

Pineview Rules Change 2021 – Summary Information

To update Pineview HA Rules in accordance with the 2020 SFHA Model, which is approved by the Scottish Housing Regulator (SHR), Financial Conduct Authority (FCA) and Office for Scottish Charity Regulator (OSCR).

The 2020 model reflects Regulatory Standards of Governance and Financial Management and Constitutional Requirements for RSLs as set out in SHR Regulatory Framework (2019).

General Changes from existing:

- Changed references from Industrial & Provident Societies Act 1965 to Co-operative and Community Benefit Societies (CCBS) Act 2014.
- Renumbering due to additions.

Most significant changes in the model update relate to:

- the creation of a discretionary power for the governing body to impose a leave of absence when there is a severe breach of the Code of Conduct being investigated
- the creation of a discretionary power for governing body in rare circumstances to block a nomination to committee if it was not in the interest of the association or if there would be a conflict of interests in that person becoming a governing body member
- the addition of optional provisions – the options and the Committee of Management’s decision on these are as given below:

Decisions by PHA Committee of Management at meeting of 25.03.2021 on optional provisions.

Section	Ref		Decision
General Meetings	20	Optional clause to allow virtual AGMs	Yes – agreed to add to increase options for members involvement.
Composition of Committee	37 and subsequent	Optional clauses to allow for:	
		-executive committee members	No – no requirement for executive committee members.
		-staff as executive committee members	No - staff members not permitted to also be committee members.
		-payment of committee members	No – committee members are volunteers and not to be paid.
		-prohibiting related committee members	No – do not want restriction to be put in the way of of those interested in becoming committee members.
Composition of Committee	37.3	Age limit in terms of Section 31 of CCBS Act 2014 is 16.	Yes – reduce age requirement from 18 to 16.

All other provisions as per model approved by SHR, OSCR and FCA.