

EastendHomes – Estate Management Board Constitution

Purpose of the Board

1. The emb is the elected body representing all residents living in homes on the estate.
2. The purpose of the emb shall be to work for the general benefit of the residents and community on the estate(s). The board is specifically responsible for matters relating to the housing service, the regeneration and improvements to the estate, and development of estate amenities and activities. The key aims and objectives of the emb are:
 - To represent residents' interests on matters relating to housing services, and policy on the estate(s).
 - To consider and respond on matters affecting housing conditions, community regeneration, amenities and resident engagement and to comment on new housing and related policy initiatives.
 - To consider and respond on matters referred to it by residents and/or their representatives.
 - To consider key performance information on service provision and to suggest and promote ideas for improving service delivery to the estate(s). To request further performance information on specific of service delivery issues and to make recommendations to the Housing Manager on any matters arising.
 - To consider reports on planned maintenance and improvement programmes to make recommendations as appropriate.
 - To consider reports on the performance of the repairs and maintenance service, including handy persons, and contractor performance.
 - To participate and to encourage other residents to participate, in joint inspections of the estate with EeH staff, including monitoring of cleaning standards, estate lighting, horticultural maintenance, health and safety and general environmental matters.
 - To consider reports about issues on the estate(s) from the EastendHomes Board, and to make recommendations to the EeH Board where appropriate;
 - To participate in training programmes and to promote greater understanding of housing and major refurbishment programmes and related matters amongst all residents on the estate(s);
 - To consider reports on a quarterly basis on the refurbishment/ improvement programme for the estate(s) and to request further

information on specific works, costs and the programme, including information on consultation.

- To consider EeH Value for Money (VfM) and other strategies and associated Action Plans.
 - To provide the views and recommendations of the emb to the EeH Board on any matters relating to the estate. If EeH are not able to adopt recommendations, by the estate board they will provide a reason for their decision(s) where these may have an ongoing effect. Subject to further discussion the emb may make further recommendations, to which, where reasonable, the EeH shall give due regard;
 - To advise EeH as appropriate on expenditure priorities of the emb with regard to the management and maintenance of the housing stock on the estate.
3. In fulfilling the above objectives, the overriding aim of the emb is to promote full participation in the management, regeneration and improvement of the estate(s) and to provide a contributions to EeH policy and decision making as it may affect the estate. EeH will undertake to consult with the emb on the above and take into consideration the views of the emb when making any decisions relating to these matters.

Membership of emb

4. Membership of the emb shall be as follows:
- All assured EeH tenants and leaseholders and service charge paying freeholders that live on the estate are eligible to become elected members of the emb.
 - Membership of the emb should reflect the tenure balance on the estate and EeH and the emb will use their best endeavours on an ongoing basis to achieve this objective;
 - Elections shall be held every two years from amongst all eligible residents of the estate. Elections will follow the procedures outlined in this Constitution.
 - Where an estate board covers more than one estate the board may agree that separate elections on the constituent estates are held on a staggered basis.
 - Should there be a need for an interim election due to the resignation of a board member(s), the newly elected board member will serve for the remainder of the term of office of the original member with full voting rights;
 - There will be a maximum of 18 members of the emb (known as 'full members'), plus up to 2 independent co-opted members, with full

voting rights who must be selected by a majority of full members. The number of places for tenants and leaseholders on the board must reflect the tenure balance on the estate(s).

- Local boards may co-opt additional members to the board where vacancies exist following an election, provided that:
 - No more than the current number of vacancies (tenant and leaseholder/freeholder) on the board may be appointed
 - Co-optees may not form a majority of the board
 - Nominees for co-option may only be considered if they have been resident on the estate for a minimum period of one calendar year
 - The co-optees may only remain in place until the next AGM of the estate board. At the AGM co-opted members will be eligible for re-appointment, provided that there are no other estate residents interested in becoming board members, who are of the required tenure to fill the vacancies, such that the appropriate tenure balance on the estate board is achieved.

- Employee of EeH, or its agents, who are also residents of the estate are not eligible to be nominated to the emb.

Eligibility

5. Eligibility to vote and/or stand for election will be open to any tenant named on the Tenancy Agreement, any leaseholder named on the lease living that property on the estate, and any resident service charge paying freeholder. Non secure tenants, i.e. those housed on the estate on a temporary basis and sub-tenants of leaseholders are ineligible to vote or stand for election. Probationary tenants are eligible to vote, but not stand for election.

