



## Drumchapel Housing Co-operative Limited

### Membership Policy

**Purpose:** To clarify the policy and procedure relating to prospective members and current members of Drumchapel Housing Co-operative

**Date:** September 2014

**Scheduled Review Date:** August 2016

**Actual Review Date:** June 2017

## 1. Introduction

- 1.1 The Co-operative is a fully mutual co-operative society and, as such, the following will apply:
- a) Anyone who has applied for housing with the Co-operative apply for prospective membership
  - b) Anyone who is a tenant or joint tenant of the Co-operative must be full share members of the Co-operative
- 1.2 Tenancies granted to agencies and those covered under the Co-operative and Community Benefit Societies Act 2014, Item 36 (1) and (2) are exempt from the payment of the £1 share. The Share Register Administration Process still applies.
- 1.3 Prospective members may become prospective tenants and approval of their application for membership must be given by the Management Committee at a full Management Committee Meeting prior to the granting of a tenancy.

## 2. Policy objectives

- 2.1 The Co-operative recognises the following as the membership policy objectives:
- Compliance with the Co-operative's status as fully mutual – ie a tenant must be a member and each member must be a tenant
  - Compliance with regulatory guidance and standards as laid down by the Scottish Housing Regulator (SHR) and the Office of the Scottish Charity Regulator (OSCR).
  - The allocation of a scarce housing resource is based on housing need and properties are let in accordance with the law and our own policy requirements.
  - That prospective members have a clear understanding of the Co-operative ethos and values of tenant participation.
  - That applicants have recourse to a clear and effective appeals procedure in the event that their application for membership of the Co-operative is refused.
  - To provide equality of opportunity to access to the Co-operative's services.

## 3. Equal opportunities

- 3.1 No person or group of persons applying for membership will be treated less favourably because of age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion and belief, sex and sexual orientation, all of which are protected characteristics as per the Equality Act 2010. The Co-operative will promote equality of opportunity in the provision of housing services.

## **4. Who may become a member of Drumchapel Housing Co-operative?**

- 4.1 Any person from age of 16 years can be admitted to membership.
- 4.2 The Board may, with their absolute discretion, admit or refuse to admit to membership of the Co-operative, any person otherwise eligible to become a member. We would anticipate this happening only in exceptional circumstances and, where it did occur, a full written explanation would be provided. Examples are provided in section 6 below.
- 4.3 Every tenant shall take up and hold, either solely or jointly, one share only within Drumchapel Housing Co-operative Limited.
- 4.4 Those living in the Co-operative's properties under the terms of a management or occupancy agreement (for example, by the Scottish Association for Mental Health or Glasgow City Council Temporary Accommodation Development Service) are exempt from the share membership process of standard tenancies as per the Co-operative and Community Benefit Societies Act 2014 - Payments in Respect of Persons Lacking Capacity (Item 36 (1) and (2) and Co-operative's Rules.

## **5. Promotion of the Co-operative ethos**

- 5.1 Within the membership process, the Board expects the staff of the Co-operative to positively promote (i) the Co-operative ethos and (ii) the opportunities for member participation on their behalf.
- 5.2 When approving admission to the membership of the Co-operative, the Board aims to ensure that through their staff, the prospective member has been encouraged to gain a clear understanding of the Co-operative ethos.
- 5.3 The following areas will be explained to prospective members at key times in the process:
  - When a prospective member requests a housing application form, an information leaflet will be attached to promote understanding of the Co-operative before actually applying for a house.
  - At the point when the Housing Officers carries out a home visit.
  - At the signing of the Scottish Secure Tenancy Agreement.
  - At the settling-in visit to the new tenant, approximately 4-6 weeks after commencement of the tenancy.

