



Exeter City Council

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Tenants and Residents Association

Starter Pack



Contents	Page
Introduction.....	3
Why start a Tenants' and Residents' Association?.....	4
How to start a Tenants' and Residents' Association.....	5
Sample Survey.....	7
Sample Leaflet.....	9
The Constitution.....	10
The constitution should include: -	10
Constitutions For Tenants And Residents Associations	11
Name of the Organisation.....	11
Aims.....	11
Membership.....	12
The committee.....	13
Finance.....	13
Annual general meetings.....	14
Other general meetings.....	14
Quorum.....	15
Changes to the constitution.....	15
Voting.....	15
Standing Orders.....	16
Dissolution.....	16
Running a Tenants Association.....	18
The Committee.....	18
Officers of the Committee.....	18
The Agenda.....	20
Minutes of meetings.....	21
Sample Code Of Conduct.....	22
Fund Raising.....	23
How to plan a campaign.....	24
Successful Publicity.....	25



Exeter City Council

Introduction

Welcome to Exeter City Council Tenants' and Residents' Association Starter Pack.

This pack has been put together with the intention of providing the information you will need, and a step-by-step introduction, into the setting up and running of a tenants' and residents' association.

We hope this pack will provide you with the information you need to set up such a group.

The Tenant Participation Officer will be happy to provide any help and assistance your group will need to get started.

Please remember that Tenants' and Residents' Associations are the best way of making your voice heard and campaigning for improvements in your area and to help make the area you live in a safer place.

If you wish to speak to someone about the contents of the starter pack or for further information please contact the Tenant Participation Officer on (01392) 265698 during office hours.



Exeter City Council

Why start a Tenants' and Residents' Association?

There are various different reasons why people want to start a Tenants' and Residents' Association some of which are listed below:

- ✚ There is a need for more facilities in the area in which they live such as car parking, litterbins and street lighting.
- ✚ There is a lack of facilities in the area, for children and young people.
- ✚ There is a particular issue such as crime or nuisance that people are worried about.
- ✚ People in the area are dissatisfied with the services they are receiving such as maintenance or grass cutting.
- ✚ People want to develop a sense of community.
- ✚ People want area-based social events and outings such as discos for the children and Christmas parties.
- ✚ Help build a constructive relationship between the residents and Exeter City Council, as highlighted in the Tenant Participation Compact.
- ✚ As an opportunity for residents to participate in, and help shape, the policies and procedures of Exeter City Council.



How to start a Tenants' and Residents' Association.

You will have your own reasons for wanting to start a Tenants' & Residents' Association but you will need to find out if other people in your area feel the same. Some people may think it is a good idea but may have their own personal agenda. Everybody involved will need to get together to discuss issues affecting the community they live in.

Listed below are various steps that you might find useful in order to get the information you need:

- ✚ Talk to your neighbours and find out what they think, this could be done by knocking on doors, outside schools, down the shops or just out in the street. Talk to your Estate Officer, friends and neighbours. Don't be disappointed if people don't agree with you or are not interested, this will change when they start seeing some results from your group.
- ✚ Contact the Tenant Participation Officer at Exeter City Council who can help you to set up a survey that can be sent to everyone in the estate. This is a good way of finding out what everyone thinks and a good way of meeting people you don't know. There is an example of a survey in this pack on page 7.
- ✚ Plan a meeting and invite all your neighbours. It is a good idea to invite your Estate Officer and someone who has experience in setting up a Residents' Association. The Tenant Participation Officer will let you know who these are for your area. You will need to produce an eye-catching leaflet that people won't throw straight in the bin. There is an example of a poster on page 9.
- ✚ It is important to make sure that your meetings are held at a local venue so everyone can attend and that the time is suitable for most people, early evening is a good time so those that work can attend.
- ✚ The meeting should be run in a friendly atmosphere, have everyone introduce themselves and keep a record of the names of the people who attend. Be clear about what you hope to achieve in the meeting and someone should take notes about the main points discussed. The first meeting should end with a commitment to hold a public meeting in



Exeter City Council

order to make the group formal. It is a good idea to form a steering group from volunteers in order to work out the organisation of the association.

✚ When planning the public meeting consider the same points as for the initial meeting but also ensure that the steering group are involved in the planning and also consider inviting the landlord.

✚ At the public meeting the officers of the committee, the chairperson, secretary, treasurer etc. are elected and the members should agree a constitution.

