

EILDON TENANTS' ORGANISATION (E.T.O)

CONSTITUTION

As of 25th September 2008

1. Name of the Organisation

The name of the organisation shall be Eildon Tenants' Organisation or ETO

2. Aims of the Organisation

The aims of the tenants' organisation are to safeguard and promote the interests of tenants, residents and sharing owners and future applicants needs within the Scottish Borders on matters concerning housing and the environment, and the social and community life of the area.

The organisation will at all times operate on an equal opportunities basis and will strive to ensure the prevention, elimination or regulation of discrimination between persons on grounds of sex or marital status, on racial grounds or on grounds of disability, age, sexual orientation, language or social origin, or of other personal attributes, including beliefs or opinions, such as religious beliefs or political opinions.

3. Membership

- a. Membership shall be open to all tenants, qualifying occupants, residents and sharing owners of Eildon Housing Association Limited in the Scottish Borders.
- b. Membership shall be free of charge
- c. All voting members must be at least 16 years of age and voting is restricted to one vote per household.
- d. Membership of ETO for all tenants, qualifying occupants, residents and sharing owners living at any property owned by Eildon Housing Association shall cease immediately upon the named tenant, qualifying occupant, resident or sharing owner ceasing to be a tenant, qualifying occupant, resident or sharing owner of Eildon Housing Association Limited.
- e. Members shall at all times conduct themselves in a reasonable manner when attending meetings or any other functions in connection with ETO.

4. Committee

- a. A committee shall be elected from the membership at the Annual General Meeting (AGM) to carry out the business of the tenants' organisation and shall serve until the next AGM.
- b. The committee shall be made up of a minimum of 4 and a maximum of 11 members. The quorum at any meetings of the committee shall be four including at least 2 office bearers
- c. The committee shall be made up of a four office bearers (chairperson, vice-chairperson, secretary, treasurer) and up to seven general members. The committee may appoint one of their number as minute secretary. Office bearers shall not be members of the same household or family.
- d. Office bearers shall be elected by the committee from their own number at the first meeting after the AGM.
- e. Should any committee member fail to attend four consecutive meetings without tendering apologies, the committee may at its discretion terminate that person's membership of the committee.
- f. Vacancies on the committee may be filled at a general meeting or at the discretion of the committee.
- g. All members of committee are required to sign a code of conduct.
- h. The committee shall meet not less than 6 times per year, in addition to the AGM.
- i. Meetings of the committee shall be open to any member of the organisation who wishes to attend.
- j. Eildon Housing Association staff may attend at the request of the ETO committee.
- k. An accurate record will be kept of all meetings and be made available on request to any Eildon Housing Association tenant, qualifying occupant, resident or sharing owner. Such records will be made available in large print, on tape or ethnic language if so requested.

5. Making decisions

- a. All contributions at meetings should be addressed to the chairperson.
- b. Only one person should be speak at any one time and there shall be no private discussions.

- c. The ruling of the chairperson on any question regarding procedure at meetings shall be final unless two thirds of that present dissent from the chairpersons' ruling.
- d. Discussions should be kept to the subject in hand and not wander from the point.
- e. Should the chairperson be unable to attend any meeting, the position shall be filled by the vice-chairperson.
- f. Voting shall be conducted by a show of hands, or verbally, and a simple majority shall prevail except where otherwise provided in these rules.
- g. The chairperson will have the casting vote if decisions are split.
- h. The treasurer shall give a financial report at every meeting.

6. Annual General Meeting

- a. There shall be an Annual General Meeting within fourteen months of the last Annual General Meeting.
- b. The Annual General Meeting shall:
 - i. be held at a suitable and accessible venue. Appropriate arrangements will be made to facilitate transport, crèche facilities and carers requirements.
 - ii. receive a report from the committee of its' activities, including a statement of accounts fully audited. Subject to approval by the Members, Eildon Housing Association Limited will provide auditing services.
 - iii. accept the resignation of all committee members and elect a new committee.
 - iv. vote on any recommendations/motions and any amendments to the constitution.
- c. Members of the committee shall be elected to stand until the next AGM by tenants attending the AGM.
- d. All retiring members of the committee shall be eligible for re-election by declaring their nomination in writing to the secretary 7 days prior to the AGM. As far as is possible, the maximum term in office as an office bearer shall be 4 years.

- e. Any member of the ETO may seek nomination on to the committee by making a request to the secretary 7 days prior to the AGM
- f. If there are more than 11 members seeking election to ETO committee there will be an election at the AGM which will be carried out in the following manner:
 - i. All voting members attending the AGM will be entitled to vote by secret ballot by completing a voting paper giving the names of each candidate seeking election and placing a cross against the eleven (or less) candidates they wish to vote on to the committee.
 - ii. Members seeking election will be divided into four geographical areas based on the four areas across the Scottish Borders i.e. 1) Tweeddale, 2) Ettrick and Lauderdale, 3) Roxburgh and 4) Berwickshire. Each candidate will be chosen for an area based on the address of their tenancy with Eildon Housing Association Ltd.
 - iii. The committee will be formed from the candidates that received the most votes in each geographical constituency i.e. four members, and the remaining seven candidates that receive the most votes, irrespective of their geographical constituency.
- g. As soon as elected at an AGM, committee members are required to sign a committee code of conduct. This requirement extends to each time a member is elected to the committee.
- h. The secretary will notify all members of the date of the AGM not less than 14 days in advance of that meeting
- i. The quorum of Annual General Meeting shall be 15 members.

