



Membership Policy

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Related Documents

- Rules

Translation Statement

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Compliance

This policy has been drafted to ensure that it complies with current legislation and industry good practice.

Equality & Diversity

Fyne Homes is committed to providing services which embrace diversity and which promote equality of opportunity. As an employer we are also committed to equality and diversity within our workforce. Our goal is to ensure that these commitments, reinforced by our Values, are embedded in our day-to-day working practices.

Openness & Confidentiality

Fyne Homes believes that its members, tenants and other interested parties should have access to information on how it conducts itself. This means that unless information requested is considered commercially sensitive or personally confidential it will be made available on request.

Data Protection

Fyne Homes recognises the importance of data protection legislation, including the General Data Protection Regulation, in protecting the rights of individuals in relation to personal information that we may handle and use about them, whether on computer or in paper format. We will ensure that our practices in the handling and use of personal information during the processes and procedures outlined in this policy comply fully with data protection legislation. More information is available from our Data Protection Officer.

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1. Introduction

- 1.1 Fyne Homes Ltd is a registered social landlord with charitable status and is a not-for-profit organisation.
- 1.2 The Rules of the Association set out who may become a member and detail the procedures for applying for membership in broad terms and this policy has been agreed to give more detailed criteria. Our rules are based on the SFHA Charitable Model Rules (Scotland) 2020.

2. Aim

- 2.1 The aim of this policy is to ensure:
 - 2.1.1 Information on membership is widely available to all interested parties
 - 2.1.2 The Association complies with regulatory and legislative requirements
- 2.2 We will seek to ensure that we have a broad-based membership which reflects our constitution and the communities we serve. In particular we welcome applications for membership from tenants, sharing owners, service users of the Association, other persons and organisations within our geographical area of operation who support the objects of the Association or are sympathetic to the objects of the Association
- 2.3 There are a number of ways in which individuals can become more involved in our work and we have a separate Tenant Participation Strategy which encourages our tenants and service users to play an important role in shaping the services we offer.

3. Links to vision and strategic priorities

- 3.1 This policy aims to fulfil the needs of the Association's Strategic Priorities and vision 'Building Sustainable Communities'

4. Legal framework

- 4.1 SFHA Model Charitable Rules (Scotland) 2020
- 4.1 As a registered social landlord, Fyne Homes must comply with a host of differing regulatory frameworks. The relevant standards for this policy are:
 - 4.1.1 Scottish Social Housing Charter Standard 3 Participation – tenants and other customers find it easy to participate in and influence their landlord's decisions at a level they feel comfortable with.

5. Policy on Membership

- 5.1 The Association wishes its tenants to apply to become members and play an active role in the affairs of the Association.
- 5.2 The Association also wishes to see residents of its areas of operation, who have relevant skills or expertise and support the aims of the association apply to join if they are willing to play an active role in the affairs of the Association.

5.3 To this end membership applications for membership are particularly welcome from:

- tenants of the Association (from age 16)
- sharing owners and owner occupiers within our developments
- other residents of the areas where we own or manage housing stock who are over 16 years of age
- People involved in local community groups
- People who can make a positive contribution based on their community, business or professional experience or skills such as housing management, property maintenance, building construction, finance, human resource management and community development
- Individuals who have direct or indirect experience of disability
- Members of ethnic minority community groups

5.4 The Association seeks to ensure its membership reflects the communities it serves and that all sections of the community are represented. Membership is open to all sections of the community regardless of colour, race, nationality, ethnic or national origins, gender, disability, age or sexuality or religious beliefs.

5.5 *Consideration of Applications for Membership*

5.5.1 While it is the Association's intention to encourage membership, the Management Committee has absolute discretion on deciding on applications for membership, taking full account of the membership policy and Rules of the Association.

5.5.2 A fully completed and signed application along with the sum of £1.00 (non-refundable) must be submitted to the Association's registered office at 81 Victoria Street, Rothesay, Bute. Application forms are available from any of our offices and on our website.

