

Code of Conduct

Estuary Resident Services' Review Panel and Federation of Estuary Residents

Customer Engagement Team

Reviewed December 2016



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Code of Conduct – ERSRP & FER

PERSONAL CONDUCT

Members are expected to:

- Always operate within the rules laid down by the Constitution or Terms of Reference.
- Appreciate and respect differences – in knowledge, background, ability to speak in public, etc. Never discriminate on any ground against any other member of the group.
- All members are expected to comply with the Equality Act 2010 and Estuary Housing Associations Equality and Diversity Policy.
- Not seek to obtain any personal benefit or advantage, or expect to receive more favourable treatment by staff, because of membership of the group.
- Use the normal procedures for reporting repairs, complaints, etc.
- Complete all tasks allocated to them as officers and seek help if necessary.
- Not bring Estuary Housing Association into disrepute/disfavour/discredit at any time.

Conduct of meetings

Members and visitors are expected to observe the following conventions when taking part in a meeting:

- Arrive punctually to enable meetings to start promptly.
- Switch off mobile phones during the meeting.
- Come prepared by reading all the relevant papers beforehand and bring them with you to the meeting or where there is a prior agreement for an alternative arrangement.
- Be courteous to each other at all times and not use offensive, provocative, discriminatory or racist language. Individuals should be praised 'in public' and criticised 'in private'.
- Follow the agenda and keep to time.
- Work with other members constructively to arrive at the best possible solution to the matter under discussion.
- Keep contributions brief and to the point.
- Listen to each other and allow each other the opportunity to speak and comment. Respect the views of other and their right to speak. Avoid jargon or explain what it means.
- Co-operate with the chair in dealing with the business.
- Raise a hand to speak and go through the chair who will encourage all members to participate. The Chair's ruling on who may or may not speak and on other 'points of order' will be final. At the end of each item, the Chair will remind the meeting of the decision that has been agreed.
- Remember that you are representing the views of, and are accountable to, your community or your residents group.
- Remember that the purpose of the meeting is to benefit residents generally and not specific individuals.
- Do not use threatening behaviour, violence, obscene language or racist/sexist behaviour or threats or otherwise disrupt the meetings of the group.

DISCLOSING AND DECLARING INTERESTS AND CONFLICTS OF INTEREST

Members must:

- Disclose any interest, whether personal or on behalf of any other group they belong to, which might possibly affect or influence their approach to the matter under discussion.

Offer to withdraw from the meeting where a conflict of interest is clear and substantial, and refrain from voting if invited to remain.

- If in doubt, seek clarification from Chair or Estuary Staff.

ATTENDANCE OF MEETINGS

Members who fail to attend three consecutive meetings without a written apology or good reason will automatically be removed as a member of the committee or panel unless the committee or panel accepts that there are exceptional circumstances.

CONFIDENTIALITY

Members should respect the confidentiality of personal information about individuals, whether present or not, and refrain from mentioning specific individual cases which may cause embarrassment or identification of an individual.

Any information including personal information, items of a confidential nature or commercially sensitive information, must not be disclosed to anyone else apart from members of the group in order to allow the business of the meeting to take place.

Members should keep any non-public information or paperwork they receive in a secure place. Paperwork should be disposed of via shredding and not through general/household waste and recycling.

POLITICAL AFFILIATION

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 group.

GIFTS AND HOSPITALITY

Members should not receive gifts and/or hospitality that would place themselves under obligation that might influence or be perceived to influence their future decisions or conduct.

Members should not accept gifts or excessive hospitality from staff members, contractors or residence

If you have any doubt about the hospitality offered to you, either decline or seek advice from the Customer Engagement Team. When declining hospitality you should be courteous, but draw the attention of the person making the offer to the existence of this code.

COMMUNICATION

From time to time, the committee will be contacted by email for a decision. If no response is received within 7 days, input will be discounted.

Attendance and non-attendance at meetings must be communicated to either the chair or secretary before the meeting.