7. Other General Meetings

- a. A request for a general meeting should be made in writing to the secretary, carrying the signatures and addresses of 10 members. A request for a general meeting should state the reasons for calling it. The committee may also call a general meeting.
- b. A general meeting would be only to discuss the specific matter that is requested to be discussed, and would not be run as a committee meeting.
- c. The secretary will notify all members in writing of the date of the meeting not less than 14 days in advance of the meeting, and state its purpose in the notice.
- d. The quorum of General Meetings shall be 15 members.

8. Changes to the Constitution

- a. The constitution may only be altered at a general meeting called for that purpose or at an AGM.
- b. Proposed changes must be submitted to the secretary in writing not less than 14 days before the general meeting.
- c. Changes must be agreed by at least two-thirds of voting members present at the meeting.

9. Finance

- a. All monies raised by or on behalf of the ETO shall be applied to further the objectives of the ETO.
- b. Proper accounts of the finances of ETO shall be kept and will be made available on request to members and submitted for auditing prior to the AGM. Subject to approval by the Members, Eildon Housing Association Limited will provide auditing services
- c. A bank account shall be opened in the name of Eildon Tenants' Organisation. The committee shall authorise in writing an executive group of a minimum of 2 and a maximum of 3 members, one of whom shall be the treasurer, to sign cheques on behalf of the group. Cheques shall be signed by any two of the three authorised signatories. However, signatures on cheques shall not be of members of the same household or family.

10. Dissolution of the Organisation

- a. The tenants' organisation may only be dissolved by a special meeting called for that purpose. Such a meeting shall come about following a proposal signed by a minimum of 15 members being submitted to the secretary.
- b. All members shall be informed of such a meeting at least 14 days before the date of the meeting.
- c. Dissolution of the tenants' organisation shall only take effect if agreed by two thirds of the members present and voting at the meeting.
- d. Any assets purchased with funding from Eildon Housing Association will be returned to Eildon Housing Association.
- e. Any remaining funds and account balances from other funders will be returned to the relevant funding body, in accordance with the funding agreement

- f. Any assets or funds remaining after meeting liabilities must be distributed among charities nominated by that meeting.
- g. On dissolution, any documents belonging to the tenants' organisation shall be disposed of in a manner agreed by that meeting.

11. Recognition of the ETO by the Committee of Management

- a. The tenants' organisation is entitled to seek recognition from the Committee of Management of Eildon Housing Association Ltd as a legitimate independent body of Eildon Housing Association Ltd's tenants, qualifying occupants, residents and sharing owners. The tenants' organisation will be entitled to make representation to the Committee of Management for assistance, including financial assistance, to further the aims of the tenants' organisation and the Eildon Housing Association Ltd Tenant Participation Strategy.

Adoption	
This constitution was adopted at the Annual General Meeting / special meeting called for the purpose of a constitution review (delete as appropriate) of Eildon Tenants' Organisation (ETO).	
Signed:	<hr style="border: none; border-top: 1px solid black;"/>
	Chairperson
Signed:	<hr style="border: none; border-top: 1px solid black;"/>
	Secretary
Signed:	<hr style="border: none; border-top: 1px solid black;"/>
	Committee Member
Signed:	<hr style="border: none; border-top: 1px solid black;"/>
	Committee Member
Date:	<hr style="border: none; border-top: 1px solid black;"/>

Definitions

Qualifying Occupant

shall mean any person aged over 16 years of age, living in the specified property and recorded as such with Eildon Housing Association Ltd

Named tenant

shall mean the person to whom the specified property has been allocated in the tenancy agreement with Eildon Housing Association Ltd

Tenancy agreement

shall mean the agreement between the named tenant and Eildon Housing Association Ltd, current at the appropriate time

Committee

shall mean the properly elected committee of Eildon Tenants' Organisation

Committee of Management

shall mean the governing body of Eildon Housing Association Ltd.

Eildon Tenants' Organisation

Code of Conduct

The aim of the following Code of Conduct is to promote the standard of conduct required of Committee members of **Eildon Tenants' Organisation (ETO)**.

It will ensure:

- **that all members conduct themselves in an orderly manner;**
 - **that one member does not gain an unfair advantage over another;**
 - **that members do not misrepresent themselves.**
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Code of Conduct

- a) Committee members shall at all times treat other members and visitors with respect.
- b) No Committee member shall use foul or offensive language towards anyone else.
- c) No Committee member shall attend or hold meetings, in the name of the committee, without Committee approval.
- d) No Committee member shall issue correspondence, in the name of the Committee, without committee approval.
- e) All letters or correspondence etc should be addressed to the secretary and must be tabled and discussed by the committee.
- f) Committee members must respect and uphold the confidentiality of others at all times.
- g) No Committee member will tape, video or electronically record meetings without the prior consent of all Committee members present.
- h) Committee members attending meetings or conferences on behalf of the Committee and its members must represent the interests of ETO and report back findings in writing.

Signed: _____

Date: _____