



# **Studley Estate Resident Association**

## **Constitution**

Authors

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# **Studley Estate Residents Association Constitution**

## **1. Name and area**

- 1.1. The name of the association is Studley Estate Residents Association (hereafter referred to as SERA)
- 1.2. The defined area is the Studley Estate
- 1.3. The defined area is in Stockwell, in Lambeth, London

## **2. Aims**

The aims of the association are to:

- 2.1. Promote membership to all people resident on the Studley Estate to join the association
- 2.2. Promote diversity and inclusion within the community and within its membership, and follow our diversity and inclusion statement at all times
- 2.3. Improve the housing and other services provided to members
- 2.4. Build a partnership and improve communication between landlord and residents
- 2.5. Be non-party political
- 2.6. Promote social, welfare and recreational activities
- 2.7. Regularly consult all members e.g. through emails to membership, surveys, public events
- 2.8. Represent the majority view of the members via consensus gained at SERA meetings
- 2.9. Provide regular information to all members
- 2.10. Monitor the association, its work, finances and membership, and provide evidence of this governance process
- 2.11. Promote training for committee members

## **3. Membership**

- 3.1. Membership of the association shall be open to all tenants and residents of the Studley Estate (unless not permitted under section 4).
- 3.2. A record of all members in the current year shall be kept by the Secretary of the association. All members of the Residents Association will be entered onto an email list and will be contacted in this way. Residents without an email address, or who do not wish to be contacted by email will be asked how they want to be contacted and contacted in this way. Contact addresses will be held confidentially and will not be publicly shared.



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- 3.3.** Any membership fee shall be determined at the annual general meeting (AGM). There is no membership fee as of September 2017, and none is currently planned.
- 3.4.** All members will be entitled to put themselves up for election to the committee (see Section 5: The Committee) on a yearly basis at the AGM.
- 3.5.** The committee may accept any person as an associate member e.g. a local counsellor if agreed by a 2/3 majority of the committee. They shall have all the privileges of membership except the right to vote at meetings.

## **4. Ending membership**

- 4.1.** Membership shall end when a member ceases to be a tenant or resident in the defined area, dies or resigns (or a sanction under section 16.12 is applied)
- 4.2.** In the event of gross misconduct (e.g. a serious breach of the code of conduct or the diversity and inclusion statement), membership can be suspended or ended by a two-thirds majority vote of the committee.
- 4.3.** Gross misconduct would be viewed as any behaviour viewed by two thirds of the committee to be in direct contravention of the Code of Conduct, or diversity and inclusion statement, or any other behaviour viewed by two-thirds of the committee to be bringing the name of SERA into disrepute.
- 4.4.** A member whose membership has been suspended shall be entitled to have that suspension reviewed after a period specified by the committee (but not more than 12 months) by applying in writing.
- 4.5.** Any member who believes another member to have displayed behaviour that constitutes gross misconduct should report this immediately as per Section 16: Disputes / concerns
- 4.6.** In addition to suspension or removal, sanctions may prohibit the member(s) from attending future meetings, extraordinary meetings, and/or the AGM. Any individual(s) so sanctioned may apply in writing to the committee to have the sanction removed after a period specified by the committee (but not more than 12 months).

## **5. The committee**

- 5.1.** Any member over the age of 18 shall be entitled to stand for election to the committee.
- 5.2.** There shall be a minimum of 9 and maximum of 12 committee members, and at least 75% shall be Hyde residents (tenants or leaseholders).
- 5.3.** All committee members have an equal vote.
- 5.4.** All voting that takes place at a committee meeting, shall be counted, and recorded in the minutes.
- 5.5.** For all SERA decisions, ideally a consensus will be achieved, but if not 2/3 of committee members need to agree.

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- 5.6. It is recognised that committee members have holidays / sickness etc and may not always be present at meetings / available to vote. As a general rule, ideally as many committee members as possible will be consulted prior to decisions being made. However, if for any reason a decision needs to be taken on behalf of SERA without the full committee and/or e.g. between meetings, a minimum of 6 committee members need to be directly consulted. Ideally a consensus will be achieved, but if not a minimum of 2/3 in favour (4 members) need to agree. The process of reaching this agreement should be documented and made available to the wider committee and membership.
- 5.7. The officers of the committee shall include a Chair, Vice Chair, Secretary and Treasurer. Other specific roles may be allocated, but other committee members may not all hold specific roles.
- 5.8. The duties of the officers shall be defined in the standing orders of the association, produced by the committee, which may be revised from time to time.
- 5.9. The officers shall report to each committee meeting and general meeting on their work.
- 5.10. There shall be no more than one committee member from the same household.
- 5.11. The committee may from time to time as necessary create any sub-committees and/or working parties on a permanent or temporary basis. The members of any such sub-committee or working party shall be selected by the committee from among its members. Sub-committees or working parties shall report to the committee for final decision-making.
- 5.12. The committee shall monitor the work, finances, and membership of SERA.
- 5.13. The committee may co-opt new voting members onto the committee in order to fill vacancies that occur during the year, or to ensure appropriate representation of all people in the community if two thirds of the standing committee members agree.
- 5.14. The committee shall stand down at each annual general meeting and may be re-elected.
- 5.15. Committee members are entitled to resign at any time but should ideally give 2 months' notice.

