

BABERGH DISTRICT COUNCIL and MID SUFFOLK DISTRICT COUNCIL

From: Joint Housing Board	Report Number: P80
To: Babergh District Council Mid Suffolk District Council	Date of meeting: 16 December 2014 17 December 2014

Babergh and Mid Suffolk Joint Housing Board

Terms of Reference and Constitution

- 1. Membership:** 6 Councillors (3 from each Council)
6 tenants/leaseholders (3 from each Council)
- 2. Quorum:** 4 (1 Councillor and 1 tenant/leaseholder from each Council)
- 3. Frequency of meetings:** Meetings will be held monthly
- 4. Purpose of the Board (Terms of Reference)**
 - To review policy on any aspect of the landlord function
 - To be consulted on and then advise and make recommendations to Strategy and Executive Committees on financial matters relating to the Housing Revenue Account (HRA)
 - Support the active involvement of tenants and leaseholders in the process of decision making on housing (HRA) related matters
 - Provide a means of improving delivery of the housing service
- 5. Nomination of Councillors**
 - Councillors will be nominated to the Board by each Council in accordance with its own constitutional arrangements
- 6. Election of tenants**
 - Every tenant and leaseholder of Mid Suffolk and Babergh District Councils will have an opportunity to vote for a candidate in their area
 - Elections will be held every 4 years to coincide with the District Council elections
- 7. Qualifying to stand as a Candidate**

All tenants will be given an opportunity to stand for election to the Board. A formal ballot will be held in which every tenant will be eligible to vote for their chosen candidate.

Each candidate or Board member **must**:

- Be over the age of 18 years.
- Be a current tenant or leaseholder of Babergh or Mid Suffolk District Council.
- Live within the electoral area in which they are standing for election.

Each candidate or Board member **must not**:

- Be under a “Notice Seeking Possession” in respect of their tenancy.
- Be an employee of either Babergh or Mid Suffolk District Council.
- Be a serving member of the Tenant Scrutiny Panel
- Be the subject of a bankruptcy restrictions order or an interim order
- Have been convicted, in the United Kingdom, the Channel Islands or the Isle of Man, within the last 5 years of any offence punishable by imprisonment (whether suspended or not) for a period of not less than 3 months without the option of a fine.
- Be disqualified from being elected or being a member of either authority under Part III of the Representation of the People Act 1983.

8. Key Roles and responsibilities of Board Members

- Act in the interest of the tenants of Mid Suffolk and Babergh District Council. Board members are custodians of the tenants’ interests and finances. Their behaviour and decisions should reflect this responsibility.
- To contribute to and share responsibility for all Board decisions.
- Prepare for and attend meetings, training and other events as required.
- Maintain the standards set out in the Code of Conduct for tenant involvement.
- Monitor the Councils’ performance, budgets, controls, complaints and decisions and the performance of comparable bodies.
- Ensure that the Council Housing Services of Babergh and Mid Suffolk District Councils comply with the Tenant Services Authority Regulatory Framework.
- Ensure that the policy and practices of Babergh and Mid Suffolk District Council Housing Services are in keeping with its Strategic Priorities and Delivery Programme outcomes.

9. Confidentiality

- Board members will have access to such information necessary to carry out their role. Information regarded as confidential should not be divulged to anyone, other than Board members and Council officers entitled to know it.

10. Allowances

- Tenant Board members will be entitled to claim an allowance for each meeting attended up to £500 per annum. They will also be entitled to mileage and childcare expenses at the approved rate.
- Elected Members will be entitled to claim travelling expenses in accordance with the Councils scheme of allowances.

11. Functions of the Board

The Board will make strategic and policy decisions about the HRA landlord related functions of both councils. In general terms these are:

- The review and development of the HRA Business Plan.
- All housing landlord strategy and new policy development issues.
- All tenant services and housing management functions
- The review and development of housing maintenance and improvement programmes
- Leasehold property management.
- Compliance with the Tenant Services Authority regulatory framework.
- A monitoring role relating to operational HRA services.
- Rent and budget setting are not included in the remit although the Board will have a consultative role in these issues.

12. Governance

- All Board Members will have equal voting rights.
- All issues will be decided on a simple majority of board members present at the meeting.
- If there are an equal number of votes for and against, the Chair will have a second or casting vote.
- The Chair will be determined annually by the members of the Joint Housing Board, alternating between tenant/member on an annual basis.
- A Vice-Chair will also be determined annually, ideally being a tenant when the Chair is a Councillor and vice versa.
- The quorum of the meeting will be one third of the Board membership (i.e. 4). With one tenant and one member being from each Council.
- The Board will determine which matters are solely to be voted on by MSDC members and BDC members.
- When a decision is the concern of one Council a quorum will be one Tenant Board Member and one Elected Member of the Council to whom the decision relates.
- When making decisions, the Joint Housing Board will consider the Strategic Priorities of both Councils and ensure these are embedded in everything done with a corporate context and connection.

- The Joint Housing Board activities are authorised without recourse to Committees of either Council following an amendment to the current Scheme of Delegation which is in place at present in both Councils placing delegations on the Head of Housing.
- When an issue has both HRA and non HRA aspects the board will make decisions on the HRA aspect and have a consultative role in the non HRA aspect.
- The Councillor Membership of the Joint Housing Board will be politically balanced.
- Meetings will be held monthly in the afternoon or early evening.
- Venue for the meetings will alternate between the two Councils.
- The Joint Housing Board will report to Babergh District Council's Strategy Committee and Mid Suffolk District Council's Executive Committee.

Additionally the Joint Housing Board will

- Have the power to deselect any Tenant Board Member who is absent from three consecutive meetings without good reason or is guilty of a breach of the Code of Conduct.

13. Confidentiality and Data protection

The business of the Board may involve dealing with issues of a confidential or sensitive nature and members must exercise care and discretion. All information must be kept in accordance with the Data Protection Act 1998. This also includes storing of information in paper files, or electronically.

- Any confidential information that is presented to or discussed by the Board should not be disclosed to anyone apart from the board. The only exceptions to this are:
 - a) That you have the consent of a person authorised to give it.
 - b) You are required by law to do so.
 - c) The disclosure is made to a third party for the purpose of obtaining professional advice providing that the third party agrees not to disclose the information to any other person.
- A Board member must not prevent another person from gaining access to information to which a person is entitled by law.
- Board members must not disclose information that they have received in their role for personal advantage or that of anyone known to them or to discredit or disadvantage others.