



## Tenant Services Management Board

You are requested to attend a meeting of the Tenant Services Management Board to be held in Parmin Close Meeting Hall on 10 June 2010 at 18:00.

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### Agenda

- 1 Appointment of Chairman  
Reporting Officer: Donna Durham
- 2 Appointment of Vice-Chairman
- 3 Apologies.
- 4 Minutes of the meeting of the Tenant Services Management Board held on 29 April 2010 (attached).
- 5 Public Question Time.
- 6 Declaration of Interests  
To receive declarations of personal or prejudicial interests, in accordance with the Code of Conduct.
- 7 Introduction to Local Authority Housing Finance - presentation by Robin Tebbutt, HQN (attached)
- 8 Housing Revenue Account - presentation by Robin Tebbutt, HQN
- 9 Terms of Reference (attached)
- 10 Code of Conduct (attached)
- 11 Forward Plan (attached)

Tonya Meers  
Legal and Democratic Services Manager

25 October 2010

Members of the public are welcome to attend the meeting and listen to the discussions.

There is time set aside at the beginning of most meetings to allow the public to ask questions.

Speaking under “Public Question Time” is limited to 4 minutes per person in an overall period of 15 minutes. The Committee Administrator will keep a close watch on the time and the Chairman will be responsible for ensuring the time permitted does not overrun. The speaker will be allowed to address the Committee once only and will not be allowed to participate further in any debate.

If a member of the public wishes to address the Committee on any matter appearing on the agenda, the Chairman will normally permit this to occur when that item is reached and before the Councillors begin to debate the item.

This is more usual at meetings of the Council’s Planning Committee and details of the “rules” which apply at these meetings can be found in the leaflet “Having Your Say on Planning Applications”. A copy can be obtained free of charge from the Planning Reception Desk at The Deane House or by contacting the telephone number or e-mail address below.

If an item on the agenda is contentious, with a large number of people attending the meeting, a representative should be nominated to present the views of a group.

These arrangements do not apply to exempt (confidential) items on the agenda where any members of the press or public present will be asked to leave the Committee Room.

Full Council, Executive, Committees and Task and Finish Review agendas, reports and minutes are available on our website: [www.tauntondeane.gov.uk](http://www.tauntondeane.gov.uk)



Lift access to the John Meikle Room and the other Committee Rooms on the first floor of The Deane House, is available from the main ground floor entrance. Toilet facilities, with wheelchair access, are also available off the landing directly outside the Committee Rooms.



An induction loop operates to enhance sound for anyone wearing a hearing aid or using a transmitter.

**For further information about the meeting, please contact Democratic Services on 01823 356382 or email [d.durham@tauntondeane.gov.uk](mailto:d.durham@tauntondeane.gov.uk)**

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**Tenant Services Management Board Members:-**

Councillor R Bowrah, BEM

Councillor S Brooks

**Minutes of the meeting of the Tenant Services Management Board held on Thursday 29 April 2010 at 6pm, in Committee Room 1, the Deane House, Belvedere Road, Taunton**

Present: Mr Baker, Councillor Brooks, Mrs Drage, Mr Edwards, Mr Etherington, Mr Galpin, Mrs Hegarty, Mr Hellier, Mr Pearson, Mrs Vanstone and Mr Watkin

Officers: James Barrah (Community Services Manager), Stephen Boland (Housing Services Lead), Donna Durham (Democratic Support Manager), Helen Mockridge (Administrative Officer) and Martin Price (Acting Tenant Empowerment Manager)

Others: Councillors Morrell and Stuart-Thorn

### **1. Introductions**

The Acting Tenant Empowerment Manager, asked members of the Board and officers to introduce themselves.

### **2. Apology**

The Conservative Group had not selected a representative for the Board, but this would be done in time for the next meeting.

### **3. Role of Board Member**

The Acting Tenant Empowerment Manager gave a presentation on the role of Board which was:

- (1) To represent the tenants of Taunton Deane Borough Council to raise the standards of the Housing Service; and
- (2) To work with officers of the Council to agree acceptable and realistic standards of service in Taunton Deane.

Details of the Boards key responsibilities were submitted, which included consideration of the Housing Service budget and reviewing and revising policies and procedures on the operation of the Housing Service.

The Board would not discuss individual or estate specific complaints or issues, unless they illustrated a matter of principle which applied to Borough. The Board would not deal with neighbour or inter-personal disputes, nor be involved with operational matters or matters of detailed service delivery.

The responsibilities of a Board Member were as follows:

- To act in the best interests of all Taunton Deane Borough Council tenants;

- To contribute fully to meetings by preparing for meetings in advance, reading all the relevant papers and attending training sessions and other events;
- To participate in decision making and abide by the decisions made by the Board, even if it was not the individual's personal point of view;
- To respect the confidentiality of information;
- To work as part of team;
- To have a willingness to ask questions in order to fully understand the topic before making a decision;
- To have the ability to look at the bigger picture, the service as a whole, when making a decision; and
- To have the confidence to express views as part of a group discussion.

Monthly meetings would be held and dates and times would be agreed by the Board on a six monthly basis. An Annual General Meeting would be held in April each year, or within fifteen months of the previous Annual General Meeting.

Training would be offered to all Board Members to ensure they had the skills and knowledge they needed to make effective decisions.

Members would be appointed to the Board for two years, with an eligibility of reappointment after two years. If a Board Member's circumstances changed and they did not fit into the eligibility criteria, their membership would cease.

#### **4. Terms of Reference**

The Terms of Reference were distributed to the Board. Board Members were asked to review them and they would be considered at the next meeting.

#### **5. Code of Conduct**

The Code of Conduct was circulated to the Board for their consideration. The Code of Conduct would be formally adopted at the next meeting of the Board, incorporating any changes that had been agreed.

#### **6. Appointment of Chairman**

The Board felt it would be beneficial to appoint the Chairman and Vice-Chairman at the next meeting but it was necessary to appoint a Chairman for the duration of the meeting.

**Resolved** that Mr Etherington be elected as Chairman for the duration of the meeting.

## **8. Public Question Time**

Mrs Edwards asked if all Members of the Board would be expected to attend training. The Chairman explained that training would be provided as necessary.

Councillor Morrell enquired about the relationship between the Board and the Tenants' Forum. The Chairman replied that the Board would consider more general issues, rather than specific ones that the Tenants' Forum discussed.

Councillor Morrell was concerned that the Terms of Reference appeared to discriminate against Members who were not part of the leading groups. The Chairman explained that it would be for the Board to consider this when the Terms of Reference were agreed at the next meeting.

Councillor Morrell felt that substitutes for the Councillor representatives should be allowed as many Councillors had a lot of knowledge and experience and could contribute to the Board.

## **9. Declaration of Interests**

The Acting Tenant Empowerment Manager explained the purpose of the Declaration of Interests.

Councillor Brooks suggested that training on personal and prejudicial interests

should be arranged for the Board at a later date, but in the meantime asked if

details could be sent to Board Members. The Democratic Support Manager agreed to discuss the requirements with the Monitoring Officer and would report back to the Board.

## **10. Introduction to Service Standards**

Service Standards would be brought to future meetings of the Board.

## **11. Lettable Standard**

Considered report previously circulated, concerning the introduction of a Lettable Standard.

The Rent, Recovery and Void Team was created in 2005 and consisted of three full time officers, two full time assistants and one Debt and Benefit Advisor. The team were responsible for ensuring that vacant housing stock was brought back to a Lettable Standard for incoming tenants.

A Standard had been produced after carrying out research for examples of best practice. The Standard could currently be met within existing resources, but this would be reviewed on a quarterly basis.

Tenants would be able to access the Standard on the website and copies, in leaflet form, would be sent to new tenants. Leaflets would also be available in the Reception in The Deane House and at housing surgeries.

