



# Waverley Tenants Panel Constitution

## 2023-2026

### 1. Name and description of group

- 1.1 The name of the group is Waverley Tenants Panel.
- 1.2 We are a non-political, independent organisation with no more than 21 members and associate members who represent the interests of tenants and leaseholders of Waverley Borough Council.
- 1.3 For the sake of clarity, the use of the term 'tenants and leaseholders' in this document refers to tenants and occupying leaseholders of Waverley Borough Council.

### 2. Aims:

- 2.1 Build an effective partnership between Waverley Borough Council, tenants, and leaseholders.
- 2.2 To work in partnership with other local groups and with residents where they help to further the aims of their group. Raise standards and improve services by monitoring the work of the council and their contractors.
- 2.3 Protect tenants' rights and ensure that the council engages and consults with tenants about changes to housing policy, priorities for improvements, and regarding government social housing policy.
- 2.4 Ensure that the services do not discriminate against anyone under the terms of the Equality Act 2010 for example age, race, gender, sexuality, disability, religion, or any other aspect of an individual's circumstances.

### 3. Responsibilities:

- 3.1 Carry out fundraising activities to financially support the panel's activities.
- 3.2 To administer a bank account in the name of the group.
- 3.3 To reimburse out of pocket expenses to Panel members in line with the Panel's expenses policy.

### 4. Objectives:

- 4.1 The principal objectives of the Panel are to:

- 4.2 Seek represent and promote tenant opinion and ensure that this becomes central to the delivery of Waverley Borough Council Housing services.
- 4.3 Work in a partnership with Waverley and its contractors to achieve the best interests of tenants.
- 4.4 Suggest and promote ideas for improving service delivery. To challenge, where appropriate, decisions made by the council where the Panel feels the decision will be to the detriment of tenants.
- 4.5 To meet at least bi - monthly to agree, progress and monitor Panel work activities and aims. To consider performance monitoring reports relating to Waverley Borough's Housing services.
- 4.6 Consider and respond to matters referred by tenants and their representative bodies, tenants, and residents' associations, or by Waverley in a timely fashion.

## **5. Membership of the Panel:**

- 5.1 Membership of the Panel is open to all Waverley Borough Council tenants and occupying leaseholders.
- 5.2 Unless:
  - they are three or more months in rent arrears or in breach of their tenancy agreement.
  - they have a current level two complaint in process.
  - they are elected councillors or those seeking election, although they may be invited as co-opted members.
  - Waverley officers request the Panel to review the application.
- 5.3 There will be a maximum of 21 appointed members.
- 5.4 Those who wish to stand for selection must be nominated by two tenants or in the case of associate members will be nominated by the Panel.
- 5.5 In the event of vacant posts new members will be appointed, following completion of the current Tenant Panel recruitment process and by a successful selection from Panel members. Suitable candidates may join to support the Panel between AGM's.
- 5.6 Two persons per household will be eligible to sit at the same time on the Panel. New Panel members are appointed by the current members as vacancies occur or by co-option to the Panel during the year.
- 5.7 If the number of Panel members falls below four, the remaining members may act only to call a meeting of the Panel to appoint new members.
- 5.8 Panel members are expected to abide by the code of conduct. They must support the aims and objectives of the Panel and be willing to undertake training in line with the requirements of the role. The Code of Conduct can be found on the Waverley website or by requesting a paper copy from the Tenant Involvement Officer.

- 5.9 Any Panel or associate member who disregards the code of conduct or otherwise brings the Panel into disrepute will be asked to leave and will be excluded from future membership. The member may appeal to the full Panel.
- 5.10 If a current Panel or associate member becomes subject to any legal action by Waverley Borough Council, they will be required to stand down from the Panel until the matter has been resolved. A review by Panel officers will follow advice from Waverley.
- 5.11 Panel members will be expected to attend and take part in at least 50% of the meetings of the Tenants Panel in any one year. Members can apply for a leave of absence due to special reasons, this must be agreed by the Panel Chair and Vice-Chair.
- 5.12 Panel or associate members must declare the nature and extent of any interest, direct or indirect, in which he or she has in any proposed discussions or actions taken by the Panel. They should abstain from any discussions in which a conflict of interest will arise between their personal interest and the interests of the Panel.
- 5.13 Panel members must not receive any direct financial benefit through their membership of the Panel.

