



New Park Village TMC

**Code of Governance for Management
Committee Members of New Park Village TMC**

**An Industrial and Provident Society Registration
Number 27537 R**

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1. Introduction

The TMC has many responsibilities that must be met effectively and fairly. As a representative of other residents sometimes dealing with difficult and confidential issues TMC Management Committee members will require discretion and care to be exercised in the performance of their duties and responsibilities. This Code of Governance for TMC Management Committee members gives guidance about the way in which they should carry out their duties once elected or nominated to the TMC Management Committee.

The Code protects the rights of individual tenants and the TMC staff, and covers the behaviour of Management Committee Members, TMC Staff, Contractors or Employees of other agencies working within the area of the TMC. At the same time as complying with the Code, the TMC Management Committee must operate within its own Rules as an Industrial and Provident Society. The TMC Management Committee must also operate within the terms of the Management Agreement.

2. Induction Training

Training and advice will be provided for newly elected or nominated TMC Management Committee members, and for newly appointed TMC staff who are not familiar with the TMC. This training will relate to this Code and the role of TMC Management Committee members. All newly elected TMC Management Committee members will be required to participate in induction training within three months of joining the TMC Management Committee

3. Confidentiality

Confidential information made available to the TMC Management Committee or individual TMC Management Committee members must not be passed on to another person without the approval of the TMC Management Committee or the individual(s) concerned. Confidential information will be limited to TMC Management Committee members only. The wider membership of the Society does not have the right to confidential information.

If a resident confides in a TMC Management Committee member, then any information is confidential to that individual TMC Management Committee member, unless the resident has requested that it be discussed with the full TMC Management Committee.

When matters concerning individual residents are discussed at TMC Management Committee meetings (such as action to deal with a breach of the tenancy agreement, rehousing matters and rents and arrears), information must not include names and addresses. The fact that the described circumstances may give an indication of the person's identity will not be regarded as a breach of confidentiality. TMC Management Committee members do not have the right to look at individual tenants' records. Confidentiality will be maintained through registration under the Data Protection Act.

4. Personal Interest of Management Committee Members

TMC Management Committee members must not use their position as a TMC Management Committee member to seek preferential treatment by the TMC, or Wolverhampton City Council or Wolverhampton Homes. Neither should TMC Management Committee members be treated any less favourably than other tenants. They must use agreed procedure for reporting repairs and in pursuing other enquiries relating to their own tenancy or occupancy.

Where TMC Management Committee members have a personal interest in a matter being discussed by the TMC they should declare this. In some cases it may be necessary for individual TMC Management Committee members to abstain from discussion or leave the meeting during discussion of a particular item.

For clarification this will not apply in circumstances where the TMC Management Committee is discussing a matter, which may affect a member as one of many residents. For example, a discussion about estate improvements may well benefit or disadvantage a TMC Management Committee member, but this would not require a declaration of interest. Where the TMC Management Committee is discussing rent arrears policy, a TMC Management Committee member who is in arrears at that time should NOT have to declare an interest nor abstain from the discussion, even where they may benefit from any decision. TMC Management Committee members could seek confidential guidance on this point from the TMC Housing Manager and/or the Chairperson prior to the meeting.

Discussions which relate specifically to a TMC Management Committee member or one of their family are likely to require a declaration as would for example a discussion involving an outside body or contractor where the TMC Management Committee member is involved in or employed by that outside body.

If a TMC Management Committee member only thinks that a case being discussed may involve, for example, a close friend they should not declare an interest unless they know that as fact.

The TMC Management Committee shall take such steps as are necessary to ensure that once each year, before the first TMC Management Committee or general meeting or after the annual general meeting the Management Committee members and the officers of the TMC shall declare any personal business interests to the Secretary who shall record the interest declared in a register kept for that purpose. This register shall be kept at the Registered Office and shall be open to inspection by any member or officer of the Council, member of the Society, or member of the public during normal office hours on reasonable notice.

5. Staff Relations

TMC Management Committee members and staff should be courteous to each other at all times. TMC Management Committee members should support and assist staff in order to achieve the best possible service.

Individual TMC Management Committee members must not issue instructions to staff directly. The TMC Housing Manager's responsibilities for instructing staff are to be recognised at all times.

If a TMC Management Committee member has a complaint about any member of staff, this must be discussed with the TMC Housing Manager in the first instance. If the complaint cannot be resolved and the complaint is serious, it should be made in writing to the TMC Housing Manager, who will investigate the matter and take any necessary action. If the complaint is against the TMC Housing Manager this should be reported to the Chair of the TMC Management Committee. A formal complaint made to the Manager or Chair is a very serious matter for any employee and such complaints should never be made casually or maliciously

6. Representing Tenants

Wherever possible, if residents approach TMC Management Committee members with problems, the TMC Management Committee member should encourage the person to deal directly with the office staff in the first instance. Where it is appropriate for the TMC Management Committee member to raise a matter on behalf of a resident, this should be raised in the first instance with the TMC Housing Manager or Chief Officer (e.g. where they have already raised the matter with the TMC Housing Office, and feel they have not received satisfaction). Management Committee members should not expect favourable treatment for these enquiries taken up on behalf of other residents e.g. in relation to the completion of repair works or allocation of properties. All such enquiries will be dealt with according to the policies and procedures of the TMC and the Council. Such matters should be raised at TMC Management Committee meetings

only if the Housing Manager or Chief Officer has not resolved the matter to the satisfaction of the TMC Management Committee member.