Receiving feedback on the new Standard would help to improve services and in addition, spot checks would be carried out on two properties per week to ensure that standards were maintained.

Leaflets would be produced within 8 weeks, along with a satisfaction questionnaire and a spreadsheet. Spot checks on properties would be carried out within 12 weeks.

A report detailing the progress would be brought back to the Board after 9 months and a budget report would be completed after a years budget spend.

The Board felt that tenants should be responsible and if they failed to uphold their tenancy agreement, enforcement action should be taken.

The Board asked if the implementation of the Lettable Standard would delay the re-letting of properties, but the Housing Services Lead explained that it was not expected to impact on the turnaround time.

Members of the Board were concerned that some properties were 'boarded up' for long periods of time. The Housing Services Lead explained the many reasons for this, which included making the property secure if the tenant had vacated. If the Council wanted to end the tenancy, it had to be done through Court, which took time.



The Board asked about the Decent Homes Standard that had been introduced by the Government. The Council met the minimum Standard, but tenants could agree locally to provide services beyond the Decent Homes Standard. The Board were concerned that the Council's standard did not always meet with the tenants expectations. The Housing Services Lead explained that post tenancy visits would ensure that tenants' views were shared with the Board and decisions could be made about improving the standards if necessary.

The Board were concerned that there was no mention of responsibilities for boundaries in the Lettable Standard leaflet and that it should be included.

Resolved that the Lettable Standard be implemented.

## **12. Tenant Services Management Board Forward Plan**

Submitted for information the proposed Forward Programme of the Tenant Services Management Board.

Resolved that the Forward Plan be noted and the following items be added:

Negative Subsidy;

Code of Conduct;

Terms of Reference;  
Election of Chairman and Vice-Chairman;

The Core Council Review's effect on the Housing Team;

Housing Client Review;

DLO Review;

Landlord Standards and Local Standards;

Training;

Choice Based Lettings – review of the scheme;

Regeneration;

Council House Waiting List;

Fuel Poverty; and

Provision of accommodation for the disabled.

## **13. Dates, times and venues of future meetings**

It was agreed that meetings would start at 6pm and would be held on the following dates:

10 June 2010 – Parmin Close Meeting Hall

1 July 2010 – The John Meikle Room, The Deane House

5 August 2010 – The John Meikle Room, The Deane House

(The meeting ended at 8.50pm)

## **Declaration of Interests**

### **Tenant Services Management Board**

Taunton Deane Borough Council Housing Tenants - Mr Baker,  
Councillor Brooks, Mrs Drage, Mr Edwards, Mr Etherington, Mr Galpin,  
Mrs Hegarty, Mr Hellier, Mr Pearson, Mrs Vanstone, Mr Watkin

# A Brief Introduction to Local Authority Housing Finance

**This introduction to housing finance is in addition to the briefing that will be presented to the Tenant Services Management Board on 10 June 2010**

## Summary

This introduction to housing finance explains how local authorities with housing stock account for their spending and income. It outlines how a separate account for the housing stock has to be maintained; the Housing Revenue Account.

This Introduction also explains the accounting differences between revenue and capital.

## Introduction

Local Authorities have to account for their spending and income in a way that satisfies government regulations. Local authorities include most day-to-day spending and income within an account called the General Fund. The General Fund includes spending and income from a range of services including refuse collection, leisure facilities and community development work. There are also housing-related elements included within the General Fund, such as homelessness.

Those authorities with a council-owned housing stock have a duty to maintain an additional account called the **Housing Revenue Account (HRA)**. The HRA specifically accounts for spending and income relating to the management and maintenance of the council-owned housing stock. By law it must be kept separate from other council accounts. It is therefore termed a “ring-fenced” account (Local Government and Housing Act 1989).

Additionally, local authorities have to differentiate between spending on day-to-day items and other items. Day-to-day spending, such as on salaries, and day-to-day income such as from rents, is called **revenue**.

On the other hand spending to maintain, improve or add to the property and assets held by the council is called **capital**. Capital expenditure generally involves large sums of money.

## **The Housing Revenue Account (HRA)**

The HRA is a “ring-fenced” account held by local authorities. It contains all the spending and income related to the dwellings owned by the council, acting as landlord. Local authority housing consists mainly of:

- General Needs housing – houses, flats, bungalows,
- Sheltered Accommodation – usually schemes for elderly or vulnerable people, sometimes with communal facilities

In addition to the housing stock outlined above, the HRA may also account for spending and income relating to other facilities such as garages.

Each authority will have varying levels and types of housing and additional facilities, and so the HRA for any particular local authority will be unique to their individual circumstances. However, the format of the HRA is laid down by the government. It must contain spending and income items relating to the landlord function. The HRA is split between income and spending. The items under these headings are shown below:

### **Income**

#### **Rental Income**

The main source of income for the HRA is rental income; the rents paid to the local authority by tenants. Local authority rents are now decided by a formula set by the government which sets a target for rents. The government’s aim is to ensure that similar properties in the same area will have a similar rent no matter if the dwelling is owned by a local authority or a housing association. The calculation is based on:

- Capital values (30%)
- Regional income factor and size of dwelling (number of bedrooms) (70%).

The HRA accounts for the expected rental income due in the year, but there is provision for bad debts (i.e. rent not received in the year due to nonpayment). There is an adjustment to reflect empty properties which, for any period of time, do not provide rent.

#### **Charges for Services and Facilities**

The HRA will also receive income called Service Charges. This is money received for services and facilities provided that are not already covered by the rent. Examples of such charges are cleaning communal areas in sheltered schemes, and specific grounds maintenance work.

## **Housing Subsidy Grant/Payment**

Housing subsidy is calculated by the government based on estimated income and spending for each local authority's HRA. The calculation involves a number of assumptions. Where the government's subsidy estimates show that expenditure for a local authority is greater than its income, then subsidy will be paid to the local authority. However, where the government's subsidy estimates show that income is greater than expenditure, then the local authority will have to make a payment to the government. This calculation changes annually.

The assumptions used in the calculation of the Government's estimates are:

- Guideline rents
- Major repairs allowance
- Management and maintenance allowances
- The HRA's share of the cost of previous local authority borrowing
- Other specific items of income and expenditure.

Most of the information needed by local authorities to calculate their subsidy entitlement is given by the government in the annual HRA Subsidy Determination. The subsidy claim completed by the local authorities has to be independently audited each year to ensure the claim is correct.

## **Spending**

### **Management costs**

A large proportion of the money local authorities spend is paid in salaries to its staff. As well as salaries there are a number of other management costs that the authority must account for, for example:

- Office accommodation costs
- Information technology
- Tenant participation
- Sheltered accommodation

Management costs can be categorised as either general management or special management.

General management will cover costs associated with the landlord services of the HRA, and so will include spending on policy initiatives, rent collection, and managing tenancies.

Special management covers the costs of services provided to tenants that are usually shared, such as spending on managing sheltered schemes, grounds maintenance and communal lighting.

### **Maintenance costs**

The HRA includes repair costs to the housing stock. These usually fall under these headings:

- Responsive work (day-to-day repairs)
- Voids (work on empty properties)
- Cyclical maintenance (rolling programmes of work).

These costs are defined as revenue expenditure and so will be held within the HRA. In addition to this revenue programme of maintenance there will also be a capital programme of expenditure. This will be funded with capital money separate from the HRA (see the “Capital Account” section below).

### **HRA Budgeting/HRA Balances**

Every local authority must set its own HRA budget (i.e. plan future years’ spending and income). A key requirement, set down in law, is that the budget-setting must avoid an end of year deficit. In other words, outgoings in the year must not exceed income, unless there is an HRA reserve to cover the deficit. The HRA must also ensure that there are sufficient balances held (i.e. surplus money available) in order to cope with unforeseen circumstances. The level of these balances will be at the local authority’s discretion but will be decided in consultation with their external auditors.