## **6. Associate members.**

- 6.1 The Panel welcomes a diverse membership to the group. Those who offer local knowledge, life experience, community awareness, or specific experience to a current review or action, can offer a valuable contribution. If the applicant is not a Waverley tenant or leaseholder, they may be invited to join the Panel as an associate member.
- 6.2 The decision on the applicant's inclusion must meet these criteria:
- They are not in dispute with Waverley Borough Council.
  - They agree to abstain from voting.
  - Agree with code of conduct and aims of Tenants Panel.
  - Their introduction is supported by a majority of the Panel members.
- 6.3 Associated members will stand down at the AGM. If appropriate, associated members will be re-invited to assist the Panel as necessary.

## **7. Appointment of Officers**

- 7.1 The Officers of the Panel are the Chair, Vice Chair, Secretary, Treasurer and Communications officer.
- 7.2 Any member wishing to stand as an officer must have served at least six months on the Panel unless there are no other applicants with the required skills for the post.
- 7.3 Officers are appointed at the meeting following the AGM. If requested, this can be done by a secret ballot.

7.4 Officers of the Panel are appointed to serve for a term of three years and may serve two consecutive terms. They may only be re-appointed for a further term should there be no other member wishing to stand.

7.5 In the event of an officer resigning before their term of office is complete, the Panel will elect a replacement at their next meeting.

7.6 A prospective officer must be nominated by two current Panel members. If there is more than one applicant a vote will take place. If required, a secret ballot will take place.

## **8. Finance**

8.1 Waverley will consult with the Tenants Panel during the annual budget setting process, on the Tenants Panel budget allocation for the work and development of the Panel.

8.2 A record of all financial transactions will be kept by the Tenants Panel Treasurer in accordance with audit regulations.

## **9. Panel Meetings**

9.1 Panel meetings will take place monthly. Meeting notes and agendas will be made public on the Tenant's Panel web page ([Tenants Panel Constitution](#)).

9.2 Agendas are set by the Chair and published in advance of the meeting.

9.3 Representatives from Waverley Borough Council officers and councillors are invited to attend meetings as required and representatives of other organisations where appropriate.

9.4 Information on the Panel's finances will be presented at each members meetings.

9.5 Panel members may attend meetings by platforms such as Skype, Teams or Zoom when they are unable to attend in person.

9.6 The quorum for Panel meetings will be three members plus a Tenant Panel Officer such as Chair, Vice Chair or Treasurer.

## **10. All Tenants Open Meetings (ATOMs)**

10.1 ATOMs will be held at least twice a year. These meetings will be open to all Waverley tenants and leaseholders. Every effort will be made to advertise the meetings widely and in different formats to encourage participation.

10.2 Additional ATOM meetings may be held at the Tenants Panel discretion.

10.3 Only business stated on the agenda shall be discussed. Urgent matters may be raised at the discretion of the meeting Chair. Tenants wishing to raise an agenda item may submit it to the Chair in advance of the meeting and information advertising the meetings will give details on how this may be done.

10.4 Waverley Borough Council officers, councillors, contractors, and guest speakers will be invited by the Tenants Panel meeting as appropriate.

10.5 Representatives from the Waverley housing service are expected to attend.

- 10.6 The meeting Chair will allow a reasonable time for questions from the floor after speakers.
- 10.7 The quorum for ATOMs shall be four tenants plus two Tenant Panel members one of whom should be an officer.
- 10.8 The meeting will be chaired by the Tenants Panel Chair or Vice Chair.

