

Model Constitution

Name and Area

1. The name of the Association is: **Kambala Estate Residents Association (KERA)** _____ and it will represent the residents of: **Kambala Estate/Block**

Aims

The aims of the Association are to:

Make the Kambala Estate a better place to live and building it safer, cleaner and greener.

- 2.1 Promote membership to all people eligible to join the Association.
- 2.2 Promote equal opportunities within the community.
- 2.3 Scrutinise performance and help in improving the housing and other services in the area of the Association.
- 2.4 Be non-party political.
- 2.5 Promote social, welfare, recreational and training activities for the benefit of members of the Association.
- 2.6 Represent the view of the majority of members affected by issues relating to their local environment.
- 2.7 Build a partnership and improve communication between Wandsworth Council and the membership.
- 2.8 Provide regular information to all members.
- 2.9 Regularly consult all members.
- 2.10 Monitor the Association, its work, finances and membership.

Equal Opportunities

3. The Association shall uphold equal opportunities and work for good relations among the community, specifically prohibiting any conduct that discriminates or harasses on the grounds of race/ethnicity, gender, gender reassignment, age, sexuality, marriage and civil partnership status, pregnancy and maternity, disability, religion or belief. Where necessary reasonable adjustments will be made to ensure activities are accessible to all.

Membership

- 4.1 Membership is open to all persons 16 years or over living in the area of the Association including all, tenants, leaseholders (both resident in the area and who live elsewhere and own property in the area), sub-tenants of absentee leaseholders and freeholders, irrespective of race, colour, ethnic or national origins, nationality, gender, marital status, age, sexuality, religion, disability, political or religious beliefs. As far as possible the membership should reflect the local population.
- 4.2 Owners of more than one property may become members of more than one Residents' Association (RA) where they own properties covered by more than one RA.
- 4.3 A record of all members in the current year shall be kept by the Secretary of the Association. Every member shall sign an annual written consent to become a member.
- 4.4 Any membership fee shall be determined by the Annual General Meeting. All payments shall be recorded in an appropriate manner and a receipt given.

Ending Membership

- 5.1 Membership shall end when a member dies or resigns, a tenant member ceases to be a local authority tenant and moves away from the area covered by the Association or a leaseholder sells their property and moves away from the area covered by the Association.
- 5.2 In the event of a breach of the Association's Code of Conduct (clause 14.1) membership can be suspended or ended by a two-thirds majority vote of the Committee.
- 5.3 A member whose membership has been suspended in accordance with clause 5.2 shall be entitled to have that suspension reviewed at the next General Meeting.
- 5.4 In the event of membership being ended by the Committee under the provision of clause 5.2, membership can be re-instated by a two-thirds majority vote of those present at a quorate General Meeting providing notice has been given of this proposal at the time the General Meeting is called by the Secretary.

Annual General Meeting

- 6.1 The Association shall hold an Annual General Meeting (AGM) once each calendar year, and not more than 15 months shall pass between the date of one AGM and the next.

6.2 The AGM shall: -

- Receive an annual report from the Committee.
- Present audited accounts to members.
- Appoint an independent auditor.
- Elect the Committee.
- Elect up to two tenant or resident leaseholder representatives to attend the local Area Housing Panel. Freeholders, absentee leaseholders, private sub tenants of leaseholders and Council tenants' or leaseholders' household members are not eligible to represent the RA at the Area Housing Panel but can attend as observers. Elections should take place ahead of the June Area Housing Panel.
- Agree the annual rate of subscription.
- Consider any resolutions put forward by members.
- Vote on any amendments to the constitution.

6.3 All members shall be given **14**¹ calendar days written notice of the AGM.

6.4 Any proposed changes to the constitution or nominations to the Committee must notified and sent to the Secretary in writing at least 14 calendar days before the AGM.

6.5 The agenda, minutes of the last AGM, details of nominations to the Committee and any resolutions to be considered (which includes any proposed changes to the constitution) must be sent to all members at least **7** calendar days prior to the AGM.

