

# **TENANTS TOGETHER (Scotland)**

## **CONSTITUTION**

1 June 2024

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# 1 Name

- 1.1 The name of the organisation shall be Tenants Together (Scotland).
- 1.2 Tenants Together (Scotland) will be referred to in this document as TTS.

# 2 Aims & Objectives

The aims of TTS are to:

- 2.1 Promote and uphold our members' rights, interests, and views at national policy level in areas such as housing and any other related areas that affect our members.
- 2.2 Encourage the sharing of information between all Registered Tenant Organisations (RTOs), Landlord recognised groups, all Tenants and Service Users, individual tenants, the Scottish Government (SG) and other stakeholders.
- 2.3 Work with the SG and other organisations to ensure that tenants and service users views are represented in developing and influencing national policy.
- 2.4 Increase awareness of our organisation with (RTOs), landlord-recognised groups, all Tenants and Service Users, individual tenants, the Scottish Government (SG) and other stakeholders.
- 2.5 Respond to relevant housing and other related consultations to ensure tenants views are considered and taken into account.

### **3 Responsibilities**

- 3.1 The organisation has the power to do anything which is calculated to further its purposes or is conducive or incidental to doing so.
- 3.2 The committee is empowered by TTS to further the aims as set out in Section 2.
- 3.3 No part of the income or property of the organisation may be paid or transferred (directly or indirectly) - either in the course of the organisation's existence or on dissolution - except where this is done in direct furtherance of the organisation's purposes.
- 3.4 Clause 3.3 does not prevent the organisation from making any payment which is permitted under clause 10 (remuneration and expenses).

### **4 Membership**

- 4.1 Membership is open to all tenants and service users of either a Local Authority (LA) or a Registered Social Landlord (RSL) in Scotland.
- 4.2 All Scottish Social Housing tenants and service users are eligible for membership. To become members, they must either subscribe (for free) to our newsletter on our website or register their interest with the Scottish Government Tenant Priorities team.
- 4.3 Subscription to Tenants Together (Scotland) is free and open to everyone interested in the work of the organisation, either as a participant or for information-sharing purposes.

## 5 The Committee

- 5.1 The Committee will manage the affairs of Tenants Together.
- 5.2 All Regional Network Committee members at the start of the AGM on 01 June 2024 will be entitled to be Committee Members of Tenants Together.
- 5.3 The Committee will be elected from the membership by an election process and thereafter voted on and announced at each AGM.
- 5.4 The Committee will be no more than 32 members.
- 5.5 The Committee will consist of tenants and service users of registered tenants' organisations (RTO's), landlord-recognised groups and up to 5 individual tenant or service users who are not in an RTO or landlord-recognised group.
- 5.6 We will endeavour to have a committee of tenant representatives throughout Scotland.
- 5.7 Up to, but no more than, five committee members per year will stand down, and are eligible for re-election, to allow for applications from new members.
- 5.8 Office bearers will consider applications received for membership to the committee in line with established criteria.
- 5.9 The committee will welcome any member and invited non-member who wishes to attend committee meetings as an observer.
- 5.10 Committee members cannot be represented by a substitute. This means that they cannot send someone from their own local group to the meeting in their place if they cannot attend.
- 5.11 When a committee member resigns or is expelled from the committee their place will be filled from the membership.

- 5.12 Any member with a potential conflict of interest in any matter must declare this at the start of the meeting.
- 5.13 The quorum for committee meetings (not including any co-opted members) will be one-quarter of committee members who have full voting rights and must include at least one office bearer.
- 5.14 Members can apply to become a Committee Member by filling out an application form which will be available to download from the TTS website.
- 5.15 The committee will meet at least 4 times per year, which will include the AGM.
- 5.16 No committee member related by birth or marriage or the partner of, or residing at the same address or at a different address to another committee member(s) will be permitted to be a signatory of the bank account at the same time as that other committee member(s).
- 5.17 Each of the committee members has a duty, in exercising functions as a committee member, to act in the interests of the organisation; and, in particular, must:
- (a) seek, in good faith, to ensure that the organisation acts in a manner which is in accordance with its purposes;
  - (b) in circumstances giving rise to the possibility of a conflict of interest between the organisation and any other party:
    - (i) put the interests of the organisation before that of the other party; or
    - (ii) where any other duty prevents them from doing so, disclose the conflicting interest to the organisation and refrain from participating in any deliberation or decision of the other committee members with regard to the matter in question