## **11. Annual General Meeting (AGM)**

- 11.1 An AGM open to all tenants and leaseholders will be held annually and no later than fourteen months after the previous AGM.
- 11.2 Notice of the AGM will be given three weeks in advance on the Tenants Panel Waverley web page and in appropriate publications.
- 11.3 Business of the AGM is to include the selection of Panel members, the presentation of the accounts, a summary of the work undertaken by the Panel during the year, and information on any priorities that have been identified for the coming year.
- 11.4 A summary of the AGM will be available and published ( [AGM agenda and minutes](#) ) within four weeks of the AGM.
- 11.5 The quorum for the AGM shall be four tenants plus two Tenant Panel members one of whom should be an officer.
- 11.6 The Tenant Panel Chair or Vice Chair will chair the AGM and ATOM meeting.

## **12. Extraordinary General Meetings (EGM)**

- 12.1 Extraordinary general meetings can be called by the Tenants Panel. Only those matters specified in the notice of the meeting may be discussed.
- 12.2 EGMs shall be open to all Waverley tenants and leaseholders and Waverley Officers. With a quorum of fifteen tenants and leaseholders being required
- 12.3 An EGM may also be called after a written request signed by at least fifteen tenants or leaseholders is submitted to the Tenants Panel Chair or Vice Chair.
- 12.4 Waverley Borough Council Executive Director of Housing Services or the Co Portfolio Holder for Housing may also request an EGM by written application to the Tenants Panel Chair or Vice Chair.
- 12.5 On receipt of a written request for an EGM the Tenants Panel will consider the application and inform the applicant of its decision with reasons, within twenty-one days of receipt of the written notice.
- 12.6 The meeting will be chaired by the Panel Chair or Vice Chair in discussion with Waverley officers.

### **13. Voting**

- 13.1 Only tenants and leaseholders of Waverley will be eligible to vote at meetings.
- 13.2 Decisions at meetings will be by simple majority. In the case of a split vote the Chair will have the deciding vote.
- 13.3 Voting will be a show of hands or, if it is requested by those present, a secret vote.
- 13.4 Proxy voting will not be allowed.
- 13.5 In the event of a split vote the Tenants Panel Chair will have the casting vote.

### **14. Changes to the Constitution**

- 14.1 The constitution will be reviewed every three years.
- 14.2 Any major changes to the constitution will be presented at the AGM and/or EGM for agreement by tenants. Voting will take place by a show of hands by those present, both in person and virtually, who are eligible to vote.
- 14.3 Tenants, leaseholders, Waverley officers, or the Portfolio Holder for Housing may propose changes to the constitution. Changes, with reasons for each, must be submitted to the Tenants Panel Chair in writing no later than fourteen days in advance of the AGM. A list of all proposed changes will be posted on the Waverley Tenants Panel web page 10 days in advance of the AGM. Hard copies will be available on request.
- 14.4 Minor amendments to the constitution that are deemed necessary to the progress or working of the Tenants' Panel are permitted at any time.
- 14.5 A revised copy of the Tenants' Panel Constitution will be available on the Waverley Website and available in paper copy at our AGM. Accessible copies for those with visual impairments are available on request.

### **15. Equal Opportunities and Diversity**

- 15.1 The Panel opposes discrimination in all forms and will endeavour, always, to promote awareness of equality and diversity issues and specifically, how these relate to good practice in tenant participation initiatives. The Panel has formally adopted and agreed to abide by Waverley Borough Council's policy on Equal Opportunities and Diversity.

### **16. Disputes**

- 16.1 If any conflict should arise, either within the Panel, with the Council or with other tenants, then the following process can be used to resolve the matter.
  - The Chair will endeavour to resolve the situation amicably.
  - Refer the matter to be dealt with under the Code of Conduct if appropriate.
  - Appeal to the Council for support and expertise as appropriate.
  - Use the Council's complaints procedure.

- The use of independent mediation will be offered to resolve the issue.
- Engage the Tenant Involvement Officer of the Council.

16.2 These measures will be put in place to ensure a positive outcome.

## **17. Dissolution of Waverley Tenants Panel**

17.1 If the Panel become regularly inquorate, then the Council can call an EGM to decide whether to dissolve the Tenants Panel or to agree new members.

17.2 Any decision at the EGM on dissolution will be taken by a simple show of hands of those present and eligible to vote. If the vote is split the Chair will have the casting vote.

17.3 If the Waverley Tenants Panel is dissolved, then all money will be returned to the Council.