✚ You now have a formal Tenants association.

If you need any help with any of the above you can contact the Tenant Participation Officer on 265698 who will be able to advise you or help you produce literature and book a venue.



Sample Survey

1. What do you think are the most important issues in your area?
(Start with the most important first)

1
2
3
4
5

2. Would you be interested in getting involved in a Tenants and Residents Association?

YES	
NO	

3. On what day and time would it be most convenient for you to attend meetings?

Time(s)

Day(s)



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4. Would you be interested in standing for the committee for the new Tenants' and Residents' Association?

Please indicate your choice by ticking any of the list below.

Chairperson	
Vice Chairperson	
Secretary	
Treasurer	
Fundraiser	

5. Name:

Address:

Telephone



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Sample Leaflet

ANY Other Estate Tenants' and Residents' Association



MEETING

A meeting will be held on

_____ at _____

at the _____

to discuss the formation of a Tenants' and Residents' Association

The meeting will be open to all tenants and residents of Any Other Estate and the following people have been invited: -

Local Councillors

Estate Officer

Tenant Participation Officer.

Everyone will be made welcome. Please come along, get involved and have your say.

We can provide help with transport, childcare and lost income. Anyone requiring assistance should contact the Tenant Participation Officer on (01392) 265698.



The Constitution

It is important not to be afraid of setting up the constitution or get bogged down by making it over complicated and drawn out. By following the simple steps below, you will find that you will end up with a working document that will meet your organisations needs.

Remember that the constitution is a living document that can be changed to meet the needs of your organisation (at the Annual General Meeting) and is never set in stone.

A constitution is a set of rules by which a formalised group conducts business.

Any group that represents the interests of others must have a constitution.

A constitution will be necessary in order for a group to open a bank account or access funding from other organisations.

The constitution should include: -

- ✚ Your groups' aims and objectives

- ✚ The organisation of the group for instance the offices held (chairperson, treasurer etc.) and how the committee is made up.

- ✚ Rules to ensure fairness and democracy

- ✚ A confidentiality clause for officers

- ✚ An equal opportunities clause



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Below is a copy of the guidance on constitutions provided for tenants by TPAS

Constitutions For Tenants And Residents Associations

The following is an outline to help tenants' and residents' associations draft their own constitution.

You do not have to put everything that is written here into your own constitution - groups should always tailor their constitution to meet the needs of their own group and not just copy someone else's!

There is no legal requirement on what is in a constitution for a tenants' and residents' association, but sometimes landlords may want certain clauses included before they are prepared to recognise the group. You should ask your landlord about this before the constitution is written. Groups who wish to apply for lottery funding or other types of grant funding (other than from their landlord) need to show in their constitution that they have charitable aims and objectives. This does not mean they need to apply for formal charitable status. Throughout this information sheet, additional comments will be made in relation to possible landlord requirements and "charitable" requirements, as requested by the National Lottery Charities Board (NLCB).

Name of the Organisation

Here you simply say what you are going to call your organisation, e.g.: -

The name of the association shall be the Anywhere tenants' and residents' association.

Aims

Here you list what you want your group to do, for e.g.: -

- A) To promote the interests of all residents of the area, and to assist in maintaining good relations between all members of the community.
- B) To promote all residents' rights and the maintenance and improvement of housing conditions, amenities, and the environment.
- C) To promote social activities for all members of the community.
- D) To work towards the elimination of all forms of discrimination within the community by encouraging all members of usually excluded groups to participate in the association.
- E) The Association shall be nonpolitical



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Notes

For a group to get lottery funding the constitution needs to show you have charitable aims and objectives. This means your aims must cover either helping to relieve poverty, or what you are doing is of benefit to the community or you are helping people to be "educated". These aims must be stated in the constitution.

The constitution must also show your group is an equal opportunities organisation, so this needs to be stated somewhere in the constitution too. Most landlords insist on an equal opportunities clause in the constitution.

Membership

Here you state who can join, for example: -

- A) Membership shall be open to all residents of the community.
- B) All members shall have an equal vote.
- C) All members should actively seek to represent the various needs of the area, and must not discriminate on the grounds of nationality, political opinion, race, religious opinion, sex, sexuality or disability.
- D) Members shall at all times conduct themselves in a reasonable manner when attending meetings or any other function in connection with the Group.

Notes

You may decide only one member per household shall have a right to vote, or that membership is only open to tenants but other residents may join the group as associate members, but without voting rights. Some groups may choose to have a weekly, monthly, or yearly subscription fee.