## **Capital Spending and Funding**

### **Definition of Capital Spending**

The Local Government and Housing Act states that capital expenditure involves buying, building, replacing or enhancing an asset. Enhancing an asset will:

- Increase the value of that asset, and/or
- Increase the life of the asset, and/or
- Increase substantially the use of the asset.

### **Examples of Capital Spending**

Housing capital expenditure is undertaken on both HRA and General Fund areas of responsibility. For example, providing work or grants for private dwellings will be a General Fund service.

The main capital spending for local authority housing departments is on the renovation and improvement of its housing stock. There is a government requirement for council housing to meet a required standard (Decent Homes). This is a key target for local authorities with housing stock.

Examples of capital spend are:

- Replacement windows
- New kitchens
- New bathrooms.

## **Sources of Capital Funding**

Local authorities must ensure that spending is allocated correctly between revenue and capital accounts. This is not only because of legal requirements, but also because the money comes from different sources (funding streams). As we have already seen, the costs within the HRA are mainly funded through the rental income from the housing stock. For HRA housing capital expenditure, the main funding areas are:

- Right-to-buy capital receipts – local authorities sell houses and flats through the right-to-buy scheme to tenants, and will receive money for these sales. This income is called capital receipts. Local authorities are allowed to use 25% of these receipts for capital spend.
  
- Other capital receipts - There may be land and other HRA properties sold (e.g. garages). In these instances, 50% of the receipts may be used for capital expenditure.
  
- Prudential Borrowing – The Local Government Act 2003 enabled local authorities to borrow money to use for capital spend without requiring Government consent (previous law had restricted the ability of local authorities to borrow). However, local authorities must show that they have future resources available to pay the interest on the loan.
  
- Major Repairs Allowance – this is money provided through the revenue subsidy system to enable authorities to maintain the HRA properties in their current condition.
  
- Revenue Contribution to Capital (RCCO) – If there is surplus money within the HRA, then the local authority may wish to transfer money to fund capital spending.
  
- Government grants - mainly for such items as providing disabled facilities.

## **Budgeting for Capital Spending**

When producing their capital plans local authorities will take the following steps:

- Identify housing capital spending requirements
- Decide which capital spending requirements are the most important
- Identify available capital resources
- Draw up a capital spending programme that meets the most important priorities within the available resources.



# TENANTS SERVICES MANAGEMENT BOARD

## TERMS OF REFERENCE

### **1. Introduction**

- 1.1 The Tenant Services Management Board (TSMB) is charged with the responsibility for ensuring the best possible standards of housing service delivery to all council tenants. It will assess the housing service of Taunton Deane Borough Council (TDBC) and say where and how it can be improved.

### **2. Aims and Objectives of the Board**

- 2.1 To be consulted on and advise Housing Services on changes to policies, procedures and practices, significant service changes and initiatives.
- 2.2 To review the Business and Action Plans of the Housing Service.
- 2.3 To annually review the draft Capital and Revenue Budgets of the Housing Service.
- 2.4 To create a partnership between Taunton Deane tenants, TDBC Councillors and staff to secure effective tenant empowerment and improve communication between TDBC and its tenants. To work in partnership with TDBC to improve accountability to tenants.
- 2.5 To represent the interests of all tenants of TDBC at strategic and policy level, monitoring and reviewing strategic decisions.
- 2.6 To influence the development, formulation and monitoring of policy.
- 2.7 To review the value for money of Council housing services to ensure the best use of resources.
- 2.8 To review and promote tenant participation in housing management.
- 2.9 To review, scrutinise and monitor service performance of the Housing Service in relation to its policy objectives, performance targets, identified standards and budgets and identifying any shortfalls in achievement.
- 2.10 To work with officers of the Council to agree acceptable and realistic service standards in the borough.
- 2.11 To make appropriate recommendations to the relevant Scrutiny Committees, Executive or Full Council on matters relating to Housing Services.

- 2.12 To agree the development of an annual service improvement plan with Housing Services, to monitor performance against agreed targets on a regular basis and to propose remedial action if performance on services falls short.
- 2.13 To promote, encourage and support new membership to the TSMB, and sustain the involvement of existing members.
- 2.14 To promote awareness of the board and its work to the tenants in the Borough.
- 2.15 To receive presentations from individuals or organisations within or outside of the Council structure to achieve better understanding of any issues that TSMB so requires.
- 2.16 To monitor customer feedback and the performance of comparable organisations.
- 2.17 The TSMB will not be involved with day-to-day operational matters or matters of detailed service delivery.
- 2.18 The TSMB is non-party political.

### **3. Equal Opportunities**

- 3.1 No member will discriminate on any grounds against any other member of the group or public. Discriminatory language will not be used in discussions.
- 3.2 All those who attend board meetings have the right to be treated with dignity and respect, regardless of their colour, race, ethnic or national origins, nationality, gender, marital status, age, sexuality, religion or any other matter.

### **4. Membership**

- 4.1 The board shall consist of a maximum of twelve voting members, ten of which shall be TDBC tenants and two Councillors.
- 4.2 The period of appointment will be two years, with an eligibility of reappointment after two years.
- 4.3 This structure shall be reviewed every two years and will also take into account the need for all sections of the community to be represented, in order to ensure membership of the board is representative of tenants as a whole.
- 4.4 The two main Party groups (reflecting the political composition of the Council) shall nominate one member each to serve on the board.
- 4.5 Any Councillor except a member of the Executive may be the Councillor member of the TSMB.

- 4.6 No substitutes are allowed, but a Councillor can attend the board as an observer to brief a Councillor member who is not present at the meeting.
- 4.7 Any Councillor sitting on the TSMB should not consider him or herself restrained by any political group whip on any matter the board will examine.
- 4.8 If there are equal number of candidates for available board positions and the candidates meet the eligibility criteria they may be deemed as elected unopposed and no election is necessary.
- 4.9 At every annual general meeting, at least one third of the board shall retire from office. The board members to retire shall be those who have been longest in office. Retiring board members and others shall be eligible for election and if this number does not exceed the number of vacancies, the board members and nominated members shall be declared to have been elected.
- 4.10 Tenants shall be given the opportunity to stand for election onto the board every two years. Ballot papers will be sent to all tenants named on tenancy agreements at the date of the start of the ballot.
- 4.11 However, tenants are not eligible to be elected or serve as a tenant representative on the Board if:
- • they are not a tenant or partner or spouse of at least five year's standing of a tenant living at the same household
  - • they are under 18 years old
  - • they are in serious breach of their obligations as a tenant
  - • they become incapable due to a mental disorder
  - • they do not have a good rent payment and tenancy history
  - • they are a Councillor of TDBC
  - • they are a member of staff in TDBC's Housing service
  - • One of their family members or household is a current member of the board
- 4.12 If elected and a board member's circumstances subsequently change that they then fit into any of above categories they must declare this to the Chairperson of the board and membership will cease.
- 4.13 Membership shall also cease if he or she:
- Resigns by written notice to the Chairperson or Tenant Empowerment Manager.
  - Misses three consecutive meetings (without reasonable excuse) when they will be deemed to have resigned. The member will be contacted by the Tenant Empowerment Manager to enquire about their absences.
  - Brings the board into disrepute.

