



## Public Policy

# ACHA Membership Policy

### **Our Commitment**

*Argyll Community Housing Association is committed to provide equal opportunities across all services and to avoid discrimination. This strategy is intended to assist ACHA to put this commitment into practice. Compliance with this policy should also ensure that employees do not commit unlawful acts of discrimination.*

***This policy can be made available in other formats, for example in large print, audio-format or Braille: the document may also be available in other languages, in full or summary form, as appropriate.***

# ACHA Membership Policy

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## ACHA Membership Policy

### Section 1 Context

- 1.1 The aim of this policy is to ensure that Argyll Community Housing Association Limited (ACHA) acts in an open and transparent manner. We offer opportunities for people and organisations who share our objectives, to participate in the shareholding of our Association.

### Section 2 The Law and Good Practice

- 2.1 The main legislation which pertains to this policy is covered under the following Acts:

**2.1.1 The Housing (Scotland) Act 2001:** provides a statutory right to all tenants with Scottish Secure Tenancies to receive information about their landlord's policies and procedures. The Act also obliges landlords to consult and provide tenants with information in developing their Tenant Participation Strategy.

**2.1.2 The Co-operative and Community Benefit Societies Act 2014:** consolidates previous industrial and provident society legislation including:

- Industrial and Provident Societies Act 1965
- Friendly and Industrial and Provident Societies Act 1968
- Co-operative and Community Benefit Societies Act 2003

**2.1.3 The Data Protection Act 2018:** provides rights to individuals in relation to personal data held about them; and regulates the use of personal data,

**2.1.4 The Freedom of Information Act (Scotland) 2002 and Environmental Information (Scotland) Regulations 2004:** entitles members of the public to receive information for a public authority, subject to certain exemptions such as the need for the protection of personal data, commercial sensitivity or national security.

**2.1.5 The Scottish Social Housing Charter:** the purpose of the Charter is to help improve the quality and value of the services that social landlords deliver for their tenants and other customers and supports the Scottish Government's strategic objective of a safer and stronger Scotland:

✓ **Charter Indicator 1: Equalities**

Social landlords perform all aspects of their housing services so that:

- they support the right to adequate housing

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- every tenant and other customer has their individual needs and rights recognised, is treated fairly and with respect, and receives fair access to housing and housing services.

This **outcome** describes what social landlords, by meeting their statutory duties on equalities should achieve for all tenants and other customers regardless of age, disability, gender reassignment, marriage and civil partnership, race, religion or belief, sex, or sexual orientation. This includes the need to eliminate discrimination and advance equality of opportunity. It includes landlords' responsibility for finding ways of understanding the rights and needs of different customers, for example victims/survivors of domestic abuse and delivering services that recognise and meet these. This may include making reasonable adjustments.

#### ✓ **Charter Indicator 3: Participation**

Social landlords manage their businesses so that:

- Tenants and other customers are offered a range of opportunities that make it easy for them to participate in, and influence their landlord's decisions at a level they feel comfortable with.

This **outcome** describes what landlords should achieve by meeting their statutory duties on tenant participation. It covers how social landlords gather and take account of the views and priorities of their tenants, other customers, and bodies representing them such as registered tenant organisations; how they shape their services to reflect these views; and how they help tenants and, other customers to become more capable of involvement – this could include supporting them to scrutinise landlord services.

#### **2.1.6 Equalities Act 2010:** the Equality Act 2010 sets out the protected characteristics on which discrimination is prohibited in law.

The protected characteristics, in alphabetical order, are as follows:

- age;
- disability;
- gender re-assignment;
- marriage and civil partnership;
- pregnancy and maternity;
- race;
- religion or belief;
- sex; and
- sexual orientation.

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### **Section 3 Our Policy Objectives**

#### **3.1 ACHA's Group Aims and Objectives**

##### **3.1.1 Achieving quality housing and delivering more homes in great places to live and work**

- More homes in great places
- Achieving housing quality and affordable warmth
- Sustainable Business Plan
- Sustainability – reduce carbon footprint, aspire to become a net zero business
- Sustainable Rent Strategy
- Customer Experience Strategy

#### **3.2 Membership**

##### **3.2.1 The Members of the Association shall be those persons or organisations who hold a share in the Association and whose names are entered in the Register of Members**

#### **3.3 Who can become a Member of the Association?**

##### **3.3.1 The Board of Management shall set, review and publish its Membership Policy for admitting new Members. Subject to the provisions of Rule 7.2 the following shall be eligible to apply for membership:**

3.3.1.1 Tenants of the Association (over the age of 16 years).

3.3.1.2 Service users of the Association (over the age of 16 years).

3.3.1.3 Other persons (over the age of 16 years) who support the objects of the Association

3.3.1.4 Organisations sympathetic to the objects of the Association

3.3.2 An organisation which is a member is free to appoint any person it considers suitable as it's representative to represent that organisation and will act in the best interests of the Association (as per Rule 12.1).

3.3.3 To confirm the identity of a representative, the organisation must send the Association a copy of the authorisation or appointment of an individual as a representative. This should be signed by a Director, Secretary or Authorised

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Signatory of the organisation which signature must be witnessed, or in the case of a local authority, by the Chief Executive, or properly authorised Officer of the local authority.

- 3.3.4 If you are a representative of an organisation which is a Member, you cannot be a Member as an individual yourself. If you are already a Member as an individual when you start to represent an organisation which is a Member, the Association will suspend your membership as an individual, until such time as you are no longer a representative of an organisation which is a Member.

