM shall be held no later than 15 months after the previous Annual General Meeting
- b) Notice of the AGM must be circulated to all members by letter and advertised in the local press no less than **56** days prior to the AGM
- c) The purpose of the AGM shall be:
  - i to receive a report from the Federation Committee of the Federation's affairs and activities since the last AGM)
  - ii to receive a statement of independently examined accounts of the Federation for the preceding financial year
  - iii to discuss proposals and agree any amendments to the constitution. Any such proposals or amendments should be circulated to members at least **28** days prior to the AGM
  - iv to require all office bearers, committee members and co-opted committee members to resign from their positions and elect a Federation Committee for the following year. Previous Committee members will be eligible for re-election
- d) Minutes of the AGM and a list of those present shall be taken
- e) The quorum at Annual General Meetings shall be not less than 10 member associations.

### **7.1 AGM Election Procedures**

- a) The Federation Committee will be made of up to twelve members
- b) The Federation will strive to ensure the Committee has equal representation from each of the North Lanarkshire administration areas detailed in Section 4
- c) Invitations to nominate persons for election at the AGM shall be sent out by the secretary at least **56** days prior to the AGM
- d) Member associations are eligible to submit one nomination for election onto the Committee
- e) Member associations can only submit a written nomination for a representative coming from their own area as defined in Section 6(d).

Nomination forms must be signed by the nominee and returned to the Federation secretary at least **14** days prior to the AGM

- f) No more than two Federation Committee members shall come from the same member association
- g) Where twelve or less members have been nominated to serve on the Committee, all nominees will be elected
- h) Where more than twelve nominations are made, the Federation will strive to ensure equal representation from the six administration area of North Lanarkshire detailed in Section 6 (d)
- i) Where two or less nominees are from the same administration area, they will be elected to serve on the Committee
- j) Where more than two nominees are from the same administration area, the member associations from that area, present at the AGM, will take a vote on which two nominees will be elected to serve on the Committee. Each member association eligible to vote at this time will be entitled to one vote. In the event of a tied vote two nominees will be independently drawn by a random method
- k) Failure to elect a full committee at the elections will not invalidate the proceedings of the Federation Committee as long as a minimum of five Committee members are elected
- l) The Federation Committee has the right to fill vacancies between Annual General Meetings and will endeavour to do so if and when the need arises.

## **7.2 Amendments to the Constitution**

- a) Amendments to the Constitution for consideration at the AGM must be submitted to the Secretary in writing **42** days before the AGM. Member associations must be issued with a copy of the proposed amendments at least **28** days before the meeting date
- b) Member associations shall receive one vote at the AGM, to decide Federation matters. Each association shall nominate one person to cast their vote prior to the meeting
- c) Amendments to the constitution will be decided by a two-thirds majority of those member associations present and entitled to vote

## **8. Open Meetings**

- a) The Federation Committee shall call Open Meetings for all members not less than three times a year in addition to the Annual General Meeting
- b) At Open Meetings the membership shall set policy and priorities, establish groups to tackle specific areas of work, agree development and work plans and ensure the accountability of all aspects of the organisation
- c) The Federation shall notify all members of the details of Open Meetings including date, place, time and agenda **28** days prior to the Open Meeting. Additional items for the agenda of such a meeting must be submitted to the secretary in writing **14** days before the Meeting
- d) There are no restrictions to the number of delegates a member association can send to an Open Meeting however each association will receive just one vote
- e) Matters arising at any Open Meeting of the Federation shall be decided by the votes of a majority of those present and entitled to vote. In the case of a tied vote the chair of the meeting shall be entitled to a second or casting vote.
- f) The quorum at an Open Meeting shall be five member associations

## **9. Special / Extraordinary General Meetings**

- a) The Federation Committee shall call a Special / Extraordinary General Meeting within **28** days of having received a written request to do so, signed by no less than five member associations outlining their reasons for this request.
- b) The quorum for a Special / Extraordinary General meeting shall be five member associations

## **10. Standing Orders**

- a) Time and Place of Committee Meetings
  - i. The Federation Committee and all other sub-committees of the Federation shall, as far as possible, decide at the beginning of each organisation year the dates and places for their meetings throughout the year. All members of the Federation shall be notified of meetings by the Secretary.
- b) Openness and Confidentiality
  - i. All documents relating to the affairs of the Federation will be kept for not less than five years.
  - ii. Minutes and Reports relating to the affairs of the Federation are confidential to the members and Committee of the Federation. Any member has the right to request any minutes of Federation meetings and/or reports accompanying them. If the Committee regards that this

information as sensitive, or supplying this information would be unlawful or hinder the progress in achieving the key aims detailed in Section 4, the Committee may refuse the request for this information.