- 4.14 If a member resigns or relinquishes their position the resulting vacancy will be filled as follows:
- A previously unsuccessful candidate who received the most votes will be asked to fill the vacancy.
- If the candidate is unavailable or unwilling to be co-opted, other candidates will be considered in the order of the number of votes received.
- 4.15 Should the above provision fail to find a representative, the board members with the Tenant Empowerment Manager will agree on a representative to be co-opted until the next ballot.
- 4.16 All members are volunteers. No payment will be received for any work done by them on behalf of the board. However when attending training or meetings of the board, members may claim travel, childcare or other carers expenses.
- 4.17 The names of all board members shall be published annually in the “Deane Housing News” or ‘Tenants Talk’ newsletters.
- 4.18 No substitute members shall be permitted.
- 4.19 All members must participate in training programmes and seminars aimed at enhancing board members’ roles.

## **5. Chairperson and Vice-Chairperson Posts**

- 5.1 The board shall have a Chairperson and Vice-Chairperson elected by the TSMB.
- 5.2 Only voting tenant members of the board shall be eligible for nomination as Chairperson and Vice-Chairperson.
- 5.3 The posts will be subject to elections at each Annual General Meeting. Should any post(s) fall vacant before an Annual General Meeting an election will be held at an ordinary board meeting.

## **6. Duties of the Chairperson**

- 6.1 The Chairperson should guide the TSMB to achieve its aims as set out in the Terms of Reference.
- 6.2 The Chairperson shall approve (in conjunction with the Tenant Empowerment Manager) Agendas and papers for the meetings.
- 6.3 The Chairperson shall chair the meetings of the TSMB, ensuring that each item on the agenda is discussed, that all members have the opportunity and are encouraged to contribute to discussions and that decisions are made and recorded.

- 6.4 The Chairperson shall allow issues to be properly debated which are on the agenda, but should seek the agreement of the meeting for lengthy discussion on items that have not been published on the agenda, for example, a matter arising from a minute. The Chairperson has the right to cut short contributions which unnecessarily prolong debate or because the meeting will not have enough time for other items on the agenda.
- 6.5 The Chairperson shall summarise discussions prior to the board voting on any issue in order to clarify motions and to provide clarification for the minute taker.
- 6.6 The Chairperson shall inform members, at each board and general meeting of actions taken outside of meeting.
- 6.7 If the Chairperson and Vice-Chairperson are absent from a meeting of the board then its members shall appoint one of their number to chair the meeting.
- 6.8 The Chairperson will attend the Housing Briefing meeting.

## **7. Duties of the Vice-Chairperson**

- 7.1 The Vice-Chairperson shall chair the meetings of the TSMB in the absence of the Chairperson and offer assistance and support to the Chairperson in carrying out their duties.

## **8. Agenda and Supporting Papers**

- 8.1 The Agenda and order of business will be drawn up by the Chairperson in consultation with the Tenant Empowerment Manager no later than ten working days prior to the date of the next meeting.
- 8.2 Any member wishing to place an item on the agenda must notify the Chairperson or Tenant Empowerment Manager in writing twelve working days prior to the meeting.
- 8.3 TDBC in agreement with the Chairperson of TSMB shall serve notice of meetings.
- 8.4 The Agenda and any necessary supporting papers will be sent to board members and invited officers by TDBC at least five working days before meetings. Late reports will be circulated as soon as possible and the TSMB will determine whether to consider them.

- 8.5 Such papers will be sent by officers of TDBC to the address as given on the application form submitted by each member and any incidence of failure to receive such notice shall not invalidate the proceedings of the meeting.
- 8.6 TDBC in conjunction with the Chairperson will be responsible for ensuring that appropriate officers and Councillors are informed of decisions taken and if necessary recommendations are referred to the appropriate Scrutiny Committees, Executive or Full Council.
- 8.7 Where any member of staff is required to attend a board, the Chairperson will notify the Tenant Empowerment Manager, who shall inform the member or staff in writing giving at least ten working days notice of the meeting at which he/she is required to attend. The notice will state the nature of the item on which he/she is required to attend to give account and whether any papers are required to be produced for the board. Where the account to be given to the board will require the production of a report, then the member of staff concerned will be given sufficient notice to allow for its preparation.
- 8.8 Where, in exceptional circumstances, the member of staff is unable to attend on the required date the Tenant Empowerment Manager shall consult with the Chairperson so as to make alternative arrangements for attendance.

## **9. Statements, Questions and Petitions to Board**

- 9.1 Members of the public, provided they give notice in writing or by electronic mail to the Tenant Empowerment Manager, may submit a statement, question or petition to the TSMB, by no later than 12 working days before the meeting. The subject of the statement, question or petition must relate to the terms of reference of the board.
- 9.2 The statement, question or petition and any accompanying response, if available before the meeting, will be included in paper copies available at the meeting.
- 9.3 The total time allowed for the presentation and discussion of statements, questions and petitions to the TSMB shall not exceed fifteen minutes except with the consent of the Chairperson; each individual questioner shall be restricted to speaking for a total of four minutes.
- 9.4 The Chairperson, in consultation with the Tenant Empowerment Manager, may reject a question, statement or petition if :
- it is not about a matter for which the board has a responsibility
  - or
  - it is defamatory, frivolous or offensive
- 9.5 Questions shall be directed to the Chairperson, who may request the appropriate board member or officer to reply.

- 9.6 Questions shall not be disallowed merely because advance notice in writing has not been given. Such questions may not be answered immediately but later in writing. However it is always preferred that questions are put in writing in order to assist board members and officers to be able give answers at the meeting.
- 9.7 An answer may take the form of:-  
(a) an immediate oral answer; or  
(b) a written answer where the necessary information is not readily available.
- 9.8 Subject to the time limit and to the discretion of the Chairperson, the questioner shall be permitted to ask one supplementary question relating to the issue raised.
- 9.9 Subject to the discretion of the Chairperson, a non board member may be permitted to contribute to discussions when the issue is being debated as an agenda item as opposed to raising points during Public Question time.

## **10. Meetings**

- 10.1 The rules and general working of the TSMB will have regard for the Council's powers and responsibilities and its constitution.
- 10.2 The board will meet monthly. The dates, times and venues for the meetings will be agreed by the board on a six monthly basis.
- 10.3 Venue for the meetings shall be the Deane House or other central location with the agreement of the Chairperson.
- 10.4 Meetings shall commence at 18.00 hours and the duration shall not exceed three hours but may be extended at the discretion of the Chairperson, having taken into account the views of those members present. Meetings shall start on time provided they are quorate.
- 10.5 The TSMB will not discuss individual or estate specific complaints or issues unless they illustrate a matter of principle or concern which applies across the borough.
- 10.6 A written record (minutes) will be kept of each meeting and must include the names of all members and attendees present and agreed at the following meeting. TDBC shall provide this service.
- 10.7 Copies of the minutes shall be provided to the TSMB, Chairperson of the Tenants Forum, Executive Member for Housing, Housing Services Lead and any officers present at the meeting.
- 10.8 Minutes shall be available on request to all tenants, residents, Councillors and staff.
- 10.9 Officers of the Council may attend any of the meetings in an advisory or service capacity.

- 10.10 Special meetings of the board may be called at the request of three board members (having written to the Tenant Empowerment Manager, signed by each, with the stated reason) or on receipt of a request from the Full Council, Executive or Scrutiny Committees. When a special meeting has been called, letters shall be sent to all members to notify the purpose, date, time and place of the meeting at least ten working days in advance.
- 10.11 Extraordinary meetings may be called by the Chairperson or the Housing Services Lead in consultation with the Chairperson at any time.
- 10.12 The notice of meeting, agenda and minutes of all meetings shall be made available to the public upon request by TDBC.
- 10.13 Members of the Tenant Empowerment Team shall ensure that matters identified by the meeting are referred to other sections of the Council as appropriate.
- 10.14 The minutes shall be submitted to the next possible meeting for approval or otherwise of the board following which the Chairperson shall sign and date them as a correct record of the business transacted.
- 10.15 Members of the TSMB are required to disclose the existence and nature of any personal interest which they have in any item of business to be considered at a TSMB meeting, ahead of its discussion.
- 10.16 Members of the public will have the right to attend any TSMB meeting except where confidential or exempt information is likely to be disclosed, and the meeting, or a part of it, is therefore held in private.
- 10.17 The Tenant Empowerment Manager shall ensure minutes are published in the following ways:-  
(i) the record shall be made available for public inspection at the Deane House  
(ii) a copy shall be dispatched by post to every member,  
(iii) a copy shall be posted on the Council's Web site
- 10.18 If a member of the public interrupts the proceedings at a meeting, the Chairperson shall request that there be no further interruptions. If the interruptions continue the Chairperson shall order the removal of the person interrupting from the room.

