

Shareholding and Committee Membership Policy

G.01

Reviewed

19 June 2024

Date next due for review:

June 2027

This policy document can be produced in various formats, for instance, in larger print or audio-format; and it can also be translated into other languages, as appropriate.

Our equality and diversity policy statement describes our key equality commitments that we use to develop all organisational services; this includes employment services and services to tenants and other customers.

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The Scottish Housing Regulator Reg. No: HAC231; Registered Scottish Charity No: SC038237;
FCA Reg. No: 2375R(S); Property Factor Reg. No: PF000151

1. INTRODUCTION

- 1.1 The purpose of this policy is to briefly summarise the criteria for shareholding membership of the Association and committee of management membership as per the Association's rules - <https://www.pineview.org.uk/our-rules/>. The Pineview HA rules are based upon the SFHA Charitable Model Rules (Scotland) 2020, and were approved by our shareholders in September 2021.
- 1.2 This Policy is solely a supplement to the Rules. The Rules are binding and supersede anything contained within this Policy.
- 1.3 The Pineview Committee Recruitment Policy sits alongside this policy and is available on the Pineview website - <https://www.pineview.org.uk/committee-membership/>

2. SHAREHOLDING MEMBERSHIP

- 2.1 The Association is a charitable Housing Association and membership is therefore open to people with an interest in the Association whether or not they are tenants.
- 2.2 Subject to the provisions of Rule 7.1 the following shall be eligible to become members:
 - Tenants of the Association
 - Service users of the Association
 - Other persons who support the objects of the Association
 - Organisations sympathetic to the objects of the Association
- 2.3 Applicants for membership must be 16 years or over.
- 2.4 No member shall hold more than one share and a maximum of two people per household may become shareholders.
- 2.5 Applications for Membership will not generally be refused where applicants meet the eligibility criteria. If membership is refused, the applicant will be notified in writing outlining full reasons for refusal and advising of the right of appeal to the Committee of Management.
- 2.6 Those seeking membership will require to complete a Membership Application Form - <https://www.pineview.org.uk/share-membership/> and return this with the sum of £1 to the Association's registered office.
- 2.7 Whilst the Association will encourage membership, the Committee of Management has absolute discretion in deciding on membership applications and our Rules (Section 7.2) detail the grounds for refusal.
- 2.8 Section 11 of our Rules details the circumstance for ending membership.

3. THE COMMITTEE OF MANAGEMENT

- 3.1 The Association shall have a Committee of Management consisting of not less than seven and not more than 15 members.

- 3.2 A person must be aged 16 or over and a Member to become a Committee Member (including any person appointed to fill a casual vacancy) other than a person appointed as a co-optee or appointed by The Scottish Housing Regulator who must be aged 16 or over but need not be a Member.
- 3.3 An employee of the Association, or a Close Relative of an employee, may not be a Committee Member.
- 3.4 No Committee Member may take office until they have agreed to and signed the Association's code of conduct for Committee Members.
- 3.5 The Committee shall assess annually the skills, knowledge, diversity and objectivity that it needs for its decision making and what is contributed by the Committee Members by way of annual performance reviews. The Committee must satisfy itself that any Committee Member seeking re-election to the Committee after service as a Committee Member for a continuous period in excess of 9 years can demonstrate their continued effectiveness as a Committee Member.
- 3.6 Elections for the Committee of Management will be available annually when one-third of Committee Members will require to stand down. Anybody appointed as a co-optee under Rule 42.1 or to fill a casual vacancy under Rule 41 and who retires for that reason, shall not count towards the one third provision. The retiring Committee Members should be selected in accordance with Rule 39.2
- 3.7 Nominations for the Committee of Management shall be made in writing on the Nomination Form as issued with the annual general meeting information. This form must be completed and delivered back to the Pineview's office not later than 21 days before the date of the AGM.
- 3.8 In terms of family relationships on Committee, the Association will normally allow no more than one person per household to join the Committee and will normally allow no more than two members of the same family but living in separate households to join the Committee. This is to prevent undue influence being exercised by one family in an area.
- 3.9 Sections 43 and 44 of our Rules details who is not eligible to be a Committee Member and details circumstances in which a Committee Member will cease to be a Committee Member.
- 3.10 The Committee Recruitment Policy sits alongside this policy and gives more operational detail regarding the process, particularly for those seeking to become committee of management members outwith the AGM - <https://www.pineview.org.uk/committee-membership/>

4. CASUAL VACANCIES ON THE COMMITTEE OF MANAGEMENT

- 4.1 If an elected Committee Member leaves the Committee between the annual general meetings, this creates a casual vacancy and the Committee can appoint a Member to take their place on the Committee until the next annual general meeting.
- 4.2 If an existing co-optee member of the Committee of Management wishes to fill the casual vacancy, this will be discussed and decided by the elected members of the Committee of Management. If any other members wish to fill a casual vacancy they will be requested to complete an application form in line with the Committee Recruitment Policy - <https://www.pineview.org.uk/committee-membership/>. The application will be considered by the Committee of Management and if acceptable will be proposed and seconded by existing committee members.
- 4.3. Members filling casual vacancies must stand down at the next AGM and seek re-election if they wish to continue on the Committee of Management.

5. CO-OPTIONS TO THE COMMITTEE OF MANAGEMENT

- 5.1 The Association may co-opt people, who may be members of the Association or not, onto the Committee of Management from time to time and they may be co-opted for any period up until the next AGM. The Committee of Management will consider co-options if any requests are made or there are particular issues where a professional input would be beneficial.
- 5.2 Co-opted persons can take part and vote on any item of Committee business except membership or election of officers. Co-optees may not stand for election, nor be elected as one of the Association's office bearers. To be considered to stand for election any co-optee member would first have to be approved as a shareholding member.
- 5.2 Co-optees shall not form more than one-third of the Committee at any one time and their presence shall not count towards a quorum. Section 42 of the Pineview Rules provides further detail.
- 5.3 If someone is interested in being a co-optee they will be requested to complete an application form in line with the Committee Recruitment Policy - <https://www.pineview.org.uk/committee-membership/>

6. PROCEDURES

- 6.1 When applications for membership are received, a member of staff will take the application and the £1 membership fee and issue the applicant with a receipt.
- 6.2 Details of the applications and the £1 membership fee will then be passed to the Finance & Corporate Services Team who will make up the Share Certificate and pass the application and certificate to the SFCSO who will take them to the next available Committee of Management Meeting for consideration and decision. If approved, membership will take effect immediately.
- 6.3 Once the applications have been approved, they will be passed to the Finance & Corporate Services Team to enter into the Membership Register and to issue the Share Certificate and a copy of the Rule Book to the new member.
- 6.4 At the end of each quarter, as a minimum, the Finance & Corporate Services Team will carry out a reconciliation with the Finance Manager/Agent of the membership fees paid and banked, and the memberships registered.

7. REVIEW

- 7.1 This policy will be reviewed at least every three years to ensure that it continues to meet the requirements of the Association.