General Meetings

7.1 Each year the Association shall hold at least **2**² General Meetings (including the AGM) which shall be open to all members.

7.2 All members of the Association shall receive at least **14** calendar day's notice of General Meetings

7.3 The General Meetings shall be minuted.

7.4 The quorum for all General Meetings shall be 5 members.

¹ A minimum of 14 calendar days notice is recommended for most meetings

² At least two General meetings should be held each year, one of which should be the AGM

Special General Meetings

- 8.1 A Special General Meeting may be called by the Committee and must be called by the Committee if requested by at least 5 members. The Secretary must send to each member written notice of a Special General Meeting at least 7 calendar days in advance of the meeting.

Voting

- 9.1 Each member as defined in 4.1 shall have one vote on any resolution put before an AGM, General Meeting or Special General Meeting. If a leaseholder owns more than one property in the area of the RA, s/he constitutes one member of the TA and therefore is only eligible to cast one vote.
- 9.2 All voting that takes place at an AGM, Special General Meeting, General Meeting and Committee Meeting, shall be counted and included in the minutes.

Minutes

- 10.1 All formal meetings such as Committee Meetings, General Meetings, Special General Meetings and AGMs must be minuted and the minutes formally approved by the next meeting of the Committee or General Meeting.
- 10.2 All minutes shall be sent to all residents in the area of the Association on request and be available for inspection by members of the Association

The Committee

- 11.1 All members over the age of 18 are entitled to stand for election to the committee, however Wandsworth Council tenants or resident leaseholders must make up a majority of the committee and must be in the majority at any Committee Meeting votes, as they have a legal and financial relationship with the Council.
- 11.2 Owners of more than one property must not sit on the committee of more than one RA.
- 11.3 The Committee shall stand down at each AGM and may be re-elected.
- 11.4 There shall be at least **3**³ committee members.

³ At least three committee members are recommended

- 11.5 There shall be no more than two committee members from the same household⁴
- 11.6 There shall be at least 4 Committee meetings each year. The quorum for Committee meetings is 5 members.
- 11.7 All members shall be given not less than 7 calendar days' notice of each Committee Meeting, at which any member of the Association shall be entitled to attend (but not to vote).
- 11.8 The Committee may from time to time as necessary create any sub-committees and/or working parties on a permanent or temporary basis. The members of any such sub-committee or working party shall be selected by the Committee and shall include at least one Committee member. Any such sub-committees or working parties shall report to the Committee for decision making.
- 11.9 The Committee shall monitor the work, finances and membership of the Association.
- 11.10 The Committee shall report to each General Meeting on the work done by the Committee since the last General Meeting.

Officers Of The Committee

- 12.1 The Association shall have a Chairperson, Secretary and Treasurer.
- 12.2 The Chairperson shall chair General Meetings and Committee Meetings. The duties of the officers shall be defined in the Standing Orders of the Association.
- 12.3 The officers shall report to each Committee Meeting and General Meeting on their work.
- 12.4 Wandsworth Council tenants and resident leaseholders are eligible to stand for all officer positions. Freeholders, absentee leaseholders, private sub-tenants of absentee leaseholders and Council tenants' or leaseholders' household members cannot hold the positions of Chairperson, Vice Chairperson or Treasurer.
- 12.5 Owners of more than one property must not hold an Officer position on more than one RA.

Co-optees

⁴ In the case of properties owned by non-resident leaseholders and resided in by sub-tenants, the property counts as one 'household'. That is, there can be only two committee members with connections to that property. The two positions may be filled with either two sub-tenants, two absentee leaseholders or, one sub-tenant and one absentee leaseholder.

- 13.1 The Committee may co-opt members onto the Committee in order to fill vacancies that occur during the year to ensure appropriate representation of all people in the community.

