



Gardeen Housing Association Ltd
Building a Better Future

GARDEEN HOUSING ASSOCIATION

MEMBERSHIP POLICY

Implemented	2021/2022
Next Review	2026/27 or earlier if changes in the rules, Scottish Housing Regulator guidance, the law, best practice or Association Procedures

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 published on our website and a leaflet on membership will be provided 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) 2020

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

Applying for Membership

the following shall be eligible to become Members:-

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.

Applications for membership must send a completed and signed application form and the sum of one pound (which will be returned to the applicant if the application is not approved) to the Association's registered office. Whilst it is the Association's intention to encourage membership, the Committee has absolute discretion in deciding on applications for membership and the following shall constitute grounds for refusal of an application for membership:-

Where membership would be contrary to the Association's Rules or policies; or

Where a conflict of interest may exist which, even allowing for the disclosure of such an interest, may adversely affect the work of the Association; or

Where the Committee considers that accepting the application would not be in the best interests of the Association.

Applications shall be considered by the Committee as soon as reasonably practicable after its receipt by the Association. An application for membership will not be considered by the Committee within the period of fourteen days before the date of a general meeting. The Committee has the power in its absolute discretion to accept or reject the application.

If the Committee approves an application, then the applicant will immediately become a Member and the name and other necessary particulars will be included in the Register of Members within seven working days. A share in the Association will then be issued.

Applications can be received from applicants over 16 years of age. No Member can hold more than one share in the Association.

If a member changes address then the Association should be advised in writing to the Secretary at the registered office within three months. This requirement does not apply to tenants who have moved home by transferring their tenancy to another property owned and managed by the Association.

Ending Membership

Membership of the Association will end and the Committee will cancel membership and record the ending of in the Register of Members if:

- A member resigns membership by giving seven days' notice in writing to the Secretary at the registered office
- The Committee reasonably believes that a member has failed to tell the Association of a change of address as required in the ruled of Gardeen Housing Association
- For five annual general meetings in a row a member has not attended, submitted apologies or appointed a representative to attend and vote on behalf by proxy
- The Association receives a complaint about the behaviour of a member and two-thirds of the Members voting at a special general meeting agree to end your membership. The complaint must be in writing and must relate to behaviour which could harm the interests of the Association and the Secretary must notify the Member of the complaint in writing not less than one calendar month before the meetings take place. The notice for the Special General Meeting will give details of the business for which the meeting is being called. The member will be called to answer at the meeting. The members present will consider the evidence supporting the complaint and any evidence the member decides to introduce. The members can vote in person or through a representative by proxy. If the member receives proper notice but does not go to the meeting without providing a good reason, the meeting will go ahead without the member and the Members will be entitled to vote to end the membership. If membership is ended in accordance with the rules, then membership will immediately cease from the date that the resolution to end the membership was passed and any further application for membership by the member 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 the rules
- he/she has been removed from the Committee in terms of the rules 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 published online and updated on a regular basis.

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 Annual Return against the Charter. The Policy will be reviewed every three years and will be reviewed in line with best practice or changes in regulation or legislation.