## 6 Office-bearers

- 6.1 A committee member can hold one or two office bearer roles but no more than two positions in any given term.
- 6.2 Office bearers will be elected by the committee before the end of the AGM (see clause 11).
- 6.3 There will be four office bearer positions - Chair, Vice Chair, Treasurer and Secretary, who will serve for three years, staggered so not all office bearers stand down at the same time (see clause 6.4).
- 6.4 At the inaugural AGM of Tenants Together:-
- (a) one office bearer will serve for one year then stand down, after which they will be eligible to stand for re-election. This office bearer will then stand for three years.
  - (b) one office bearer will serve for two years then stand down, after which they will be eligible to stand for re-election. This office bearer will then stand for three years.
  - (c) the remaining office bearers will each serve for three years.
- 6.5 After office bearers have stepped down as per clause 6.4, all future office bearers will stand for three years then stand down, after which they will be eligible to stand for re-election.
- 6.6 All committee members must sign up to the code of conduct, more details in clause 14 below.

## **7 Roles and Responsibilities**

- 7.1 A record of all meetings will be kept and will be publicly available on the Tenants Together (Scotland) website and can also be provided by post on request.
- 7.2 The Committee will consider and carry out all policy-related matters and general management affairs of the Committee in accordance with the wishes of TTS.

## **8 Co-optees and Sub Committees**

- 8.1 The Committee will have the power to co-opt individuals who have a particular expertise onto the committee in an advisory role for a specific purpose and period. Co-optees will have no voting rights on committee decisions.
- 8.2 Where required, sub-committees can be set up, and the committee may seek expert advice from these sub-committees. These experts will have no voting rights. Meetings will take place as agreed by the full committee and any decisions or recommendations made must be considered and ratified by the full committee.



## 9 Notice of Committee Meetings

- 9.1 Any committee member may ask the secretary to call a meeting of the board.
- 9.2 At least 7 days' notice must be given of each committee meeting, unless (in the opinion of the person calling the meeting) there is a degree of urgency which makes that inappropriate.
- 9.3 When a committee meeting is to be held online, committee members must, in advance of the meeting, be provided with details of how to connect and participate via that link or links; participating in the meeting via an audio link accessed by phone, using dial-in details (if that forms part of the arrangements);
- 9.4 When a committee meeting is to be held in person, where committee members cannot attend in person, we will endeavour to also hold the meeting online though this cannot be guaranteed.

## 10 Remuneration and expenses

10.1 Where a committee member provides services to the organisation or might benefit from any remuneration paid to a connected party for such services:

- (a) the maximum amount of the remuneration must be specified in a written agreement and must be reasonable;
- (b) the committee must be satisfied that it would be in the interests of the organisation to enter into the arrangement (taking account of that maximum amount); and
- (c) less than half of the committee members must be receiving remuneration from the organisation (or benefit from remuneration of that nature).

10.2 Provided they have declared their interest - and have not voted on the question of whether or not the organisation should enter into the arrangement - a committee member will not be debarred from entering into an arrangement with the organisation in which they have a personal interest where that is not prohibited by clause 10.1, they may retain any personal benefit which arises from that arrangement.

10.3 The committee members may be paid all travelling and other expenses reasonably incurred by them in connection with carrying out their duties on behalf of, or representing TTS; this may include expenses relating to their attendance at meetings.

## 11 Annual General Meetings

11.1 An AGM shall be held every year to discuss the activities and achievements of the Network and to elect the committee. AGMs can be held within 15 months from the date of the initial AGM.

The AGM will:

11.2 Be advertised not less than 42 days / 6 weeks in advance of that meeting.

11.3 Present reports from Office Bearers in respect of the Committee affairs and business.

11.4 Consider the accounts for Tenants Together which will be audited on an annual basis and be presented for approval at each AGM.

11.5 Accept the standing down of all retiring committee members.

11.6 Announce the results of the selection process for the Committee.

11.7 Office bearers will be agreed before the end of the AGM.

11.8 Consider any proposals to amend the constitution. These must be submitted to the Secretary no less than 14 days / 2 weeks in advance of the AGM.

11.9 Applications from members to become a committee member must be received no less than 14 days / 2 weeks before the AGM. Applications can be received throughout the year and can become co-optee's without voting rights until the next AGM.