Those in non-attendance are expected to give comment on decisions

BREACHES OF THE CODE

If things are getting heated, a five minute time out can be called for at the discretion of the Chair.

If members of the committee or those attending the meeting do not abide by the code of conduct they will be warned by the Chair that if they break the code again they may be asked to leave the meeting.

If despite a warning, a member continues to breach this Code and in more serious breaches, a member can be suspended from meetings or expelled by the Chair of the meeting or the Committee. Repeated failure to keep to the Code will also result in suspension or expulsion from the meeting or Committee.

A complaint that a Committee/Panel member has failed to abide by the Code of Conduct despite receiving three warning, or has committed an act that is considered to be gross misconduct, should be tabled at a committee meeting called for this purpose only. The Chair is responsible for calling the meeting and should speak to Estuary Housing Association about the reason for calling the meeting.

If the matter concerns the standing committee then the Chair will call the meeting and a member or Estuary Housing Association will attend the meeting. If the matter concerns the Chair then the Vice-chair will take responsibility to call the meeting.

All parties must be notified in writing in advance and care must be taken to ensure that all concerned parties are given a fair hearing.

On the findings of this hearing, the Committee can issue a formal verbal warning, a first written warning, or a final written warning. A final written warning means the member is suspended. The decision is subject to ratification of the next meeting.

If the meeting do ratify the suspension then the member may be excluded from applying for a committee position for one year.

DISCIPLINARY ACTION

Breaches of the code of conduct are dealt with according to the severity of the breach. Minor breaches are initially dealt with informally and the formal disciplinary procedure is only invoked if it has not been possible to resolve the issue informally. Major breaches are dealt with using the formal disciplinary procedure from the start.

Examples of minor breaches include:

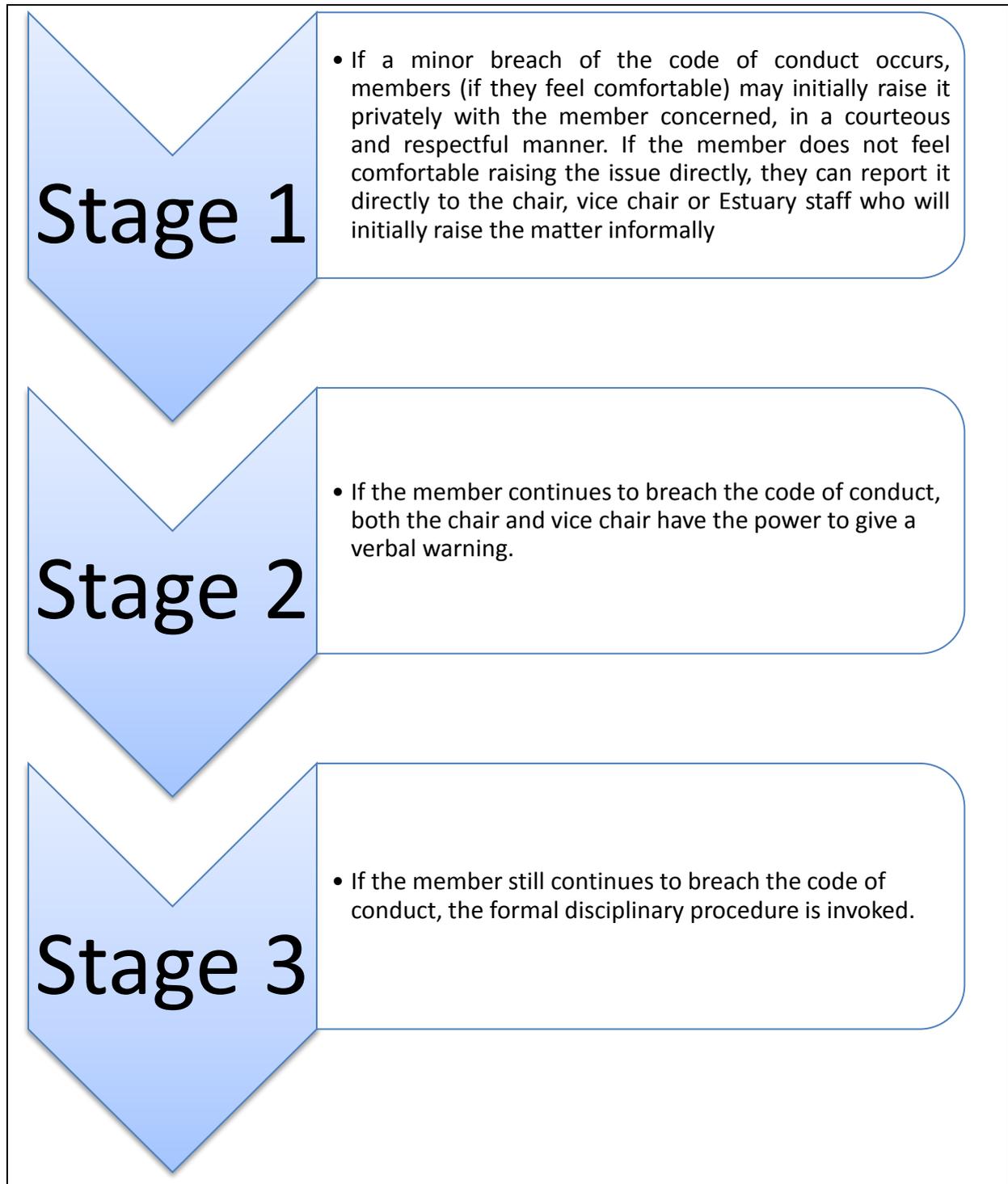
- Using a mobile phone in a meeting without the chair's permission

