



**Gardeen Housing Association Ltd**  
**Building a Better Future**

## **GARDEEN HOUSING ASSOCIATION**

### **MEMBERSHIP POLICY**

<b>Implemented</b>	<b>2017</b>
<b>Next Review</b>	<b>2020 or earlier if changes in the rules, Scottish Housing Regulator guidance, the law, best practice or Association Procedures</b>

#### **A: GOVERNANCE & ACCOUNTABILITY**

## **Membership Policy**

### **Charter Standard**

#### **1. Equalities**

Social Landlords perform all aspects of their housing services so that every tenant and other customer has their individual needs recognised is treated fairly and with respect and receives fair access to housing and housing services.

#### **2. Communication**

Social Landlords manage their businesses so that tenants and other customers find it easy to communicate with their new landlord and get the information they need about their landlord, how and why it makes decisions and the services it provides.

#### **3. Participation**

Social Landlords manage their business so that tenants and other customers find it easy to participate in and influence their landlord's decisions at a level they feel comfortable with.

## **Policy Statement**

Gardeen Housing Association aims to encourage residents to become members of the Association in order for full participation in the organisation. This enables members of the Association to attend at Annual General Meetings and become Members of the Management Committee of Gardeen Housing Association. The purpose of this Policy is to set out the Rules regarding membership.

The benefits of membership will be advertised on a regular basis and a leaflet on membership will be provided to all tenants and to new tenants at the start of a tenancy.

## **Membership Rules**

Gardeen Housing Association is a Charity (SCO37681) and operates under SFHA Charitable Model Rules (Scotland) 2013.

Gardeen Housing Association is a registered society under the Co-operative and Community Benefit Societies Act 5 and registered with the Scottish Housing Regulator (HAC 216).

Gardeen Housing Association is also registered under the Housing (Scotland) Act 2001 as amended by the Housing (Scotland) Act 2006.

Gardeen Housing Association is also registered under the Industrial and Provident Societies Act 1965 and

## **Membership**

Membership of Gardeen Housing Association is open to:  
Tenants of the Association  
Service Users of the Association  
Other Persons who support the objects of the Association  
Organisations sympathetic to the objects of the Association

A share costs £1. Members must complete an application form and return it to the office with £1.

Whilst Gardeen Housing Association encourages membership, the Management has absolute discretion in deciding on applications for membership and shall refuse membership if:

Membership would be contrary to Gardeen's rules or policies

Where a conflict of interest may exist which may adversely affect the work of the Association. Applications will be considered by the Management Committee as soon as reasonably practical but not within the 14 days before the date of a general meeting. The Committee has the power to accept or reject the application.

If membership is approved by the Management Committee then a Share in the Association is issued to the members. The name of the member will be entered on the Register of Members and a share certificate will be issued.

Members must be at 16 years old. No member can hold more than one share in the Association. If a member changes address then they must let the Secretary of the Association know within 3 months. This rule does not apply if the member is a tenant who has moved to another property owned and managed by the Association.

If an individual is a representative of an organisation which is a member of the Association, then the individual cannot be a member of the Association as an individual. If the individual is already a member then membership will be suspended as an individual until such times as the individual is no longer a representative of an organisation which is a member.

Tenants are encouraged to become members and will receive a leaflet on the benefits of membership. Membership of Gardeen Housing Association entitles voting rights at the Annual General Meeting. Gardeen Housing Association will return the £1 if your membership application is not successful.

### **Membership Of Gardeen Housing Association Can End If:**

1. A member advises the Secretary in writing giving seven days' notice
2. The Committee is satisfied that:
  - A member has failed to advise the Association of a change of address
  - A member fails to attend or submit apologies for five Annual General Meetings then the membership is cancelled
3. The Association receives a complaint about behaviour and two thirds of the members voting at a Special General Meeting agree to this and:
  - The members can vote in person or through a representative by proxy

- The complaint must be in writing and must relate to behaviour which could harm interests of the Association
- The Secretary must notify the member of the complaint in writing not less than one calendar month before the meeting referred takes place
- The notice for the special general meeting will give details of the business for which the meeting will be called
- The member must be called to answer the complaint at the meeting. The members present will consider the evidence supporting the complaint and any evidence a member decides to introduce at the meeting
- The members can vote in person or through a representative by proxy
- If a member receives proper notice but decides not to go to a meeting without providing a good reason then the meeting will go ahead without the member being present and the members will be entitled to vote to end the membership
- If membership is ended as a result of behaviour then the membership will end immediately.
- If the Association ends membership by expelling a member, any further application for membership by an individual will need to be approved by two thirds of the members voting at a general meeting.