## **6. Rejecting an application for membership**

- 6.1 An applicant for housing/prospective member may not be granted a tenancy and,

therefore, the Co-operative will have to reject their application for membership if:

- Arrears equating to more than one month's rent or more from their current tenancy and there is no repayment agreement in place and being maintained for at least three months prior to the tenancy offer.
- The applicant or any of the persons to be re-housed:
  - have been convicted of using their current property for illegal purposes which did, or were likely to, endanger or cause nuisance or harassment to neighbours, for example, fire raising, drug dealing, prostitution
  - are responsible for causing nuisance or harassment in the vicinity of the property
  - been the perpetrator racial or homophobic harassment
  - allowed other household members or visitors to cause nuisance and harassment in the vicinity of the property
  - been abusive or violent towards the Co-operative's employees
  - caused extensive damage to the property (tenant only)
  - abandoned the property (tenant only)
  - had an unsatisfactory tenancy in writing from the current or previous landlord with evidence that the claims have been confirmed by Police reports or issue of an Anti Social Behaviour Order or by official documentation

6.2 The Co-operative recognises that hearsay, rumour or unconfirmed reports will not be considered as proving a prospective member has an unsatisfactory tenancy history; the test normally applied will be whether there has been a criminal conviction or finding against the applicant (or member of the household) in the civil courts.

6.3 Any decision to reject an application for membership or, in some cases, prospective membership will be communicated to the applicant in writing.

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## 8. **DECLARATION OF INTEREST**

8.1 Where a prospective member is related to a Committee Member, then:

- a) that information will be on the application form for housing which shall be notified to the Executive Director;
- b) the Executive Director will advise the Committee Member to declare an interest at the appropriate meeting;
- c) the Committee Member will take no part in the approval of the person as a prospective member;
- d) the declaration of interest should be recorded in the Annual Register of

## Interests

- 8.2 Where a tenancy is subsequently granted, resulting in a tenancy, this shall be:
- a) advised to the Executive Director who shall advise the Committee Member;
  - b) reported to the appropriate Management Committee;
  - c) entered in the Annual Register of Interests
- 8.3 The definition of a relative is the definition of a relative is mothers, fathers, adopters, guardians and civil partners, grandparents, parents-in-law, sons, daughters, uncles, aunts, brothers, sisters, brother and sister-in-law, sons and daughter-in-law, step-relatives and half blood relatives are also included in this definition. Adoptive relationships and relationships which would have existed but for adoption ie. the employee's natural relatives.

## 9. SHARE MEMBERSHIP APPLICATIONS

### 9.1 Membership

Applicants accepted onto the waiting list should become prospective members and tenants.

In the event of a joint membership, both members must be detailed on the Share Certificate Application Form but only the person named in Part 1 shall obtain voting rights. The person first named in the Share Application Form must also be the person first named in the Application for Housing and subsequent Tenancy Agreement.

A report detailing all prospective members will be prepared and presented to the next Management Committee following administration of the application. The Committee Approval Date within the housing software system is the date that the membership application is approved.

### 9.2 Applications for Membership

Applicants must complete a Share Application Form (Appendix 1) prior to any offer of housing.

This should be completed by the prospective member at the time of completing the housing application form.

The £1.00 membership is not paid until an offer of housing is made and accepted by

the prospective tenant, with the exception of exemptions as noted at Item 5.4.

### 9.3 **The Role of the Housing Officers**

Once the prospective member has signed the tenancy agreement and paid their £1.00 membership, the new share application details on the Share Register database held in the SDM Housing Management Software system. The application date is the effective date on the Housing Application Summary Sheet, not the date the prospective member signed this.

The Housing Officer should pass completed Share Applications of new tenants to the Corporate Service Officer as the new members are signed up, and will notify the Team Leader of exceptions to the application approval.

The Housing Officer should pass the £1.00 Share Capital to the Finance Section when received on a "Share Capital Form (Appendix 2).

### 9.4 **Role of the Finance Section**

The Finance Section shall deposit the Share Capital into the Bank Account of Drumchapel Housing Co-operative Limited and record it as such.

### 9.5 **Role of Management Committee**

Management Committee Members will approve the use of the office bearers' signature stamps at a Management Committee Meeting prior to share certificates being issued to new tenants.