### 6. General meetings

- 6.1. Each year the association shall hold at least four SERA general meetings per year. In addition, there will be a yearly AGM (see section 8). General meetings will aim to have an open agenda (allowing community members to bring issues for discussion) and provide updates to the wider community on SERA activity.
- 6.2. All members of the association shall receive 14 days' notice of general meetings and be invited to attend.



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## **7. Committee meetings**

- 7.1. Specific committee meetings may also be convened with a more fixed agenda for the purposes of ongoing project monitoring, committee officer reporting and decision making.
- 7.2. All members will still be entitled to attend (but not to vote).
- 7.3. All members and committee members will receive at least 14 days' notice of committee meetings and be invited to attend.

## **8. The annual general meeting (AGM)**

- 8.1. The association shall hold an annual general meeting (AGM) once in each calendar year, and not more than 15 months shall pass between the date of one AGM and the next.
- 8.2. The AGM shall:
  - Receive an annual report from the committee
  - Present audited accounts to members
  - Appoint an independent auditor
  - Elect the committee
  - Consider any resolutions put forward by members
  - Vote on any amendments to the constitution
- 8.3. All members shall be given 14 days' written notice of the AGM, and this must include an agenda, minutes of the last AGM, details of nominations to the committee and any resolutions, which include any proposed changes to the constitution.
- 8.4. Any proposed changes to the constitution or nominations to the committee must be notified and sent to the Secretary in writing at least 14 days before the AGM.

## **9. Extraordinary general meetings**

- 9.1. An extraordinary general meeting may be called for a specific purpose by the committee and must if requested by at least five members of the membership and/or is required to resolve a dispute (Section 16).
- 9.2. At least 14 days' notice must be given for the meeting, but it must take place within 28 days of the initial request.
- 9.3. The Secretary must send to each member written notice of the extraordinary general meeting 14 days in advance of the meeting, with a summary of the purpose of the meeting.



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## **10. Quorum**

- 10.1.** The minimum number of members required to be present for any SERA general, committee meeting, AGM or extraordinary meeting to proceed (the quorum) shall be a minimum of six members.

## **11. General membership voting**

- 11.1.** All members shall have one vote on any resolution put before an AGM, general meeting, or extraordinary meeting.
- 11.2.** All general membership voting that takes place at an AGM, general meeting or extraordinary meeting shall be counted and recorded in the minutes.
- 11.3.** If there is a tie the Chair will have an extra casting vote.

## **12. Minutes**

- 12.1.** All formal meetings including general meetings, committee meetings, annual general meetings and special general meetings must be minuted, and the minutes formally approved by the next meeting of the committee or general meeting, respectively.
- 12.2.** All minutes shall be available for inspection by members of SERA.

## **13. Finance**

- 13.1.** The Treasurer shall maintain a bank or building society account in the name of the association and keep records of the association's income and expenditure. The Treasurer shall report the balance in the account to the committee at each committee meeting.
- 13.2.** The committee shall appoint three or four authorised signatories for any cheques and cheques shall be signed by at least two of the authorised signatories. The signatories should be from different households and not related to one another.
- 13.3.** The association's accounts shall be kept up to date and annual accounts for each year shall be independently audited and shall be presented to the annual general meeting. Independent auditing can be undertaken by a suitable responsible person e.g. borough counsellor, bank manager, treasurer, or Chair of another resident's association.
- 13.4.** The accounts of the association shall be available for inspection, by any member of the association who requests to see them, within 28 days. The request for inspection must be made in writing to the Treasurer.
- 13.5.** The Treasurer is authorised to pay from petty cash, travel, and other expenses to representatives of the association undertaking the association's work providing that each payment is supported by a receipt, ticket or voucher. Each such payment of petty cash shall be signed by the receiver. The Treasurer shall provide a list of petty cash payments to the committee at each committee meeting. Petty cash payments of greater than £20 need to be agreed in advance and require witnessing by another committee member.



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## **14. Information**

- 14.1.** The association shall provide information to all members on things that affect the association and its members.
- 14.2.** Every member of the association has the right to receive a copy of the constitution. The Secretary shall give a copy of the constitution to any member requesting a copy. Copies of the constitution shall be made available at the AGM.
- 14.3.** Minutes of all general meetings and committee meetings shall be available from the Secretary for all members.