- Not turning up to a meeting and not sending apologies
- Refusing to participate in a meeting or refusing to work with a particular member of the committee/panel
- Making an inappropriate comment or offensive joke
- Disrupting a meeting by talking and giggling
- Disrespecting the role of the chair in maintaining order in the meeting by ignoring a request or talking over them
- A one off incident of accidentally claiming expenses for the same journey twice
- An 'accidental' minor breach of confidentiality

Examples of major breaches include:

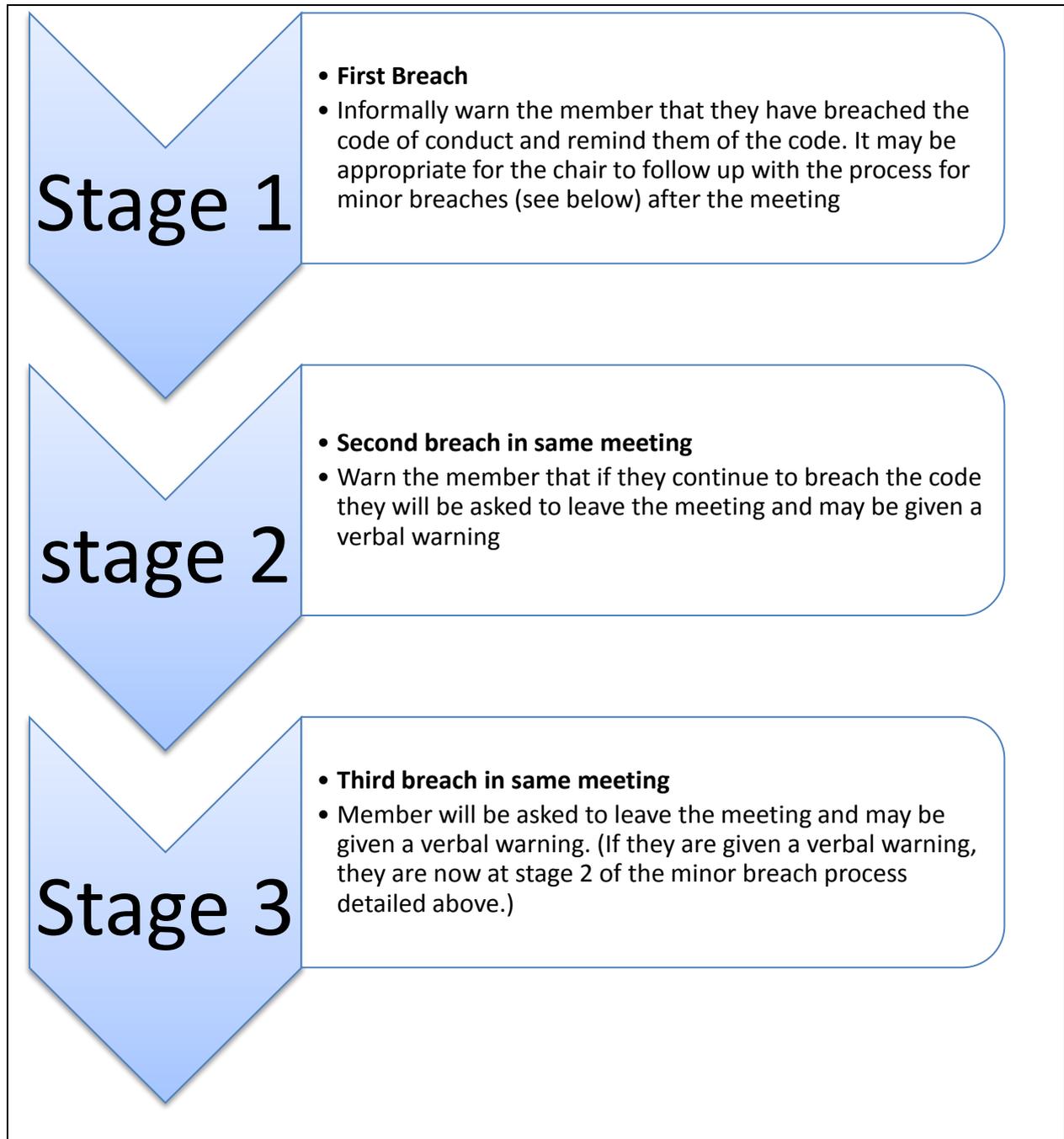
- A full on verbal attack of a member of the committee/ panel or member of staff
- Making threats
- A physical or sexual assault
- Repeated or serious lying
- A sustained campaign of bullying and/or spreading rumours about a member of the committee/ panel or member of staff
- Victimisation of a member of the committee/ panel or member of staff for raising a grievance/making a complaint
- Intentionally hiding an obvious conflict of interest
- A serious breach of confidentiality
- Accepting a bribe
- A member found to have repeatedly claimed for the same expenses more than once
- An intentional serious breach of confidentiality
- Theft of or deliberate damage to property belonging to Estuary Housing Association
- Using Estuary Housing's computers to access pornography or offensive material
- A criminal conviction which has a direct bearing on carrying out the committee/panel role

PROCESS FOR DEALING WITH MINOR BREACHES



PROCESS FOR DEALING WITH BREACHES DURING A MEETING

If a member breaches the code during a meeting, any member can raise the breach; the chair should then act according to the following process.



BREACHES BY THE CHAIR DURING A MEETING

If a minor breach of the code of conduct occurs during the meeting, the chair/ co-chairs or Estuary staff should carry out the steps detailed above.

Disciplinary procedure invoked

If a major breach of the code of conduct occurs, members should immediately inform the chair (or vice chair if the breach is by the chair) and the independent mentor, and the formal disciplinary procedure will be invoked. The individual may be suspended while the investigation is carried out

Notification

A decision is made as to whether the member should be suspended during the investigation. The member is notified that they will be dealt with under the disciplinary procedure and given the reasons why.