## **11. Exclusion of the Public or Press**

- 11.1 The public and/or press shall be excluded from a meeting of TSMB during an item of business whenever it is likely, in view of the nature of the business to be transacted or the nature of proceedings, that, if members of the press or public were present during that item, confidential or sensitive information would be disclosed to them in breach of the obligation of confidence.



## **12. Voting**

- 12.1 Each member of the Board shall be entitled to one vote.
- 12.2 All decisions taken at meetings will be agreed by a simple majority vote of those members present.
- 12.3 If there is a tie in voting, the Chairperson will have the casting vote
- 12.4 Voting shall be by a show of hands, other than in exceptional circumstances when a secret ballot may be held at the request of the Chairperson, and the issue shall be determined by a simple majority of those present. Only voting members present at the meeting may vote.
- 12.5 Any voting member may make a proposal. In order for it to be put to the vote, it must be seconded by another voting member. If this degree of support is not forthcoming, the Chairperson may decide to halt further discussion on the subject.
- 12.6 If before the Chairperson calls for the vote, either,
  - (a) the mover and seconder of the motion - or of the amendment, or,
  - (b) any member supported by the votes of at least a quarter of the members present,request that a Recorded Vote be taken, then votes shall be publicly declared, and recorded in the minutes.
- 12.7 Votes take place by a show of hands and the Chairperson gives the result. Any voting member may query the result, and if this happens, the Chairperson shall take the vote again and ask another member to recount.
- 12.8 Amendments to proposals shall be proposed and seconded before they can be discussed. Discussion of amendments then takes precedence over the original proposal. If consensus or show of hands then rejects the amendment, discussion of the original proposal resumes.

## **13. Quorum**

- 13.1 No business shall be transacted at a meeting unless a quorum of members is present at the start of the meeting.
- 13.2 The quorum is five voting members

## **14. Board Sub-Committees or Working Groups**

- 14.1 If a Sub-committee or working group is convened they shall meet at least two weeks in advance of the board, in order that the considerations and recommendations of sub-committee meetings may be reported to the board.

- 14.2 All Sub-committees or Working Groups shall draw up Terms of Reference which will define the purpose of the group, the relationship with the board, the frequency of meetings, chairmanship and decision making powers, and shall be agreed by the board in advance.

## **15. Annual General Meeting**

- 15.1 An Annual General Meeting will be held in April each year, or within 15 months of the previous AGM to:-

- Receive reports from the outgoing Chairperson on the board's activities during the year
- Elect Chairperson and Vice-chairperson
- Elect representatives to any Sub-committees or working groups
- Consider and vote on any resolutions put forward by tenants

## **16. Training Opportunities**

- 16.1 Board members attending an external training course undertake to provide a presentation or synopsis of the course for the benefit of all members.

## **17. Information and Consultation**

- 17.1 TDBC undertakes to provide copies of the Terms of Reference and Code of Conduct to any tenant, resident, Councillor or member of staff on request.
- 17.2 The board undertakes to seek opinions from TDBC Tenants where it deems appropriate.

## **18. Code of Conduct**

- 18.1 The Code of Conduct has been issued for member's guidance.
- 18.2 The board has the authority to make minor alterations to the documents, by simple majority vote at board meetings.
- 18.3 Any significant revisions to this document shall only be made at the board AGM, in line with changes to the Terms of Reference.

## **19 Dissolution and Removal of Chairperson and Vice-Chairperson**

- 19.1. The board can only be dissolved by a Special General Meeting called specifically to consider a motion to dissolve the group.
- 19.2 The board may only be dissolved if two-thirds of the members attending a Special General Meeting vote for the motion to dissolve the group. In the event of dissolution any remaining assets, equipment and funds will be transferred to TDBC's Housing Services.
- 19.3 In the event of a "vote of no confidence" being proposed in the Chairperson or Vice-Chairperson, this must be put in writing to the Tenant Empowerment Manager and supported by two other voting board members. If at the board meeting this issue is carried by a simple majority of those present and voting, the Chairperson or Vice-Chairperson concerned shall cease to carry out his or her duties for the remainder of that meeting only. The Housing Services Lead will then be tasked to resolve the situation.
- 19.4 If at the next board meeting the "vote of no confidence" has not and cannot be resolved then the Chairperson or Vice-Chairperson concerned will stand down and an election process shall take place to replace the postholder.

## **20. Changes to the Terms of Reference**

- 20.1 Changes to the Terms of Reference may be proposed by board members in accordance with the following procedures:-
- 20.2 Any proposed change must be sent to the Tenant Empowerment Manager in writing, at least twelve days before the board meets. The Tenant Empowerment Manager shall notify all members of the board of the proposed amendment, which shall be subject to a vote at the next meeting.
- 20.3 Any proposed changes to the Terms of Reference require a two-thirds majority vote of members present at the quorate board meeting.
- 20.4 The Terms of Reference and any proposed changes will be submitted to the Housing Services Lead for approval.

## **21. Interpretation and Review of the Terms of Reference**

- 21.1 Any matter requiring resolution, which is not covered within the Terms of Reference, will be referred to the Tenant Empowerment Manager, who will liaise with the board Chairperson to resolve the matter and their decision will be final. If necessary the Terms of Reference will be amended accordingly with immediate affect.
- 21.2 The Terms of Reference will be reviewed every two years.

# TENANT SERVICES MANAGEMENT BOARD

## CODE OF CONDUCT

### 1. Introduction

- 1.1 Tenant Services Management Board (TSMB) members must always be aware of their responsibilities to represent all tenants of Taunton Deane Borough Council (TDBC), and to make decisions in an efficient, fair and responsible way.
- 1.2 It must therefore adopt a code to guide the conduct of board members. This Code of Conduct sets out the standards that the TSMB Members are required to achieve as part of their role as a TSMB Member.
- 1.3 On taking up their appointment it is an absolute requirement of the board that all board members sign a declaration that they agree to observe the terms of this Code.
- 1.4 The board must have proper regard to the requirements of statutory or regulatory guidance in the implementation of this Code.
- 1.5 Members must comply with the Terms of Reference and Code of Conduct at all times.

### 2. Standards of Conduct

2.1 Members are required to comply with the following principles:

- a) **Selflessness** – members should serve only the public interest and should never improperly confer an advantage or disadvantage on any person.
- b) **Honest and Integrity** – members should not place themselves in situations where their honesty and integrity may be questioned, should not behave improperly, and should on all occasions avoid the appearance of such behaviour.
- c) **Objectivity** – members should make decisions and recommendations on merit, including when making appointments, awarding contracts, or recommending individuals for rewards or benefits.
- d) **Accountability** – members should be accountable to the public for their actions and manner in which they carry out their responsibilities, and should co-operate fully and honestly with any scrutiny appropriate to their particular office.

e) **Openness** – members should be as open as possible about their actions and should be prepared to give reasons for those actions.

f) **Personal Judgment** – members may take account of the views of others, but should reach their own conclusions on the issues before them and act in accordance with those conclusions.

g) **Respect for others** – members should promote equality by not discriminating unlawfully against any person, and by treating people with respect, regardless of their race, age, religion, gender, sexual orientation, socio-economic status or disability.

h) **Duty to uphold the law** – members should uphold the law and, on all occasions, act in accordance with the trust that the public has placed in them.

i) **Stewardship** – members should do whatever they are able to do to ensure that TDBC uses its resources prudently, and in accordance with the law.

j) **Leadership** – members should promote and support these principles by leadership and by example and should act in a way that secures or preserves public confidence.