5.5.3 Applicants, other than tenants, must give their reasons for wanting to join the Association, state why they support the aims of the organisation and give details of their relevant experience or expertise.

5.5.4 The application will be placed before the first available Management Committee for consideration.

5.5.5 An application for membership will not be considered within the 14- day period prior to an Annual General Meeting or Special General Meeting.

5.6 *Acceptance of Membership*

5.6.1 Once approved, the Association will within seven working days, write to the new member to confirm their membership, and issue them with a Share Certificate, a copy of the Association's rules and details of how members can participate in the organisation including the AGM and how to stand for election to the Management Committee.

5.6.2 Names and other necessary particulars will be included in the publicly available Register of Members and held in accordance with the General Data Protection Regulations and other relevant legislation.

5.6.3 There is no interest, dividend or bonus payable on shares.

5.6.4 You must notify us in writing of any change of address within 3 months. This does not apply if you are a tenant and have moved home by transferring your tenancy to another property managed by us.

5.7 *Grounds for Refusal of Membership*

5.7.1 Even although it is the intention to have as open a membership policy as possible the Committee retain the discretion, in certain circumstances, to refuse an application.

5.7.2 Membership will be refused where:

- Membership would be contrary to the Association's rules or policies
- The person is the representative of an organisation that is already a member of the Association.
- .
- Committee considers that acceptance of the application would not be in the best interests of the Association.
- A conflict of interest may exist which, even allowing for the disclosure of such an interest may adversely affect the work of the Association
- There is an outstanding, written complaint relating to the behaviour by the applicant which could harm the Association's interest.
- If the membership has previously been ended by a SGM when Rule 11.12 will apply

5.7.3 In the unusual event of an application being refused, we will write to you to explain the reason for the Committee decision within 5 working days and refund your £1.

5.7.4 You will then have one further opportunity to appeal against the refusal of your application. Your appeal should be made in writing within 14 days of the notice of refusal, giving your reasons why the decision should be changed. Committee will consider your appeal at their next meeting and their decision will be final.

5.7.4 If an application is not approved the decision will be clearly minuted at the meeting where the decision was taken

5.8 *Ending your membership*

5.8.1 Membership of Fyne Homes will cease when a member:

- resigns by giving the Secretary 7 days written notice
- is expelled in accordance with the rules
- becomes an employee of the association
- changes address but does not notify the association within three months, unless the new address is also a tenancy with us.
- there has been a complaint in writing about a member and two thirds of the members voting at a special general meeting agree to end membership.

- 5.8.2 The £1 share is not refundable on membership ending. However you can nominate the person to whom the Association must transfer your share when you die, as long as the person is eligible under the membership rules.
- 5.8.3 If you die or become bankrupt and your personal representative or trustee seeks to claim your share, the Committee will transfer or pay the value of the share in terms of their instructions.

5.9 *Ending Membership for Non-Attendance at General Meetings*

- 5.9.1 The Association requires 10% of the membership to attend General Meetings before they are quorate. It is expensive and inefficient if meetings have to be reconvened if not enough members attend.
- 5.9.2 Under the terms of the Association's rules the Committee has the power to remove a member and cancel their share if they are satisfied that the member has failed to attend and submit apologies for five consecutive Annual General Meetings. (Rule 11.1.3)
- 5.9.3 The Management Committee will apply this rule in a fair and consistent manner. To this end, the following procedure will be adopted:
- The notice of AGM to members will include a tear-off slip, which gives the member
 - the option of confirming attendance or intimating non-attendance and submission of apologies.
 - The Share Register on the computer will be updated after the AGM, noting members who have attended (from Sedurant) and members who have submitted apologies.
 - The Register will be reviewed after each AGM to identify members who have not attended five consecutive AGMs and failed to submit apologies
 - A report will be submitted to the next Management Committee and any decision to terminate the Share will be clearly recorded in the minutes of the meeting where the decision was taken.
 - The member will be notified in writing of the decision to end their membership and given the opportunity to make representation to the Management Committee. Any such appeal must be made in writing, within 14 days of the written notification of the ending of membership being issued.