- c) Complaints Procedure
  - i. Any complaint regarding the Federation or conduct of any Federation Committee member must be put in writing to the secretary or chairperson. The complaint will be acknowledged in writing and raised at the next Federation Committee. A response will be given when the matter has been explored in detail.

## **11. Finance**

- a) The Federation must operate its financial affairs through a bank account in the name of the Federation with such banks or building societies as the Federation Committee may decide. All cheques must be signed by at least two out of three signatories.
- b) All monies raised by or granted to the Federation, shall be applied to further the aims of the organisation and for no other purpose
- c) In accordance with the Federation's Expenses Policy, members shall be entitled to pre-agreed out of pocket expenses incurred whilst carrying out duties on behalf of the Federation
- d) As far as possible all payments except petty cash payments shall be made by cheque.
- e) The treasurer must undertake the following:
  - i. Keep proper accounts of all Federation income and expenditure
  - ii. Make available to each Federation Committee Meeting an up to date balance, and on request a full financial statement of income, expenditure and balance to the next available Open Meeting
  - iii. Submit the accounts annually to be independently examined by an individual that is not a member of the Federation and to prepare a full financial statement for the AGM.

## **12. Sub-Committees and Delegates**

- a) Delegates can be elected by the Federation Committee or at an Open Meeting to represent the Federation at conferences or events relevant to the Federation's aims
- b) A Sub- committee may be elected by either the Federation Committee or at an Open Meeting to work on a specific issue or task to further the aims and objectives of the Federation as per Section 6 (i).
- c) The Federation Committee should provide members with the details of sub-committees in operation.
- d) Delegates and Sub-committees must feedback information to the Federation Committee as soon as and as regularly as is reasonably possible.

## **13. Alterations to this Constitution**

- a) This constitution may only be altered by an amendment proposed at an Annual General Meeting in accordance with Section 7 or at a Special General Meeting called for that purpose
- b) Members must receive a copy of the proposed amendments at least **28** days prior to the date of the general meeting called to decide upon those proposals
- c) Proposals to alter the constitution must be agreed by at least two-thirds of member associations present and entitled to vote

## **14. Dissolution of the Federation**

- a) The Federation can only be dissolved at a Special / Extraordinary General Meeting called for that purpose as per Section 9
- b) Notice of a General Meeting to dissolve the Federation must be issued to all members at least **28** days before the date of the meeting with the purpose of the meeting clearly indicated. The meeting must also be advertised in newspapers that have wide circulation throughout North Lanarkshire at least **28** days prior to the meeting.
- c) Dissolution requires a two-third majority of those present and entitled to vote
- d) In the event of dissolution, any remaining assets after outstanding liabilities are met shall be distributed in a manner agreed among the last appointed office bearers of the Federation. All remaining grant funding shall be returned to the relevant funding bodies.

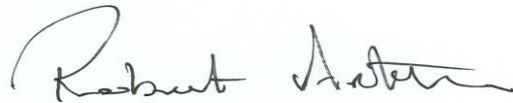
## 15. Adoption

- a) This constitution was agreed and adopted by the membership of the North Lanarkshire Federation of Tenants and Residents Associations at the Moorings Hotel, Motherwell Meeting held at 10am on Saturday 6<sup>th</sup> February 2010.

### CHAIRPERSON

NAME (CAPITAL LETTERS)

Robert Arthur



SIGNED

DATE

18 February 2010

### SECRETARY

NAME (CAPITAL LETTERS)

Gwen McMullen



SIGNED

DATE

18 February 2010