Code of Conduct

- 14.1 All members shall agree to abide by the Association's Code of Conduct and failure to do so will result in that member being asked to resign their membership or action being taken under clause 5.2.

Finance

- 15.1 All money raised by or on behalf of the Association will be used only in accordance with the Aims of the Association detailed in clause 2.
- 15.2 The Treasurer shall open a bank or building society account in the name of the Association and keep records of the Association's income and expenditure. The Treasurer shall report the balance in the account to the Committee at each Committee Meeting.
- 15.3 The Committee shall appoint three authorised signatories for any payments and payments shall be signed by at least two signatories. The signatories should be from different households and not related to each other.
- 15.4 The Association's accounts shall be kept up to date and annual accounts for each year shall be independently audited and shall be presented to the AGM.
- 15.5 The accounts of the Association shall be made available for inspection by any member of the Association who requires to see them, within 14 calendar days. The request for inspection must be made in writing to the Treasurer. The accounts shall be made available to an officer of the Council, upon written request, within 48 hours or such other time as is deemed reasonable by both parties.
- 15.6 The Treasurer is authorised to pay from petty cash travel and other expenses to representatives of the Association undertaking the Association's work providing that each payment is supported by a receipt, ticket or voucher. A receipt for each such payment of petty cash shall be signed by the receiver. The Treasurer shall provide a list of petty cash payments to the Committee at each Committee Meeting.
- 15.7 If the Association is in receipt of a Residents Association Grant from Wandsworth Council, it will comply with the requirements set out in the Grant Application Form for the relevant year.

Standing Orders

16.1 The Committee of the Association has the power to adopt and issue Standing Orders and/or rules for the Association provided that they are:

- Subject to review at a General Meeting
- Consistent with the terms of the constitution.

Information

17.1 The Association shall provide information to all its members on matters that effect the Association and its members.

17.2 Every member of the Association shall be given a copy of the constitution when they join. Members shall be given copies of any changes to the constitution.

17.3 Minutes of all General Meetings and Committee Meetings shall be available from the Secretary for all residents in the area of the Association.

Dissolution of the Association

18.1 The Association can only be dissolved by a Special General Meeting called specifically to consider a motion to dissolve the Association.

18.2 All members shall be given 21 calendar days written notice of such a meeting, which shall contain the wording of the resolution.

18.3 The Association can only be dissolved if two-thirds of members present at a Special General meeting vote for a motion to dissolve the Association.

18.4 The Special General Meeting shall decide on disposal of assets, funds and equipment.

18.5 Any assets that have been donated or loaned by the Council should be returned to the Council if the Council so wishes.

Local Arrangements

19.1 The Model Constitution and the Guidelines for Accreditation are designed to assists RAs in working to consistent, clear procedures. However it is accepted that in rare situations there may be local circumstances where the guidance set out in the Model Constitution and Guidelines for Accreditation would be amended to better allow the RA to meet its objectives of providing inclusive participation opportunities and representing the views of its members and residents as widely as possible.

19.2 Should an RA wish to amend any points of the Model Constitution or Guidelines for Accreditation, they should enter into discussions with the Resident Participation Officer (RPO) and Area Housing Manager (AHM)

setting out the case for how such amendments would be beneficial to their members and the area the RA represents. Any such proposed amendments must be reasonable, equitable and justifiable. All such amendments would need to be agreed in conjunction with the Area Team after careful consideration and consultation.

- 19.3 Rules around membership, the committee, officers of the committee and finance may not be amended from those set out in the Model Constitution. RAs must follow the Council's Guidelines for Accreditation in respect of these matters.
- 19.4 RA constitutions must incorporate the following information: name of association, aims and objectives, equal opportunities, membership, ending membership, committee and officers of the committee, code of conduct, AGM and general meetings (including procedure for meetings, quorum and minutes), voting rights, subscription levels (if subscription is charged), what funding will be used for, finances (including who will open the bank account, who can sign cheques, who will manage the accounts), the role of the secretary, amending the constitution and dissolution.