Whatever you decide about membership, make sure it is stated clearly here. Some landlords may insist on groups being mainly tenants in order for them to get grants from them. You will need to check this before deciding on membership. Many tenants' associations are having their grant applications turned down because their constitution is too "exclusive". By this, we mean, their membership is too limited and therefore potentially excludes some people from being members if they wanted to. If a group is a tenants' association and there are residents in their area, then the group is unlikely to be accepted as charitable. This may conflict with your landlord's requirements - you will need to decide what you put in your constitution depending on what your group wants.



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The committee

It is up to you to decide how many committee members you want, how they are elected, and how often they should meet. But whatever you decide should be stated in the constitution.

For e.g.: -

- A) A committee shall be elected to carry out the business of the Association.
- B) The committee shall be made up of a secretary, chair, treasurer and three general members.
- C) The committee shall be elected at the Annual General Meeting.
- D) Officers shall carry out the duties given to them by General Meetings.
- E) The committee shall meet once a month, and no less than 10 times a year.
- F) Minutes of committee meetings shall be available to all members.
- G) Vacancies arising during the year can be filled by an election at a general meeting. The committee may fill any vacancies arising amongst officers of the committee until the next general meeting.

Finance

Finance is very important to groups and can also cause the most concern. If detailed clauses are put in the constitution then this will help the group run smoothly, as well as help the treasurer in their role.

For example: -

- A) All money raised by or on behalf of the Association is to be used only to further the aims of the Association.
- B) The treasurer shall open a bank account in the name of the Association.
- C) Cheque signatories will be nominated by the committee, (one to be the treasurer). There shall be three signatories.
- D) All cheques and instructions to the Association's bankers shall require two of the agreed signatures. These should not be from the same household.
- E) The treasurer shall have the accounts checked by an independent person with adequate financial experience, for example, a representative of a community organisation, law centre or council for voluntary service, at the end of each financial year.
 - D) The accounts shall be made available to members at the AGM



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Notes

Your landlord may insist that all accounts are audited by a qualified auditor, or audited by themselves. If so, this will have to be stated here. The NLCB are happy to accept an independent person checking the accounts each year, who does not have to be an auditor.

Annual general meetings

This is an important meeting as it is the meeting where the committee reports on the activities of the group of the previous year, and then some or all members resign and new members are elected. Your constitution should state when and how this meeting will be held and how members will be informed of it.

For example: -

- A) There shall be an Annual General Meeting held every June at which the committee shall report on its work, present a statement of accounts and resign.
- B) The AGM shall elect the officers and committee for the next year.
- C) The AGM shall vote on recommendations and any amendments to the constitution.
- D) The secretary will notify all members of the date of the meeting not less than twenty-one days before the AGM.

Notes

Company law requires voluntary organisations to give at least three weeks notice of an AGM. Tenants' Groups do not have to follow company law, but it makes sense to give as much notice as possible for an AGM. Whatever notice you decide to give, you must state it here. You may decide, or your landlord may require, that only some of the committee members should resign at each AGM. Whatever you decide, it needs stating here.

Other general meetings

These are other meetings throughout the year open to your members. This section will state how these meetings will be organised.

For e.g.: -

- A) There will be a general meeting open to all members every two months.
- B) A Special General Meeting open to all members will be held if twelve or more members submit a request for such a meeting to the secretary.



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The secretary shall arrange for the meeting to take place within twenty-one days.

- C) The secretary will publicise all general meetings at least five days in advance.

Quorum

This means the number of members required for a meeting to go ahead. You can decide what will be a quorum for your group.

For e.g.: -

- A) No General Meeting or Annual General Meeting shall take place if less than 10% of members are present.
B) No committee meeting shall take place if less than two thirds of the committee are present.

Notes

Your landlord might want to specify what percentage would be a quorum.

Changes to the constitution

Your constitution should develop along with your group, so it is sensible to have a section in it that covers how to alter the constitution.

For example: -

- A) The constitution can only be altered at an AGM or at a special general meeting called for that purpose.
B) Any suggested changes to the constitution must be handed to the secretary 14 days before the AGM.
C) Changes to the constitution must be agreed by two thirds of the members present at the meeting.

Voting

- A) Any member may make a proposal. In order for it to be voted on by other members it must be seconded, or supported, by someone else.
B) Only members present at the meeting may vote.
C) Before voting any member may propose an amendment, which must also be seconded.
D) No member shall exercise more than one vote.



