



**New Park Village
Tenant Management
Co-operative Ltd**

A community in Action

New Park Village TMC

**Code of Governance for Board 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 Board members will require discretion and care to be exercised in the performance of their duties and responsibilities. This Code of Governance for TMC Board members gives guidance about the way in which they should carry out their duties once elected or nominated to the TMC Board.

The Code protects the rights of individual tenants and the TMC staff, and covers the behaviour of Board 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 Board must operate within its own Rules as an Industrial and Provident Society. The TMC Board 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 Board members, and for newly appointed TMC staff who are not familiar with the TMC. This training will relate to this Code of y and the role of TMC Board members. All newly elected TMC Board members will be required to participate in induction training within three months of joining the TMC Board

3. Confidentiality

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

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

When matters concerning individual residents are discussed at TMC Board 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 Board 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 Board Members

TMC Board members must not use their position as a TMC Board member to seek preferential treatment by the TMC, or Wolverhampton City Council or Wolverhampton Homes. Neither should TMC Board 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 Board 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 Board 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 Board 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 Board member, but this would not require a declaration of interest. Where the TMC Board is discussing rent arrears policy, a TMC Board 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 Board 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 Board 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 Board member is involved in or employed by that outside body.

If a TMC Board 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 Board shall take such steps as are necessary to ensure that once each year, before the first TMC Board or general meeting or after the annual general meeting the Board 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 registered 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 reasonably notice.

5. Staff Relations

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

Individual TMC Board 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 Board 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 Board. 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 Board members with problems, the TMC Board member should encourage the person to deal directly with the office staff in the first instance. Where it is appropriate for the TMC Board member to raise a matter on behalf of a resident, this should be raised in the first instance with the TMC Housing Manager (e.g. where they have already raised the matter with the TMC Housing Office, and feel they have not received satisfaction). The TMC Board will have agreed procedures for TMC Board members to raise matters on behalf of residents. TMC Board 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 Board meetings only if the Housing Manager has not resolved the matter to the satisfaction of the TMC Board member.

7. TMC Board Meetings

TMC Board members may put items on TMC Board 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 Board meetings unless it has been specifically agreed in advance.

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

8. The Role of Councillors

Councillors who may be co-opted or attend TMC Board meetings are also accountable in their wider role and the TMC Board 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 Board. 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 Board members.

9. Breaches of the Code

The Code of Governance must be signed by, and adhered to, by all TMC Board members. Deliberate or frequent breaches of the Code by a member must be treated seriously by the TMC Board, which must take steps to avoid a repeat of the breach. Certain breaches are grounds for removal from the TMC Board.

- failing to declare an interest in any contract
- is absent from three successive meetings of the TMC Board during a continuous period of twelve months without special leave of absence from the TMC Board and 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 Board resolves that the TMC Board member should retire immediately.

If the TMC Board wishes to remove a TMC Board member for other breaches of this code, it must refer the matter to an Extraordinary General Meeting.

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 Board 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 Board 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.

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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, a ad hoc committee of up to 5 members which shall be constituted from the TMC board 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 Board 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 board meeting having placed in writing the reasons for not accepting the decision of the sub committee. A special

meeting of the full board 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 board shall be final and binding the board having the ultimate ability to suspend a board member under this procedure and call a Special General Meeting of the Organisation to confirm the removal of an elected board member if required under the Rules of the Society.

Name of Board Member / TMC Staff Member :

Signed:

Date:

Date copies filed & Grievance Procedure issued