Management Committee Members acting on behalf of residents on the estate must behave in a manner which does not contravene this code as per section 8 breaches.

7. TMC Management Committee Meetings

TMC Management Committee members may put items on TMC Management Committee meeting agendas, up to seven days before the meeting. Any urgent items will be included on the agenda subject to the discretion of the Chair. Individual cases (e.g. repairs complaints) should not be raised at TMC Management Committee meetings unless it has been specifically agreed in advance.

If TMC Management Committee members are unable to attend TMC Management Committee meetings they should send apologies.

8. The Role of Councillors

Councillors who may be co-opted or attend TMC Management Committee meetings are also accountable in their wider role and the TMC Management Committee should acknowledge this at all times. In dealing specifically with landlord duties that are delegated to the TMC (e.g. repairs, lettings) co opted Councillors are full and equal members of the TMC Management Committee. Enquiries raised by them with regard to those landlord duties will be given no less and no greater priority, by the TMC or the TMC staff, than enquiries raised by other TMC Management Committee members.

9. Breaches of the Code

The Code of Governance must be signed by, and adhered to, by all TMC Management Committee members. Breaches of the Code by a member must be treated seriously by the TMC Management Committee, which must takes steps to avoid a repeat of the breach. Certain breaches are grounds for removal from the TMC Management Committee.

- failing to declare an interest in any contract
- is absent from three successive meetings of the TMC Management Committee during a continuous period of twelve months without previously agreed leave of absence from the TMC Management Committee and the TMC they pass a resolution that s/he has by reason of such absence vacated office

- discloses confidential information concerning tenants on the estate to any person who is not authorised to receive such information and the TMC Management Committee agrees that the TMC Management Committee member should retire immediately.
- Breach of the TMC Data protection policy
- Breach of the social media policy and or code of conduct for staff and volunteers and or the TMC Communications policy.
- Breach of the Management Committee Acceptable Behaviour Code
- Bringing the TMC into disrepute.
- Poor conduct in management committee meeting that goes unresolved following a warning or suspension from the committee by the Chair on behalf of the Management Committee.

Removal of Committee Members Rule 21

A general meeting may remove any one or more of the Committee members by a resolution carried by two-thirds of the members present and voting, providing that at least seven days' notice of the motion has been given to all members of the Co-operative. The general meeting may proceed to fill any vacancy thus caused.

11. Grievance Procedure

It is the TMC policy to encourage and promote good communications and to ensure that any questions raised or problems that arise are dealt with quickly. Any queries or problems should initially be raised with the TMC Management Committee who will attempt to resolve them. However, where such a resolution is not possible, and a formal complaint is received this procedure will be followed. The grievance procedure has been designed to enable Management Committee Members, TMC Staff, Contractors or Employees of other agencies working within the area of the TMC and Residents of New Park Village to raise grievances in an orderly and constructive manner, thus ensuring that they are resolved as quickly as possible.

TMC Code of Governance Grievance Procedure

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STAGE ONE

Any grievance related to behaviour covered by the Code of Governance should be raised, either orally or in writing, with the TMC Chair (or if not appropriate to the Vice Chair or secretary of the TMC). S/he will arrange a meeting to discuss the grievance with the complainant, and this will normally occur within five days of the grievance being raised.

If the TMC Housing Manager has a grievance related to TMC staff employment s/he should raise the matter with the Chairperson of the Society whose role is to provide support and a point of contact. Should the matter in either case remain unresolved the employee may refer the TMC staff grievance procedure.

STAGE TWO

If the issue of the complaint comes under the Code of Governance and is not resolved the complainant may request a meeting with the TMC grievance sub-committee, an ad hoc committee of up to 5 members which shall be constituted from the TMC Management Committee on the basis of impartiality. The Chair (or appropriate person) will convene the meeting where possible within 14 days, and must include details of the grievance to the sub Management Committee members. The sub committee will interview the complainant and member in breach of the code separately. A member of the sub committee will be nominated to prepare notes on the meeting and will give copies to the complainant and member in breach of the code and will notify the complainant in writing the results of the meeting. Should the matter remain unresolved, the complainant may refer the matter to stage three.

STAGE THREE

If the grievance remains unresolved the complainant will notify the Chair of the TMC in writing within 14 days of the stage two sub committee meeting of their intention to raise the matter at the next Management Committee meeting having placed in writing the reasons for not accepting the decision of the sub committee. A special meeting of the full Management Committee will be held to hear the appeal. The Society secretary will inform the complainant in writing of the results of the appeal. The decision of the TMC Management Committee shall be final and binding the Management Committee having the ultimate ability to suspend a Management Committee member under this procedure and call a Special General Meeting of the Organisation to confirm the removal of an elected Management Committee member if required under the Rules of the Society.

Management Committee Member: Yes / No

TMC Staff Member: Yes / No

Name:

Signed:

Date:

Date copies filed & Grievance Procedure issued