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E) In the event of an equal vote, the Chair shall have the casting vote.

Notes

Voting procedures do not have to be in the constitution. But if you do not put them in the constitution, you should put them in the **Standing Orders** (see below).

Standing Orders

These describe the set of rules to be followed at meetings. They can be written into your constitution or set out as a separate document.

Standing orders should cover your group's rules in relation to decision making (which should include voting procedures), conduct during meetings, conduct of officers and committee members, and disciplinary issue, etc. TPAS has an Example Standing Orders Information Sheet you may wish to look at which is obtainable from the Tenant Participation Officer.

Dissolution

Here you must state how your group can be wound up and what will happen to any assets (funds or possessions) the group has.

For example: -

- A) The Association may only be dissolved at a Special General Meeting called for that purpose and must be advertised fourteen days before the meeting.
- B) A proposal to dissolve the Association shall take effect only if agreed by two thirds of the members present at the meeting.
- C) Any assets (financial or otherwise) remaining after the payment of all debts and liabilities shall be given to charitable purposes according to the wishes of the members of the meeting.

Notes

Landlords may require that any spare income from grant funding be returned to them if the group winds up. If so this needs stating here. To show charitable objectives a group must state here that any assets of the group are given to another charitable cause. If the constitution states that any assets of the group are shared amongst its members if the group is dissolved then the group will be refused funding. This is one



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of the main reasons tenants' associations have had their grant applications rejected.

F:\Resources\TPAS Publications\Information Sheets\
Constitution.sdoc\7.99

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Running a Tenants Association

There are no hard and fast rules governing how to run tenants' groups. It is a matter for the group to decide how it will operate ensuring that this is done in an effective and fair manner.

The Committee

The committee is elected by the group members to carry out the work of the organization.

It is their job to organize meetings and the Annual General Meeting and also to carry out the any decisions made at these meetings,

The membership of the committee should reflect the people it represents with regard to age, sex, colour and disability whenever possible.

Officers of the Committee

The officers of any committee are: -

✚ **Chairperson** - the two basic duties of the chairperson are to guide the association to ensure it achieves its aims and to chair the associations meetings. Their job is to ensure that everything gets done not to do everything

Secretary - the main task for the secretary is to keep people informed and thus feel a part of the group and able to join in with the groups' activities. Their main duties are to take minutes of the meetings, inform people of when and where meetings are to be held and what they are about, prepare agendas, write and receive letters on behalf of the group and to keep a record of the groups membership.

✚ **Treasurer** - has the overall responsibility for the groups' finances. It is the responsibility of the treasurer to, open a bank account (although there will be other signatories), pay all money received into the bank, issue receipts and keep records of all money received, pay bill and keep records of all money spent, keep an account



Exeter City Council

book and a petty cash book and prepare statements to the committee and for the AGM.

But can also include: -

- ✚ **Vice Chairperson** - to stand in for chairperson
- ✚ **Fundraiser** - responsible for raising money for the group
- ✚ **Social Secretary** - responsible for organizing social events
- ✚ **Press Officer** - responsible for getting publicity for the group through the press, radio, TV etc.



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The Agenda

A copy of the agenda and any other relevant paperwork should be circulated to the group at least seven days before the meeting. This could include any reports that the group will need to read and be familiar with before the meeting.

The agenda could be set out as follows: -

- ✚ Apologies

- ✚ Minutes of the last meeting

- ✚ Matters arising from the minutes

- ✚ Correspondence

- ✚ Main items for discussion

- ✚ Any other business

- ✚ Date, time and place of next meeting



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Minutes of meetings

Minutes will need to be kept for all committee meetings and for any formal *General*, *Special* and *Annual General* meetings.

It is the responsibility of the secretary to take the minutes but someone else can take them by prior arrangement.

It is always a good idea to write the minutes up as soon after the meeting as possible whilst the details are still fresh in the memory.

The minutes should be a record of: -

- ✚ Those present, apologies and absent,
- ✚ The date time and place of the meeting
- ✚ The meeting in an accurate clear and brief form
- ✚ The main discussion points for each item
- ✚ Any decisions taken on each item
- ✚ All votes taken
- ✚ Agreed actions and who is responsible for them

The minutes should be typed up and circulated as soon after the meeting as possible.