## 10. **CURRENT AND NEW MEMBERS SHARE REGISTER**

10.1 All current Share Members will be registered in SDM Housing file marked "**Share Register**". Within the SDM database, each property owned by Drumchapel Housing Co-operative Limited has been given a Share Number. The Corporate Services Officer will enter the following information in the database:

1. The Date of Membership Application
2. The Date the Membership Fee is paid

Administration of the Share Register:

1. Share application forms of all current tenants with proof of Share Certificate attached will be held on file.

2. Any new member's application form shall be inserted into the appropriate position in the file which will be kept in share number order.
3. For auditing purposes, monthly reports will be run at the start of each new monthly period which will detail the number of new shares, the forfeited shares, and any share transfers which have occurred.
4. An annual report will be run which details all current members registered, and will also detail all the forfeited shares in the financial year.
5. The reports will be held within the current share register for validation.
6. The Co-operative's Auditor will have access to all such records.

## 11. FORFEITED SHARES

- 11.1 Any members who end a tenancy in the following ways shall forfeit their one pound share capital:
- end of tenancy
  - expiry of an abandoned house notice and tenancy ended
  - succession to tenancy
- 11.2 In the event of a person succeeding a tenancy, he or she must apply to become a member of Drumchapel Housing Co-operative Limited by applying for membership and a new share certificate issued but is not required to pay £1 which is transferred from former tenant.
- 11.3 In the event of a non voting joint member surviving the tenancy, he or she will be required to become a voting member of Drumchapel Housing Co-operative by purchasing a one pound share and applying for membership and a new share certificate issued.
- 11.4 A monthly report of the forfeited shares will be produced and a copy of which will be held by the Corporate Service Officer.
- 11.5 Once the member forfeits their share, their share application form is removed from the current register and placed in a register for forfeited shares, which will be held in date order and split between Share Transfers and Forfeitures for ease of retrieving information.
- 11.6 The monthly forfeited shares report will be held with the forfeited shares to validate the register of forfeited shares.

## **12. ENDING YOUR MEMBERSHIP**

- 12.1 If a member of the Co-operative is ended in accordance with Rule 10.1, Items 10.1.1. to 10.1.6 of Drumchapel Housing Co-operative Limited's Rules, that person shall cease to be a member at the expiration of 28 days from the date which the resolution to expel him or her was carried.

## **13. MUTUAL EXCHANGES**

- 13.1 When a mutual exchange takes place between existing Co-operative members, neither member will be able to buy another one-pound sterling share. The share register database should be amended in line with the procedure for Start and End of Tenancies and Maintenance of the Share Register (see Appendix 3).
- 13.2 Where a mutual exchange is approved which involves a tenant outwith the Co-operative area, the Co-operative member, at the end of tenancy, foregoes the share capital which becomes the property of Drumchapel Housing Co-operative. The incoming tenant must apply as a new prospective member of Drumchapel Housing Co-operative.

## **14. INTERNAL TRANSFERS**

- 14.1 Where an existing Co-operative member transfers to another property within the Co-operative, he or she will not be required to purchase another one pound share. The Housing Officer should amend the share register database as detailed in the Start and End of Tenancies and Maintenance of the Share Register.

## **15. THE ROLE, DUTY AND AUTHORITY OF THE SECRETARY**

### **15.1 The Role and Duties**

The Role, Duty and Authority of the Secretary are as indicated in Appendix 4.

- 15.2 The Administration of the Shares and Share Register are as defined in the Co-operative Rules at Appendix 5.

## 16. **MONITORING AND REVIEW**

- 16.1 All membership applications will be presented for approval by the Management Committee. The Housing and Technical Manager will be responsible for the effectiveness of the Membership Policy and will ensure that at least a quarterly audit is carried out on a sample of new tenant members' files to ensure that an effective paper trail has been established for the membership process.
- 16.2 The effectiveness of this policy will be monitored on an ongoing basis and will be reviewed as appropriate, or according to statute and no later than 5 years from the date of implementation.

Lack of review will not cause the policy to lapse.