### **Annual General Meeting**

The Association will hold a general meeting within six months of the end of the financial year. The purpose of the meeting is to:

- Present the Chairperson's report on the activities for the year on our activities for the previous year
- Present the accounts balance sheet and auditors report
- Elect committee members
- Appoint the auditor to the following year
- Consider any other general business

The Secretary will call all general meetings by writing to every member at least 14 days before the date of the meeting to provide details on the time date and place of the meeting, whether the meeting is an annual or a special general meeting and the business for which the meeting is being called.

### **Standing For Election To The Management Committee**

One third of the longest standing members of the Management Committee must stand down each year. Elections for any available committee places as a result of members standing down or through resignation over the year are carried out at the Annual General Meeting. In order to ensure probity and maintain public confidence in the Management Committee you cannot become a Committee Member if:

- he/she has been adjudged bankrupt, has granted a trust deed for or entered onto an arrangement with creditors or his/her estate has been sequestrated and has not been discharged or
- he/she has been convicted of an offence involving dishonesty which is not spent by virtue of the Rehabilitation of Offenders Act 1974 or an offence under the Charities and Trustee Investment (Scotland) Act 2005; or
- he/she is a party to any legal proceedings in any Court of Law by or against the Association; or
- he/she is or will be unable to attend the Committee Meetings for a period of 12 months or
- he/she has been removed from the Committee of another registered social landlord within the previous five years; or
- he/she has resigned from the Committee in the previous five years in circumstances where the resignation was submitted after the date of his/her receipt of notice of a special committee meeting convened to consider a resolution for his/her removal from the Committee in terms of Rule 44.5; or
- he/she has been removed from the Committee in terms of Rules 44.4 or 44.5 within the previous five years; or
- he/she has been removed or suspended from a position of management or control of a charity under the provisions of the Law Reform (Miscellaneous Provisions) (Scotland) Act 1990 or the Charities and Trustee Investment (Scotland) Act 2005; or
- he/she has been removed from the office of charity trustee or trustee for a charity by an order made by the Charity Commissioners for England and Wales or by Her Majesty's High Court of Justice in England on the grounds of any misconduct in the administration of the charity for which he/she were responsible or to which he/she were privy, or which his/her conduct contributed to or facilitated; or
- a disqualification order or disqualification undertaking has been made against that person under the Company Directors' Disqualification Act 1986 or the Company Directors Disqualification (Northern Ireland) Order 2002 (which relate to the power of a Court to prevent someone from being a director, liquidator or administrator of a company or a receiver or manager of company property or being involved in the promotion, formation or management of a company); or
- at an annual general meeting, he/she has served as a Committee Member for a continuous period in excess of nine years and the Committee has not resolved to permit him/her to stand again or otherwise be nominated for re-election

### **Equal Opportunities**

Membership will be advertised to all residents and tenants will be encouraged of the benefits of membership.

A membership leaflet will be circulated widely. Access to membership will be reviewed to ensure that membership reflects the community in which Gardeen serves.

## **Share Capital**

Gardeen's Share Capital will be raised by issuing £1 shares to members. Shares cannot be held jointly, joint tenants may each become individual members. There is no interest, dividend or bonus payable on shares.

## **Transferring Shares**

A member cannot sell a Share but it can be transferred if the Management Committee agrees. If a member dies or decides to end membership, or if the membership is withdrawn, then the Share will be cancelled. The value of the share will then belong to the Association. A member can nominate who the Association must transfer your share to when you die, as long as the person that you nominate is eligible for membership under the rules of the Association. On being notified of a death, the Association shall transfer or pay the full value of the share to the person who has been identified.

If a tenant dies or becomes bankrupt and the personal representative or trustee in bankruptcy claims the share in the Association, then the Committee will transfer or pay the value of the third party.

## **Monitoring And Review**

The Management Committee of Gardeen Housing Association will receive an Annual Report on Membership as part of the ARC. The Policy will be reviewed every three years and will be reviewed in line with best practice or changes in regulation or legislation.