Cessation of Membership

6. A member shall cease to be a member immediately if s/he:
 - resigns in writing to the emb; or
 - ceases in the opinion of the board to qualify for membership under the provisions of paragraphs 4-5; or
 - is expelled from membership in accordance with the provisions of this constitution.

7. The emb reserves the right to remove elected members should they not attend three consecutive meetings without apologies.

8. Individuals who have wilfully and persistently engaged in actions or activities that have the potential and foreseeable consequence of

damaging the reputation of EeH shall not be eligible to stand for election or co-option to an estate board. In such circumstances the Board of EeH will give consideration to any such applications for membership and will make a decision with regard to eligibility taking into account the material circumstances of the application. If necessary, the EeH Governance and Standards Panel will consider and make recommendations in respect of the action to be taken with regard to any particular case.

9. A member may be expelled by a resolution supported by no less than two-thirds of those members voting at an emb meeting. The grounds for expulsion should be specified in the notices calling the meeting and the board member whose expulsion is to be considered shall be given the opportunity to state her/his case to the meeting. If on due notice having been served the member fails to attend the meeting, the meeting may proceed in the board member's absence.

Election of emb Officers

10. The officers of the emb shall be the Chair, Vice Chair, Treasurer and Secretary. The emb must elect a Chair and Vice Chair but may choose not to fill the posts of Treasurer and Secretary.
11. Election of Officers shall be by a poll of voting members of the emb at its first meeting following the Annual General Meeting.
12. Officers of the emb shall serve for 1 year, and may stand for re-election at the end of their term of office.
13. In the event of an officer resigning before their term of office is complete, the emb shall elect a replacement at their next meeting.

emb Meetings

14. Meetings of the emb shall be held at such times as the emb shall determine, but shall take place not less than 4 times a year.
15. Members of the emb should be given at least 10 clear working days' notice in writing of every meeting. The agenda and minutes of the previous meeting should be despatched at least four days prior to the meeting.
16. The business of emb meetings shall be conducted by the Chair and in accordance with the Code of Conduct.
17. Every full member present at a meeting, including the Chair, shall have one vote.
18. In the event of a vote being tied the matter will be deferred to the next emb for further discussion.

19. A quorum at the Meeting shall consist of one-third of the number of emb members.
20. All emb meetings will be open to all residents of the estate to attend. Non-members may only address the meeting at the discretion of the Chair.
21. The emb may resolve on a simple majority vote to deal with any item on a confidential basis, only emb members shall be present when dealing with matters deemed “confidential”.
22. The board may delegate any item to any member or group of members as it thinks fit; in such cases the member or group of members shall abide by the constitution of the emb including the Code of Conduct.
23. Minutes of Meetings shall be made available on request to residents.
24. Officers of EeH may attend all meetings of the emb. Where appropriate, the emb may request a closed session when officers of EeH and any other non-members may be asked to leave the meeting.
25. All those attending a meeting of the emb shall abide by the Code of Conduct, so as to uphold the standing, reputation and integrity of EeH. Confidentiality, where required, must be respected.

Working groups and subcommittees

26. The emb may set up one or more working groups or sub committees, which would be informal bodies dealing with specific issues relating to the estate. Such working groups shall meet as necessary and membership may include interested residents and other relevant partner agencies.
27. Working groups shall report progress at emb meetings, and any major decisions of the working group shall be brought back to the emb for ratification. The terms of reference and remit for each working group shall be drawn up when a working group is commissioned.

Representation on the EeH Board

28. The emb may nominate one or more members to the main Board of EeH. Any eligible member of the emb must be proposed and seconded by other emb members.
29. The term of office for resident Members on the EeH Board shall be in accordance with the Memorandum and Articles of Association of EeH.
30. At the end of the term of office on the EeH Board, a resident Board member must stand down; at which time they are eligible for re-nomination to the Board in accordance with the Articles of Association.

Declarations of Interests

31. In accordance with EeH Probity Policy, members of the emb should disclose any interests on matters under discussion. Any interest should be declared prior to commencement of the agenda item.

Code of Conduct

32. Members of the emb must abide by the Code of Conduct.

Diversity and equal opportunities

33. The emb shall oppose discrimination of all kinds and will endeavour at all times to promote awareness of equal opportunity issues and good practice in resident participation initiatives.