6. **Promoting Membership**

- 6.1 We will promote a broad representation of membership by various measures including:

- 6.1.1 Promoting membership on our website, social media and tenant/resident

- groups
- 6.1.2 Making information available out with our offices to all those who enquire about membership
- 6.1.3 New tenants will be given an application form at sign up and encouraged to join the Association.
- 6.1.4 Providing information on membership to tenants and service users through our newsletters
- 6.1.5 The Association will issue an annual report about its activities to all members.
- 6.1.6 All members will be encouraged to attend the Annual General Meeting.

7. Member Participation

- 7.1 The Association wishes to ensure its members are informed and can actively participate in the organisation. To this end the Association will:
 - 7.1.1 Notify members of General Meetings at least 14 days before the date of the meeting
 - 7.1.2 Circulate information to members so that they can make informed decisions at General Meetings.
 - 7.1.3 Make every effort to hold meetings at times and locations suitable for the membership and which are accessible to all.
 - 7.1.4 Make a copy of our Annual Report and Audited accounts available to all our members
 - 7.1.5 Provide information, support and training to tenant members who are interested in becoming more actively involved in decision making in accordance with our Tenant Participation Strategy
 - 7.1.6 Promote opportunities for members to seek election to our Management Committee

8. Management Committee Membership

- 8.1 All members aged 16 or over, who are eligible in terms of the Association's Rules, are encouraged to stand for election to the Management committee.
- 8.2 One third of the Management Committee is elected by, and from the membership, at the Annual General Meeting.
- 8.3 All members receive letters before the AGM informing them of committee membership opportunities and how to seek election to the committee.
- 8.4 Staff inform all new tenants of opportunities to be elected to committee when they are given their membership application form.
- 8.5 The Association is able to have their general meetings by video conferencing reducing the difficulties posed by geography for elected members attending committee meetings.

- 8.6 The Rules also allow the Management Committee to co-opt members if they wish provided the number of elected and co-opted members does not exceed 12
- 8.7 As the Rules limit the number of co-options allowed, Committee will exercise their discretion when making co-options to ensure that any member co-opted brings additional expertise or represents a geographical area not currently covered by those already elected.
- 8.8 Committee may at their discretion invite suitable persons to be observers at meetings with a view to encouraging them to seek election to committee when they feel sufficient confidence.

9. Representation

- 9.1 The Management Committee consists of a minimum of 7 and a maximum of 12 members.
- 9.2 Each of these must be individual members of the Association who are elected by the membership in their own right and must also seek re-election in accordance with the Rules.
- 9.3 If 12 persons are not elected at the AGM or a committee member resigns during the year committee may co-opt a suitable person to fill that vacancy until the next AGM.
- 9.4 The Committee may accept a nomination from a Corporate Body for a co-opted place, provided that a written agreement has been entered into between the Management Committee and the Corporate Body (Rule 12).
- 9.5 Argyll & Bute Council or its successor body shall be entitled to appoint 1 person to be a Committee Member (Rule 37.1).
- 9.6 Eligibility for the Committee is defined in Rule 43.

10. Monitoring of Committee Skills and Representation

- 10.1 The Committee will therefore regularly review its own performance and the skills and experience available from committee members collectively
- 10.2 The Association wishes to ensure that the Committee consists of people with the interest and ability to manage their business effectively.

11. Reviewing process

- 11.1 This policy will be reviewed in line with the respective current Fyne Homes' policies, and/or where a change in legislation arises.
- 11.2 If there is a procedural delay in the policy revision then the relative legislation in force at the time will prevail.

Version number	Revision Date	Part of doc revised	Reason for revision	Approved by
8	March 2022		3 yearly review	Mgt Comm