### **3. Personal Conduct**

3.1 All members shall be open and honest in their dealings and show respect for other members.

3.2 Members must avoid making any statements that could be seen as defamatory, insulting or overly personal, malicious or make any unsubstantiated allegations.

3.3 All members shall read any relevant papers in advance of the meeting, prepare for and attend meetings, training sessions and other events.

3.4 All members shall abide by the decisions taken at meetings. Decisions that are made by the board need to be supported by all members, even if it is not the individual's personal point of view.

3.5 All members shall provide their apologies to the Tenant Empowerment Manager for meetings in the event of non-attendance.

3.6 Members must not expect to receive more or less favourable treatment for themselves, their family, or relatives from staff because of their membership of the board and must use the normal procedures for reporting repairs, complaints etc.

3.7 Members will provide new members with the appropriate support and make them feel welcome at all times.

- 3.8 When dealing on behalf of the board with the landlord, (or with any other groups, agencies or individuals), the member of the board shall ensure that any views they put forward are those which have been agreed at properly convened meetings of the board. Members expressing personal opinions outside of board meetings must ensure that they do so strictly in a personal capacity and not in situations where they are representing the board.
- 3.9 Members must not use official board stationery to send out correspondence expressing personal viewpoints which have not been agreed on at board meetings.
- 3.10 Members shall ensure that at all times when they are representing the board their conduct (e.g. behaviour, language, etc) is reasonable, honest, and in accordance with the Terms of Reference, Code of Conduct and policy decisions of the board.
- 3.11 Members must not speak or write on behalf of the group without the prior agreement of the group. Any correspondence sent on behalf of the group should be made available to all members of the group.
- 3.12 Statements to the media or other organisations must have the prior approval of board members and the Tenant Empowerment Manager.
- 3.13 Members must remember that they are representing the views of the whole borough, not individuals or groups.
- 3.14 Members will not deal with neighbour or inter-personal disputes involving tenants. If a member is approached by a tenant and asked to take up their complaint or enquiry on their behalf, the member must refer them to the Council.
- 3.15 The Chairperson's position should be respected at all times.
- 3.16 No member of the TSMB should behave in a way likely to bring the reputation of the TSMB into disrepute.
- 3.17 In their capacity as members of the TSMB, members must not accept cash or personal gifts with a significant monetary value under any circumstances, nor must they solicit personal gifts under any circumstances. Similarly, members should never solicit or accept an offer of lavish hospitality, nor any hospitality which could be interpreted as a means of exerting an improper influence over the way in which they carry out their duties. The timing of hospitality in relation to sensitive matters should also be a crucial consideration in accepting or offering hospitality.

- 3.18 Gifts of negligible value e.g. pens, diaries, calendars etc may be accepted. Normally, visits to exhibitions, demonstrations, conferences, business meals, social functions by members in connection with their official duties will be at TDBC's expense to avoid jeopardising the integrity of subsequent purchasing decisions.
- 3.19 Members should not give hospitality that could be seen as lavish or as a way of exerting an improper influence over the decision of another person or organisation. Occasional and modest hospitality will be allowed but only with the prior approval of the Chairperson.
- 3.20 If a Member is in any doubt in respect of the receipt or giving of any gift or hospitality, advice should be sought from the Chairperson and/or Tenant Empowerment Manager.
- 3.21 All members are required to submit quarterly a list of all gifts and hospitality received. This information will be collated and held by the Tenant Empowerment Manager.
- 3.22 At the end of their term of office, members must return to TDBC all board property in their possession. They should continue to treat as confidential the information they learned during their time as members
- 3.23 Members must ensure that such resources are not used for other purposes unless that use could reasonably be regarded as likely to facilitate, or be conducive to, the discharge of the functions of the TSMB.
- 3.24 Members must observe Equal Opportunities and Diversity.
- 3.25 Members must notify the Chairperson and Tenant Empowerment Manager immediately of any changes to their circumstances which they know, believe or have reason to believe may affect their being a board member.

#### **4. Non-Attendance**

- 4.1 Board members who fail to attend three consecutive meetings without reasonable excuse will be deemed to have resigned. The member will be contacted by the Tenant Empowerment Manager to enquire about their absences.

#### **5. Conflicts of Interest**

- 5.1 Members must disclose any interest, whether personal or on behalf of any group they represent, or financial or non financial, that they consider may affect or influence their approach to the matter under discussion. This disclosure must take place at the start of the meeting.

- 5.2 Members are advised that if they have any doubt, they should declare their interests. The consequence of declaring is that members should not participate in the discussion or vote on the matter and the interests will be minuted.
- 5.3 Members should consider whether participation in the discussion or determination of a matter would suggest a real danger of bias. This should be interpreted in the sense that members might unfairly regard with favour or disfavor the case of a party to the matter under consideration. In considering whether a real danger of bias exists in relation to a particular decision, members should assess whether they, a close family member, a person living in the same household, or a firm, business or organisation with which the member is connected are likely to be affected more than the generality of those affected by the decision in question.
- 5.4 Examples where members would be expected to declare a conflict of interest would include, but are not restricted to, the following circumstances:-
- where a member is employed by an external contractor competing for, or successful in winning, a contract;
- where a member is employed by another contractor working for TDBC and may have a specific or general financial interest in a topic under discussion.
- 5.5 The Chairperson may ask any member who declares an interest to withdraw from the meeting whilst the relevant matter is being discussed.
- (NB: The National Code of Local Government Conduct says of non-pecuniary (i.e. non financial) interests: 'Kinship, friendship, membership of an association, society or trade union, trusteeship and many other kinds of relationship can sometimes influence your judgement and give the impression that you might be acting for personal motive. A good test is to ask yourself whether others would think that the interest is of a kind to make this possible');
- 5.6 If a board member considers that another member of the board has such an interest, he or she has a duty to raise it in the board.

## **6. Confidentiality**

- 6.1 Board Members must always respect the confidentiality of information they acquire in the course of their work concerning tenants, contractors, consultants and employees of the Council or confidential board business.
- 6.2 Any member revealing confidential information will be liable to expulsion from the board.



- 6.3 Any information or items shared with the board that is of a confidential nature must not be disclosed to anyone else apart from members of the board in order to allow the business of the meeting to take place.
- 6.4 Members can discuss issues with other tenants subject to any confidentiality issues.

## **7. Conduct during Meetings**

- 7.1 Members will conduct themselves in a reasonable manner at meetings in accordance with the Code of Conduct. The use of sexist, racist or other discriminatory or abusive language, behaviour that intimidates people who are speaking or wish to speak and preventing people from expressing their views through interrupting or talking while others are contributing to the debate and discussion shall be considered detrimental to the interests of the board, and members responsible may be subject to a motion for suspension or expulsion.
- 7.2 Members will not raise individual problems or estate issues during discussion unless these illustrate a topic under discussion.
- 7.3 All speakers will address themselves through the Chairperson.
- 7.4 Members must follow the guidance of the Chair in the conduct of the meeting.
- 7.5 Only one person shall speak at a time.
- 7.6 All speakers shall be polite, non-confrontational and not raise their voices.
- 7.7 Members must remember to follow the agenda.
- 7.8 All speakers will keep to the subject under discussion.
- 7.9 Each person may speak only once on an issue until every other member has had the opportunity to speak, thereby accounting for all opinions. The Chairperson may then allow members to speak more than once.
- 7.10 The Chairperson, with the majority agreement of the members, shall have the right to request any member of the audience or visitor to leave the meeting in the event of that person's disruptive behaviour at the meeting.
- 7.11 Any member may ask for the minutes to be read back to clarify the record of the meeting on a particular point. If the record is disputed, the Chairperson may direct the record to be amended by agreement with the meeting.
- 7.12 Members should be particularly sensitive to the needs of those who may not be used to speaking in public or whose first language is not English.
- 7.13 It is the responsibility of each member to ensure that they are prepared for the meeting by reading all the relevant papers and bringing them to the meeting.