34. The emb agrees that all communities should, as far as practicable, be fairly represented at all levels within EeH, regardless of ethnicity, gender, faith and sexual orientation of the individuals within those communities, and that they should feel equally valued, supported and respected.

Expenses

35. Reasonable travelling expenses for emb's members will be reimbursed where travel is undertaken in connection with EeH business. This shall be in accordance with the EeH mileage rate or at current public transport rates, depending on the method of travel used. A valid receipt must support all expenditure, or if a receipt has not or could not be obtained there should be a written statement as to how and why the expenditure was incurred.

Dissolution

36. The emb may be dissolved by a majority vote of at least 2/3rds of the membership of the emb.

Election procedure

37. The following election procedure shall apply:

- Publicity advertising and explaining the elections will be produced and distributed on the estate. This will include an outline of the role and responsibilities of emb membership. The publicity will contain/be accompanied by a nomination form for those wishing to stand for election. Candidates will be invited to write a short statement on why they wish to stand for election.
- Nomination forms may either be returned via a Freepost envelope or collected door to door. The nomination form will ask for the name and contact details of the nominee and should also contain the details of a seconder, who must be another resident living on the estate.

- Following receipt of returned nomination forms, if there are more nominations than places available, an election process will take place. If there are less nominees than available places pro-rata to tenure balance, the nominees will be deemed to be automatically “elected” to the Board. If there are fewer nominations than places available, the places will remain vacant until filled, if necessary through the co-options process set out in this constitution.
- If an election is required (ie there are more nominees than places available by tenure), the election process will be as follows:
 - a list of candidates will be produced and distributed to all estate residents, including a short statement by candidates outlining why they wish to become a board member;
 - EeH will publicise and organise a “polling day”, this will be advertised on the estate and will be open from 3pm till 7pm;
 - residents voting will be cross checked for eligibility to vote and will need to bring proof of identity;
 - residents will each have one vote;
 - successful candidates will be assessed by the number of votes cast at the meeting on a simple “first past the post” system.
 - All publicity material regarding the election will contain a Freephone telephone number, for use with regard to queries.
 - Any resident unable to vote at the 'polling station' will be offered a doorstep collection by EeH. Similarly with the return of Nomination Forms.
 - All nomination forms and ballot papers will be numbered and security stamped.
 - All nominees must sign an undertaking accepting the responsibilities of board membership and the Code of Conduct.

Responsibilities for emb members

38. This is based on the guidance in the National Housing Federation Code of Governance.

39. All emb members must sign an undertaking accepting the responsibilities of board membership. This includes:

- The need to uphold the reputation and values of EeH and the emb.

- A responsibility, to act in the best interests of the estate overall, and not any constituency, either by estate or tenure.
- The responsibility to uphold decisions taken at board meetings.
- The responsibility to actively take part in discussions and make necessary preparations to contribute to discussions and decisions made by the board. A core aspect of this function of a Board member is the responsibility for sharing responsibility in decision making.
- The responsibility to prepare for and attend appropriate meetings, including training.
- To represent the emb responsibly at any events or functions.
- To declare any conflicts of interests prior to the discussion of any items at board meetings.
- The need to respect the confidentiality of discussions.
- To be generally aware of the content of the National Housing Federation Code of Governance and to uphold its aims, values and recommended ways of working.

Code of Conduct for local estate management board ("emb") members

The estate management board (emb) is the elected body representing all residents living in homes on the estate. The board welcomes members whose skills, experience, personal qualities, and commitment to the estate enables it to be effective and representative resident engagement and participation body.

All board members must subscribe to and uphold the Code of Conduct and equalities commitment.

Key responsibilities:

Estate board members must agree to:

1. Attend board meetings regularly, participate fully in discussions and share responsibility in the decision making process.
2. Attend appropriate training events, as appropriate.
3. Respect decisions taken by the board.
4. To behave in a reasonable and respectful way and not to engage in activities which have the foreseeable consequence of damaging the reputation of EeH, its Board members or staff.
5. Declare relevant interests.
6. Never use their position with the emb for their own personal gain or that of their family or associates.
7. To comply with the terms of their tenancy agreement or lease and to ensure that rent and/or service charges are paid when due.
8. Note that where an estate board member breaches the Code of Conduct and refuses to resign he or she may be removed by a resolution approved by a majority vote taken at emb meeting.