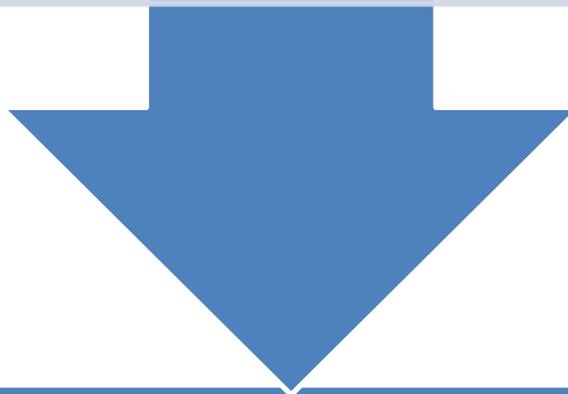
Investigation

A member of staff is nominated to act as investigating officer. The investigation should be carried out within 3 weeks (except for in extenuating circumstances). During the investigation, interviews may be carried out with the member concerned and any witnesses. The member concerned may be accompanied by a friend, colleague or family member when being interviewed

Investigation Panel

The member concerned will be invited to attend a panel hearing. The member must be given 5 working days written notice and informed that they may be accompanied by a friend, colleague or family member. The panel will be made up of the chair/vice chair/co-chair, a member of the Customer Engagement Team and an Estuary manager. The investigating officer will attend to present the case. The panel have the power to make one of the following decisions:

- Dismiss the case
- Adjourn the case pending more information
- Give a written warning
- Give a final written warning
- Dismissal of the member from the panel and temporary exclusion
- Dismissal of the member from the panel and permanent exclusion



Reporting

The outcome of any disciplinary action will be reported to the next meeting.



Appeals

If the member concerned considers that the disciplinary procedure was not followed appropriately, that they have not been treated fairly and/or they are not happy with the outcome, they may appeal to the relevant Estuary Management Team member who will investigate and make a decision. Appeals must be made in writing within 10 working days. The decision by the Management team member will be final.

Standards code demonstrating how an involved resident is expected to conduct their tenancy taking into consideration their ability to influence other tenants.

	Decision Making Responsibility					Rent Arrears						Anti Social Behaviour		Breach of tenancy		Potentially Violent Register
	Review Services	Request service changes	Influence Service Specification	Monitoring	Decision Maker	Arrears letter	NSP served	Repayment agreement being adhered	Application made to court	Breach of court order agreement	Application for Eviction Warrant	Early Intervention (Letter/Mediation)☐	Legal Action (NOSP)	Early Intervention (Letter/Mediation)	Legal Action (NOSP)	On EHA Register
Board Member ☐					✓	x	x	x	x	x	x	✓	x	x	x	x
Services Committee Member			✓		✓	✓	✓	✓	x	x	x	✓	x	✓	x	x
ERSRP Panel Member ☐	✓	✓	✓	✓		✓	✓	✓	x	x	x	✓	x	✓	x	x
FER Member☐☐			✓			✓	✓	✓	x	x	x	✓	x	✓	x	x
EBS Rep				✓		✓	✓	✓	✓	x	x	✓	x	✓	x	x
GEMS Scrutiny Panel				✓		✓	✓	✓	✓	x	x	✓	x	✓	x	x
Voids Inspector				✓		✓	✓	✓	✓	x	x	✓	x	✓	x	x
Resident Association Committee Member				✓		✓	✓	✓	✓	x	x	✓	x	✓	x	x

KEY

Early Intervention (Letter/Mediation)



Where it appears that the resident could influence the outcome due to their role as Board, Services Committee, ERSRP or FER e.g. where there is a dispute with their neighbour, then the involved resident will be asked to step down until the matter is resolved. It will depend on the outcome as to whether they will be reinstated.

Member of Board, Services Committee, ERSRP and FER will have their own Code of Conduct policy that they should adhere to and any breach will be dealt with as set out in the policy

Confidentiality

Confidentiality must be maintained at all times by those involved in either the formal disciplinary process.

Committee members must observe this Code of Conduct whenever they:

- Are acting in your role as a committee member.
- Are representing the association.
- Are carrying out the work of the Association or acting on its behalf.

This document will be reviewed and issued annually to all committee members to sign.

ERSRP/FER Code of Conduct acknowledgement slip

I confirm that; I have been given my own copy of the code of conduct policy; I have read and accept the Code of Conduct and disciplinary procedure.

Name:

Signature:

Date:

Indicate below which committee you serve on.

Estuary Residents' Services Panel

Federation of Estuary Residents