## **8. Breaches of the Code of Conduct**

- 8.1 If a board member disregards this code, the Chairperson may provide a verbal warning of the breach.
- 8.2 If a board member persistently disregards this code, the Chairperson may ask the meeting to vote on whether the member concerned should be asked to leave the meeting.
- 8.3 A board member may only be asked to leave the meeting by a motion or resolution carried by two thirds of the voting members present for conduct detrimental to the interests of the board.
- 8.4 Should a member be asked to leave the meeting the Chairperson shall write to the member concerned within seven days confirming the reasons for their being asked to leave the meeting. The Chairperson and Tenant Empowerment Manager must arrange a date and time to hold a meeting (which must be held within fourteen days of the incident) for them to discuss the incident and make a decision on what action to take.
- 8.5 Members who consider that this code of conduct has been broken should raise it with the Chairperson either at the time or as soon as it is practicable for him / her to do so.
- 8.6 All members must follow the procedures to resolve any breach of Code of Conduct.

## **9. Disciplinary and Appeal Procedures**

- 9.1 Any member of the board who has reason to believe that another member has acted against the Terms of Reference, Code of Conduct or policy decisions of the board may make a complaint to the Chairperson and/or Tenant Empowerment Manager who will ensure that the complaint is brought before a meeting of the board within twenty eight days of the complaint being made.
- 9.2 Within fourteen days of receiving a complaint the Chairperson and/or Tenant Empowerment Manager should inform, in writing, the member about whom a complaint has been made about the nature of the complaint and the date of the meeting at which it will be considered.
- 9.3 In considering a complaint, the board may ask the member who has complained, the member about whom a complaint has been made, any board member, or any other person who has relevant knowledge of the complaint to attend the board meeting to put their case and answer questions. The board may consider correspondence and any other relevant material pertaining to the complaint.

- 9.4 Any member making a complaint, and any member about whom a complaint has been made, shall have the right to attend the board meeting and shall be given a reasonable amount of time to put their case.
- 9.5 Anyone who has been asked to attend the meeting to give information and who is not a board member shall leave the meeting after putting forward information and answering any questions.
- 9.6 The member about whom a complaint has been made shall leave the meeting after putting forward his or her case and answering questions. The board member about whom a complaint has been made shall not take part in making the decision about whether or not the complaint is upheld.
- 9.7 Where the original complaint was made by a board member, that person shall leave the meeting after putting his or her case and answering questions, and shall not take part in making the decision about whether or not the complaint is upheld.
- 9.8 The board shall take a vote to decide, by a simple majority, whether or not the complaint is upheld.
- 9.9 The board shall decide on further action from the following options:-
- a) Written reprimand to the member concerned.
  - b) Member concerned to be suspended from membership of the board for period of time to be specified by the board; the suspension to take effect as soon as the member is informed in writing, and to run for not more than six months.
  - c) Member concerned to be suspended from holding a Chairperson or Vice-Chairperson position until the AGM; at which time he or she will be entitled to stand for reelection provided that he or she is nominated and seconded. The member must not carry out Chairperson or Vice-Chairperson duties whilst suspended.
  - d) Member concerned to be expelled from membership of the board. Membership to be terminated with effect from the day that the member concerned is informed in writing of the expulsion. A member who has been expelled from the board may apply for reelection to the board after a four year period has elapsed from the date of expulsion.
- 9.10 A member about whom a complaint has been made shall be informed in writing of the decision of the board, and the reasons for that decision, within seven days of the meeting that made the decision taking place.
- 9.11 If a board member is suspended or expelled through these disciplinary procedures, the board may appoint a replacement to hold the position until the AGM.

## **10. Political Affiliation**

- 10.1 Individual members may be affiliated to/or be members of a political party but they may not represent a political party in their role as a member of the board.
- 10.2 Board Members must ensure that they demonstrate its non-political nature and they must keep their personal political activities totally separate from the board's work.

## **11. Expenses**

- 11.1 Board Members will receive no fees or payment for being a board member or carrying out board business but will be reimbursed for all costs and out of pocket expenses reasonably incurred on board business. Examples of expenses include:
  - Car mileage
  - Car parking
  - Public transport
  - Meals: reimbursed if attending full-day meetings or training sessions.
  - Carers: reimbursed whilst attending meetings or training sessions.
- 11.2 Forms are available from the Tenant Empowerment Manager and can be submitted on a monthly basis or at the claimants' discretion.
- 11.3 Receipts must be submitted with the claim form.
- 11.4 Claim forms must be signed by the claimant and then handed to the Tenant Empowerment Manager who will counter-sign the form.
- 11.5 Once Taunton Deane Borough Council has checked the claim form, it is passed to the Finance Department for payment.
- 11.6 Payment is by cheque or BACS, sent to the member's home address.

## DECLARATION FORM

**AS A MEMBER OF THE TENANTS SERVICES MANAGEMENT BOARD, I HAVE READ, UNDERSTOOD AND WILL ABIDE BY THE CODE OF CONDUCT.**

Signed.....Date.....

Name.....

Address.....

Telephone no.....

Mobile no.....

Email.....

Please complete both copies of this statement, keeping one copy for your records and returning the other copy to The Tenant Empowerment Manager of Taunton Deane Borough Council

The board Member must immediately inform the Chairperson of the (and confirm in writing within fourteen days) of any change in their interests or details.

**Note: Failure to return or complete the declaration as required in the accompanying Code will be considered a breach**

# **TENANT SERVICES MANAGEMENT BOARD**

## **FORWARD PLAN - as at JUNE 2010**

| <b>ITEM</b>                                      |
|--|
| Annual Report                                    |
| Budget for Housing Services 2011/12              |
| Choice Based Lettings – Review of the Scheme     |
| Core Council Review's effect on the Housing Team |
| Council House Waiting List                       |
| DLO Review                                       |
| Fuel Poverty                                     |
| Housing Client Review                            |
| National Standards and Local Standards           |
| Neighbourhood Standard                           |
| Performance Indicators                           |
| Provision of accommodation for the disabled      |
| Regeneration                                     |
| Service Standards – Anti-social behaviour        |
| Service Standards – Income Management            |
| Training   |

All items to be timetabled for future meetings in agreement with Chairperson of the Tenant Services Management Board.

**Minutes of the meeting of the Tenant Services Management Board held on Thursday 10 June 2010 at 6pm in Parmin Close Meeting Hall**

Present: Mr Baker, Councillor Court, Mrs Drage, Mr Edwards, Mr Etherington, Mr Galpin, Mrs Hegarty, Mr Pearson and Mr Watkin

Officers: Stephen Boland (Housing Services Lead), Donna Durham (Democratic Support Manager), Paul Hadley (Estate Manager), Tim Haynes (Property Manager), Helen Mockridge (Administrative Officer – Democratic Services) and Martin Price (Acting Tenant Empowerment Manager)

Others: Councillors Mrs Court-Stenning and Stuart-Thorn  
Paul Carter, Finance Director, Southwest One  
Robin Tebbutt, Housing Quality Network

(The meeting commenced at 6pm)

**13. Appointment of Chairman**

**Resolved** that Dustin Etherington be elected as Chairman of the Tenant Services Management Board for the remainder of the Municipal Year.