Sample Code Of Conduct

- ✚ All members shall be open and honest in their dealings and show respect for other members
- ✚ All speakers will address themselves through the chair or lead speaker
- ✚ Only one person shall speak at a time
- ✚ All speakers shall be polite and not raise their voices
- ✚ All speakers will keep to the subject under discussion
- ✚ Each person may speak only once on an issue until every other member has had the opportunity to speak thereby accounting for all opinions (At the chair/lead speaker's discretion permission may be given for someone to speak more than once)
- ✚ All members shall abide by the decisions taken at meetings
- ✚ If a member does not abide by the code of conduct, the chair/lead speaker will warn that if they break the code of conduct they may be asked to leave the meeting
- ✚ The chair/lead speaker will warn the member that three warnings will be given and this is the first warning
- ✚ The chair/lead speaker may give the member two further warnings and at the third case shall ask the meeting to vote on whether the member should be asked to leave the meeting
- ✚ In the interests of all parties there shall be no smoking at meetings although a 10-minute break may be taken for refreshments during which time smoking will be permitted
- ✚ No member shall raise individual issues unless as a means of illustrating a point
- ✚ No political references shall be made



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Fund Raising

Exeter City Council will provide 'one off' financial help your new organization once your Association is set up and constituted.

At present Exeter City Council are offering a grant of £500 to help with the cost of getting a new Tenants & Residents Association started once they are fully constituted. You will then need to raise more money in order to achieve the aims laid out in your constitution.

Ask for the booklet 'SUCCESSFUL FUNDRAISING' from the Tenant Participation Officer.

Having the ability to raise your own funds is central to the well being of every Tenants and Residents Association and this guide will help you to achieve this.

Funds can be raised by organizing your own events and, once you have a constitution and a bank account, applying for grants from outside organisations.

The booklet takes you through the various stages, giving examples and tips to ensure that your bid for funding does not fail because of incorrectly filled forms and the wrong funding for the scheme in question.



How to plan a campaign.

Many Tenants and Residents Associations are formed because of a particular issue on the estate or to improve facilities such as street lighting or issues with local children.

Once your group is constituted you may wish to start a campaign to address these issues and improve your area.

Even when there are multiple issues on the estate it is advisable to tackle only one issue at a time in order to remain focussed.

A good campaign would take the following course: -

- ✚ Conduct a survey of the area to establish what the local issues are. These could be in a different order to the ones you and your group have identified and will need to be prioritised. **Ensure that a deadline for the return of the survey is established.**
- ✚ Make an approach to the authorities that are or should be responsible for the provision of the service you are hoping to effect, for example. Exeter City Council, Devon County Council etc.
- ✚ Invite anyone who is relevant to your campaign to the next meeting, you could even present a petition signed by everyone in the area to add weight to the campaign. You could also invite your local councillors, MP, police, councils, etc to the meeting.
- ✚ If you can gain the support of any of the above but are unable to achieve your aims, you could invite them to take up the matter on your behalf, which would lend it further weight.

If the tactics you have adopted are unsuccessful, you may need to review them and decide on a different tact in order to move the campaign forward. This could involve contacting the local press in order to boost the campaign profile and also local interest.



Successful Publicity

One of the most important aspects of publicity is to keep your members and local residents informed of the Associations activities such as meetings, social and fundraising events and any ongoing campaigns. Examples of the associations' successes will serve to encourage new and retain existing membership.

Publicity can take the form of: -

- ✚ A welcome letter and information pack for new tenants.
- ✚ Minutes of meetings
- ✚ Leaflets
- ✚ Flyers
- ✚ Posters

✚ What is the function?

When producing any of the above it is important to ensure that they fulfil the purpose for which they are intended, for example, if you are advertising a meeting make sure you include the date, time and venue and worded in such a way as to encourage people to attend.

✚ Know your audience

If the audience is young mothers, are there facilities in place for the children they will have to bring with them in order that they themselves can attend.

✚ What is the message?

Ensure that the message you are trying to present is clear. Who is organising the meeting? When? Where? What time? What is the purpose? Have you included a contact name and telephone number?

✚ Will it attract attention?

Make it colourful and eye-catching but not crammed with information. The trick is to provide enough information to arouse the reader's curiosity but not so much that they do not bother to read it. Make sure posters are positioned where people will see them, in the local shop window, the wall of the doctors waiting room, communal areas in flats etc. The local press or radio may feel they can provide publicity but this will depend on what the event is.