## 12 Extraordinary General Meeting

- 12.1 Any request for an Extraordinary General Meeting (EGM) must be made in writing to the Secretary, carrying the signatures and addresses of 30% of members or 75% of elected committee members stating the reason for calling the meeting.
- 12.2 The Secretary will respond in writing to the originator of this request at least 14 days / 2 weeks from receiving the request.
- 12.3 The Secretary will advertise the date, time, place and purpose of the EGM not less than 42 days / 6 weeks in advance of the meeting.
- 12.4 The EGM will be held within 42 days / 6 weeks of being agreed by the Committee as required.

## 13 Termination of office

A committee member will cease to hold office if:

- 13.1 they become incapable for medical reasons of carrying out their duties as a committee member - but only if that has continued (or is expected to continue) for a period of more than six months;
- 13.2 they give the organisation a notice of resignation (either in writing or by email);
- 13.3 they are absent (without apologies or good reason), from more than three consecutive meetings
- 13.4 they are removed from office by the committee on the grounds that they are considered to have committed a serious breach of the code of conduct);
- 13.5 Clauses 13.1, 13.3 or 13.4 shall be valid only if the committee member concerned is given the opportunity to address the issues

## 14 Conduct

- 14.1 As soon as elected at an AGM, Committee Members are required to agree to the Committee Code of Conduct. This requirement extends to each time someone is elected to the Committee. This will be done with an agreed process.
- 14.2 Where a **member, when representing TTS** acts in a way which is detrimental to the aims of the organisation, the Committee will have the right where there is good and sufficient reason to suspend membership and investigate circumstances. Such a suspension shall in all circumstances be subject to a right of appeal.
- 14.3 Where a decision to suspend a **member** is being considered by the Committee, the Committee Chair shall present a report outlining the circumstances and reason for its decision to the next scheduled meeting of Tenants Together for its consideration. Where a decision to suspend is agreed the member will be advised in writing.
- 14.4 Anyone considered to have breached the constitution by engaging in improper conduct during a meeting shall be warned by the Chair about their behaviour. If further improper behaviour occurs they will be asked to acknowledge their behaviour and apologise to those present. If they do not do this, they will be asked to leave the meeting. If this person is the Chair then the Vice Chair will be requested to carry out this duty.
- 14.5 Failure to accept the Chair's ruling on conduct shall result in the **member** being instructed to leave the meeting immediately.
- 14.6 If a member of the Committee refuses to comply with the Constitution, they may be expelled on a **two-thirds** majority vote of the full Committee. Any such committee member will have the right to appeal within 28 days / 4 weeks of the expulsion. The appeal shall be heard at a meeting called specifically for that purpose.

## 15 The Constitution

- 15.1 A copy of the Constitution will be available on the TTS website and will be made available on request.
- 15.2 The Constitution can only be amended at an AGM, or an EGM called for that purpose. (See section 6.0 & 7.0).
- 15.3 Amendments and proposals, to the Constitution, must be agreed by **two-thirds** of TTS Members present.
- 15.4 The Committee shall inform all Members of TTS of any amendments to the Constitution within 42 days / 6 weeks of agreement of the amendment.

## 16 Finance

- 16.1 All funds raised by, or on behalf of TTS, or grant funding from any source, shall be used solely for TTS activities and to help achieve the aims set out in section 2.0.

## 17 Dissolution of Tenants Together (Scotland)

- 17.1 TTS may only be dissolved at an AGM, or an EGM called for the purpose of discussing dissolution.
- 17.2 A request for dissolution will take place following proposals, in writing, by a minimum of two-thirds of the full membership being submitted to the Secretary, or two-thirds of elected committee members stating the reason for calling the meeting.
- 17.3 All Members must be informed, in writing, at 42 days / 6 weeks prior to the date of the meeting.
- 17.4 A quorum of two-thirds of members will be required for the dissolution meeting to take place. Dissolution will only take place if two-thirds of the Members present vote in favour of dissolution.
- 17.5 Accounts and Balances held by the organisation shall be returned to the funders.



## 18 Equal Opportunities

- 18.1 The Committee will uphold equal opportunities and work towards good relations amongst all Members and do all it can to promote equality and diversity.
- 18.2 The Committee will especially prohibit any conduct which discriminates on grounds of; race, religion, disability, geographical location, political belief, age, gender or sexual orientation.

### **Adoption**

This constitution was adopted on Saturday 1<sup>st</sup> June 2024

Signed.....Chairperson

Signed.....Vice-Chair

Signed.....Secretary

Signed.....Treasurer

Date.....