**14. Appointment of Vice-Chairman**

**Resolved** that Ashley Baker be elected as Vice-Chairman of the Tenant Services Management Board for the remainder of the Municipal Year.

**15. Apologies**

Apologies: Councillors Bowrah and Brooks, and Mr Hellier.

Substitution: Councillor Ms Court for Councillor Brooks

**16. Minutes**

The minutes of the meeting of the Tenant Services Management Board held on 29 April 2010 were taken as read and were signed.

**17. Declaration of Interests**

All members of the Board present, declared personal interests as Council house tenants.

**18. Introduction to Local Authority Housing Finance**

Considered report previously circulated, concerning Local Authority Housing Finance.

Local Authorities had to account for their spending and income to satisfy Government regulations. Most day to day spending was included in an account called the General Fund. This included such services as collecting refuse, leisure facilities and community development work.

Local Authorities that had a council-owned housing stock, also had a duty to maintain an account called the Housing Revenue Account (HRA). This account related to the spending and income for the management and maintenance of the houses.

Spending was also split between day to day spending (salaries) and day to day income such as rents which was called revenue.

Spending to maintain the properties was called capital and capital expenditure generally involved large sums of money.

The HRA was a 'ring-fenced' account and contained the spending and income related to the dwellings owned by the Council. Local Authority housing mainly consisted of:

- General Needs Housing – houses, flats bungalows; and
- Sheltered Accommodation – usually for elderly and vulnerable people, sometimes with communal facilities.

The HRA could also be used for spending and income relating to other facilities such as garages.

Income was split between rental income (mainly rental income), charges for services and facilities (cleaning communal areas and grounds maintenance work) and Housing Subsidy Grant/Payment. The Housing subsidy was calculated by the Government based on estimated income and spending for each Local Authority's HRA. The calculation changed annually.

Spending was split between management costs (salaries and staff) and maintenance costs (responsive work and work on empty properties).

Local Authorities had to set their own HRA budget and had to avoid an end of year deficit.

Capital Spending was described as buying, building, replacing or enhancing an asset. The main capital spending for Local Authorities was for the renovation and improvement of its houses, in order to meet the Decent Homes Standard. The main funding areas for capital funding was through the Right to Buy scheme, prudential borrowing, major repairs allowance, revenue contribution to capital, Government grants and other capital receipts for the sale of land or garages.



When producing their capital plans, Local Authorities would need to identify housing capital spending requirements, decide which were the most important, identify capital resources and finally draw up a programme that met the priorities within the available resources.

**Resolved** that the report be noted.

## **19. Housing Revenue Account Reform**

Mr Tebbutt, Housing Quality Network gave a presentation on the Housing Revenue Account proposals.

The response date for the Government consultation was 6 July 2010. A report would go to the Corporate Scrutiny Committee and then to the Executive, before a decision would be made by Full Council.

At present, the Government effectively took each Council's rents and let them have some spending money back. Spending money could be more than rents (subsidy) or less. If less (negative subsidy), the Council would have to pay an amount to the Government, based on the Government's assumptions of what the Council's rents and expenses should be. Each Council was expected to collect more in rent than it spent on management, maintenance and major repairs.

Subsidy was based on an assumed debt level. For most Councils, the actual debt was lower than assumed and for Taunton Deane Borough Council, there was an assumed debt of £30m and an actual debt of £14.5m in 2010/2011.

Taunton Deane's HRA subsidy position for 2010/2011 was reported and the negative subsidy was £6,010,351. The Government used the money it received in negative subsidies to pay out subsidy to other Councils.

In the future, the amount Councils paid would increase and the amount received from Government would go down.

The Housing Quality Network had undertaken modelling of the current system, which included the following for Taunton Deane Borough Council:

- The Revenue account made contributions to capital expend and maintained at least its minimum balance throughout;
- There were shortfalls in capital funding from year 6 (2015/2016) onwards; and
- A cumulative shortfall of £76m was outstanding by year 30 (2039/2040) at the price base of that year.

The proposal was effectively that debt would be switched from those HRAs with higher debt to those with lower debt. In practice lower debt Councils would make a 'one-off' payment to the Government, which they would borrow. The subsidy system would then cease.

There was a variant proposal which the previous Government favoured of reducing the payment to Government (£4.9bn) to £3.6bn to allow Councils to build new homes. Taunton Deane Borough Council would pay £86m under the 'base' proposal and £81m under the variant.

Taunton Deane Borough Council's position under the HRA reform was reported. Figures quoted were based on reasonable assumptions. There were no capital shortfalls, the debt would be repaid in year 16. The revenue account would remain at minimum balance to year 16 and would then climb.

The model would be most sensitive to inflation, changes to the current capital assumptions, increase in rents above inflation and interest rates.

The HRA would take on some of the external risk it was currently insulated from, including:

- Real increases in costs;
- Interest rates;
- Changes to rent policy; and
- Changes to the benefits system.

The offer as it stood, subject to minor change, was the only one likely to be available in the near future. The Communities and Local Government had previously said it needed all Councils to agree if the proposal was to be implemented without legislation. If one or more Councils refused, and legislation was required, the prospectus stated that implementation would be delayed by at least a year.

The Chairman thanked Mr Tebbutt for his informative presentation.

**Resolved** that:

- (1) The HRA proposals be supported;
- (2) The model be put in place as early as possible; and
- (3) New homes be built as a priority, using any money generated as a result of the proposals.

## **20. Terms of Reference**

Considered report previously circulated, concerning the proposed Terms of Reference for the Tenant Services Management Board.

The Tenant Services Management Board was charged with the responsibility for ensuring the best possible standards of housing service to deliver to all Council tenants. It would assess the housing service of the Council and say where and how it could be improved. The Terms of Reference had been previously circulated for consideration and included the following:

- The Aims and objectives of the Board;
- Membership;
- Equal opportunities;
- Chairman and Vice-Chairman and their duties;
- Agenda and supporting papers;
- Statements, questions and petitions to the Board;
- Meetings;
- Exclusion of the press and public;
- Voting;
- Quorum;
- Board sub-committees or working groups;
- Annual General Meeting;
- Training opportunities;
- Information and consultation;
- Code of Conduct;
- Dissolution and removal of Chairman and Vice-Chairman;
- Changes to the Terms of Reference; and
- Interpretation and Review of the Terms of Reference.

Members of the Board suggested that the following amendments were made:

- 4.2 should be deleted;
- 4.5 should read 'The Councillor referred to in 4.4 can be any Councillor of the two main party groups except a member of the Executive;
- 4.9 – Board members should be elected every two years and the selection of which Board members retired, would be discussed at the Annual General Meeting; and
- 10.7 – Tenant Services Management Board minutes should also be distributed to the Shadow Executive Member for Housing.

**Resolved** that, subject to the amendments being incorporated, the Terms of Reference for the Tenant Services Management Board be agreed.

## **21. Code of Conduct**

The Code of Conduct had been submitted for consideration by the Board. Members of the Board had to be aware of their responsibilities to represent all tenants of Taunton Deane Borough Council and to make decisions in an efficient, fair and responsible way. The Code of conduct set out the standards that the Board were required to achieve and all members had to sign a declaration that they agreed to observe the terms of the Code. The Code of Conduct included the following:

- Standards of Conduct;
- Personal Conduct;
- Non-Attendance;
- Conflicts of Interest;
- Confidentiality;
- Conduct during Meetings;
- Breaches of the Code of Conduct;
- Disciplinary and Appeal Procedures;
- Political Affiliation; and
- Expenses.

**Resolved** that the Code of Conduct for the Tenant Services Management Board be agreed.

## **22. Forward Plan**

The forward plan was submitted for consideration.

**Resolved** that the forward plan be agreed.

(The meeting ended at 8.50pm)