## **15. Code of conduct for members**

- 15.1.** Members and committee members are expected to respect each other with respect and equity whilst engaging in any SERA activities, business, or meetings. All members should extend the same courtesy to other members that they would wish to receive.
- 15.2.** All members and committee members should make themselves aware of the diversity and inclusion statement, and work in an inclusive and anti-discriminatory way. All members and committee members are encouraged to immediately highlight any potentially discriminatory practice they feel is happening at any SERA activities, business, or meetings.
- 15.3.** Members and committee members of SERA are expected to work collaboratively together to achieve agreed goals, and/or to seek the best possible solution (s) to any problem being discussed.
- 15.4.** No member should speak or write on behalf of the group without prior agreement. When speaking or writing on behalf of SERA content should be agreed in advance.
- 15.5.** All correspondence sent on behalf of the group must be made freely available to members of the group.
- 15.6.** All communication sent to or on behalf of the group should be professional and business like in nature. This means it should be succinct, easy to read, factual in nature, and avoid opinion or personal content as much as possible.
- 15.7.** Members should disclose any interest whether personal, or on behalf of any group, that they consider may influence their approach to any matter being discussed.
- 15.8.** Members should respect any residents' confidentiality on issues that may cause embarrassment or identification of an individual as requested by that resident or member.
- 15.9.** From time to time disputes may arise. Members and committee members should raise disputes / grievances etc as per the Disputes procedure (section 16)
- 15.10.** Members should seek to work positively and professionally when engaging with other agencies on behalf of the association.

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## 16. Serious concerns and disputes

- 16.1. Serious concerns and disputes regarding individual members / committee members, projects and/or SERA processes should be brought to the attention of the Chair, and at least one other committee member of the complainants' choice as soon as possible. This should ideally be made in writing e.g. via email but can be made verbally. If made verbally the Chair should keep a written note of the complaint.
- 16.2. The complainant can choose for the complaint only to be known by the Chair, and one other chosen committee member they make the complaint to and can otherwise request confidentiality.
- 16.3. The Chair should respond to the complainant within 7 days, copied to or with awareness of the other committee member of the complainants' choice.
- 16.4. Depending on the nature of the complaint the Chair should agree a course of action with the complainant to investigate and/or resolve the concern. Initial action should take place within 28 days, and a date for review within a further 28 days should be set. The other committee member of the complainants' choice should be made aware of the plan and be allowed to comment. It may be that other members of the committee are informed of the complaint at this stage *with the complainants' express consent* if this helps to enable resolution. The Chair may wish to call an extraordinary meeting if this assists in the resolution of the complaint.
- 16.5. If necessary, the Chair may choose to ask for independent advice or an arbiter from Hyde's Resident Engagement Team.
- 16.6. If the complaint regards the current Chair, the complainant should address the complaint or concern to two current committee members.
- 16.7. The two current committee members should then meet with the complainant within 7 days to collectively agree an appropriate course of action. If necessary, the two committee members may choose to ask for independent advice or an arbiter from Hyde's Resident Engagement Team.
- 16.8. All members / committee members are encouraged to raise disputes first directly within SERA. However, any member of the membership or committee can choose to complaint directly to the Hyde Resident Engagement Team regarding individual members / committee members, projects and/or SERA processes, if raising the complaint / concern directly feels inappropriate or difficult.
- 16.9. If a member / committee member raises a complaint / concern directly with the Hyde Resident Engagement Team, this team will need to inform the SERA committee of the complaint via the Chair within 7 days of receiving the complaint (but may choose to allow the complainant to remain anonymous). In this case the Chair will need to make the committee aware of the nature of the complaint as soon as possible, and should also call an extraordinary meeting ASAP if necessary to resolve the issue, and report back to Hyde on actions within 28 days.





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- 16.10.** If the complaint to the Hyde Resident Engagement Team relates to the Chair themselves, the Chair will be required to tell the wider committee that a complaint has been made against them (but not the nature of the complaint, which can remain confidential). The Chair will then be required to meet with Hyde (and potentially the complainant) to resolve the complaint within 28 days. In this case the Vice Chair will take over until the Chair tells the committee that the complaint has been resolved. Where appropriate, the Vice Chair may be asked to call an extraordinary meeting with 28 days to resolve the issue.
- 16.11.** Any allegation/complaint must be brought before the committee within two years of the incident on which it is based occurring and the committee must investigate the allegation within two years of the date of the incident. If it falls outside the two-year period, the committee will not invest time and effort in doing so. This does not abdicate individuals' responsibilities under of the laws of this country to report any criminal / fraudulent activities to the relevant authorities.

### **17. Dissolution of the association**

- 17.1.** The association can only be dissolved by a special general meeting called specifically to consider a motion to dissolve the association.
- 17.2.** All members shall be given 28 days' written notice of such a meeting.
- 17.3.** The association shall only be dissolved if two-thirds of members present at the special general meeting vote for a motion to dissolve the association.
- 17.4.** The special general meeting shall decide on disposal of assets, funds and equipment. Where assets, funds and equipment have been obtained from external donations/grants, the donor/funder will be notified, and disposal shall be as agreed and directed.

Signed by \_\_\_\_\_

Chair

Signed by \_\_\_\_\_

Committee member

Date \_\_\_\_\_