### **Section 4 Implementing our Policy Objectives**

#### **4.1 Applying for Membership**

- 4.1.1 If you are applying for membership you must send a completed and signed application form and the sum of one pound (which will be returned to you if the application is not approved) to the Association's registered office. Whilst it is the Association's intention to encourage membership, the Board of Management has absolute discretion in deciding on applications for membership and the following shall constitute grounds for refusal of an application for membership:-

- Where membership would be contrary to the Association's Rules or policies; or
- Where a conflict of interest may exist which, even allowing for the disclosure of such an interest, may adversely affect the work of the Association; or
- Where the Board considers that accepting the application would not be in the best interests of the Association

- 4.1.2 Your application shall be considered by the Board of Management as soon as reasonably practicable after its receipt by the Association. An application for membership will not be considered by the Board of Management within the period of 14 days before the date of a General Meeting. The Board of Management has the power in its absolute discretion to accept or reject the application.

- 4.1.3 If the Board of Management approve your application, you will immediately become a Member and your name and other necessary particulars will be included in the Register of Members within 7 working days. You will then be issued one share in the Association.

- 4.1.4 You can apply for membership of the Association from the age of 16.

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4.1.5 No Member can hold more than one share in the Association

4.1.6 If you change your address, you must let the Association know by writing to the Secretary at the registered office within three months. This requirement does not apply if you are a tenant of the Association and have moved home by transferring your tenancy to another property owned and managed by the Association

### **4.2 Promoting Membership**

4.2.1 ACHA are committed to tenant participation in our management and work and will actively promote membership among our tenants. All tenants when signing their tenancy agreement will be informed of their right to become a member and given an application form and details of membership. While we will encourage participation of all our tenants, we recognise those tenants who have chosen to become members may be particularly consulted on issues relating to the management of the Association.

4.2.2 Each issue of our periodic newsletter will also contain information on how to apply to become a member

4.2.3 Details of how to become a member of our Association will also be contained in the Tenant's Handbook and also on our website [www.acha.co.uk](http://www.acha.co.uk)

### **4.3 Why become a Member**

4.3.1 Membership provides both benefits and responsibilities. The benefits include having a say, through the democratic processes in the management and direction of the organisation.

4.3.2 Members are also an important constituent whereby we can get feedback about our work and performance. At the same time, members are expected to act responsibly to promote and support our work.

4.3.3 Members will receive regular reports, newsletters and other forms of information to keep them abreast of the work and new developments of our work. They will also receive invitations to regular meetings and events organised by us. Members are automatically entitled to attend and vote at our Annual and Special General Meetings.

4.3.4 Membership does not however prefer any benefits to individual members in terms of the service they may receive from us.

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### **4.4 Ending Your Membership**

Your membership of the Association will end and the Board will cancel your share and record the ending of your membership in the Register of Members if:-

- 4.4.1 You resign your membership giving 7 days' notice in writing to the Secretary at the registered office; or
  - 4.4.2 The Board reasonably believes that you have failed to tell the Association of a change of address as required by Rule 10; or
  - 4.4.3 For 5 annual general meetings in a row you have not attended, submitted apologies, exercised a postal vote or appointed a representative to attend and vote on your behalf by proxy; or
  - 4.4.4 The Association receives a complaint about your behaviour and two-thirds of the Members voting at a Special General Meeting agree to end your membership. The following conditions apply to this procedure:-
    - 4.4.4.1 The complaint must be in writing and must relate to behaviour which could harm the interests of the Association.
    - 4.4.4.2 The Secretary must notify the Member of the complaint in writing not less than one calendar month before the meeting takes place.
    - 4.4.4.3 The notice for the Special General Meeting will give details of the business for which the meeting is being called.
    - 4.4.4.4 You will be called to answer the complaint at the meeting. The members present will consider the evidence supporting the complaint and any evidence you decide to introduce.
    - 4.4.4.5 The Members can vote in person or through a representative proxy.
    - 4.4.4.6 If you receive proper notice but do not go to the meeting without providing a good reason, the meeting will go ahead without you and the members will be entitled to vote to end your membership.
- 4.5 If your membership is ended in accordance with Rule 11.1.4 you will immediately cease to be a Member from the date that the resolution to end your membership was passed and any further application for membership by you will need to be approved by two-thirds of the Members voting at a general meeting.



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## Section 5 Performance Management

- 5.1 A report will be provided to our Board of Management on a monthly basis advising of the number of current members.
- 5.2 The Board of Management will set, review and publish the Membership Policy for admitting new members, complying with the Rules of the association.

## Section 6 Development and Training

- 6.1 Our Governing Body will regularly review their membership strategies to continuously improve and encourage new members of the Association.

## Section 7 ACHA's Positive Action Initiatives

- 7.1 Membership will be open to any eligible person regardless of race, religion, age, sex, disability or sexual orientation.
- 7.2 We will actively promote membership among individuals and groups who may otherwise experience social or economic exclusion.
- 7.3 We will monitor membership in order to ensure that this is as representative as possible for all sections of the community and the areas in which we operate and will have a policy of actively promoting membership to redress any significant imbalances.

## Section 8 Dealing with Complaints

- 8.1 Complaints relating to the membership policy will be dealt with in line with our complaint handling procedure. In terms of this policy complaints can be made if we fail to apply this policy properly or don't meet our organisational standards.

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#### **Section 9 Consultation and Review Procedures**

- 9.1 This policy will be monitored by ACHA, on an annual basis, to judge its effectiveness and will be updated in accordance with changes in the law. If changes are required, they will be implemented

#### **Section 10 Confidentiality and Data Protection**

- 10.1 Confidential Information we hold will be used only for the purpose it was obtained. We will ensure that all confidential information is stored in a secure manner, can only be accessed by authorised persons and in the event of disposal, will be dealt with in accordance with the Data Protection Act 2018 and General Data Protection Regulations.