

Membership policy guidance

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How to use the guide

Why is there a need for policies and procedures?

If a community led housing (CLH) organisation has not agreed on policies and procedures, it means either that all decisions have to be taken at governing body meetings or individuals have to take decisions and the governing body may not be in control.

Some CLH organisations have managed well for years without many agreed policies and procedures. But then something happens – a problem arises, a member or resident complains about how things are done, several people fall out about something or a claim is made against the CLH organisation.

Without written policies and procedures, these things can be very difficult to manage. It is difficult to maintain fairness and objectivity without agreed policies and procedures. Having them means that everyone knows what to expect. Without them, those who are confident and self-assured can run things how they want, and the less confident and less articulate may find it hard to have their say.

There is a judgement call to be made about how detailed policies and procedures should be in a CLH organisation. Larger organisations have extensive policies and procedures because there is a need for clarity about what staff should do. In smaller CLH organisations, the likelihood is that some events are less likely to take place and there may not be such a need for detail.

What a CLH organisation makes policies and procedures about is about balancing practical and sensible judgement with not being overly bureaucratic. There isn't necessarily a right answer!

One size does not fit all. CLH organisations are about local people shaping housing and related services in ways that are right for them. This means that their policies and procedures can be and should be different in each CLH organisation.

How to use this guidance

The differences in CLH organisations means this guidance is intended to be about key issues in each of the subject areas.

The policy templates in the guidance can be adapted to produce what is appropriate for local circumstances. It will require governing bodies of CLH organisations to carefully consider each issue to come up with the approach that is right for them. Some of the policies in the guidance may be fundamental to the CLH organisation – others may be less important and could be worked on later.

Each policy area includes the following:

- **policy aims** – what the policy is seeking to achieve
- **an outline of the policy** – these are the key principles about how the CLH organisation wants the subject matter to be managed. Policies should be particularly aimed at the governing body, the general membership and potentially all residents so that they know the key aspects of how the policy area will be managed. If a policy needs changing it should only be changed by the governing body and probably following consultation with the membership.
- **risks to be avoided** – setting out key things that the policy is aimed to avoid and address



- **notes relating to the procedure** – the procedure is a detailed account of how the policy principles should be implemented. They are necessarily different given local circumstances. They are aimed at people charged with implementing policies – volunteers, staff or support organisations. Procedures should be easier to change than policies.

Terminology

Throughout the document, the following terms have been referred to:

- **CLH organisation** – is a community led housing organisation
- **governing body** – is the part of the CLH organisation that is legally responsible for decision-making. In many cases, this is the Board, committee or management committee of the CLH organisation, but in some smaller CLH organisations, it is the CLH organisation’s general membership.
- **residents** – the people who live in homes owned or managed by a CLH organisation. Some aspects of policies may only apply to tenants, leaseholders or freeholders, and where this is the case, the document identifies this. In many CLH organisations, residents will also be, or may be, members of the organisation – in some cases, its only members.

Registered Provider status

There are regulatory requirements placed on Registered Provider organisations, particularly in relation to their tenants. Whilst it is a good idea for any CLH organisation to have a suite of policies and procedures, it is a requirement for a Registered Provider CLH organisation. A CLH organisation will not be registered as a Registered Provider without a set of key policies and procedures. This guidance is designed to assist CLH organisations who are going through the registration process to become a Registered Provider.

The same regulatory requirements will apply to Registered Providers who CLH organisations have a partnership agreement with. This means that if a Registered Provider housing association has a lease, a management agreement or some other agreement with a CLH organisation, they would pass on their regulatory compliance duties to the CLH organisation.

Responsibility

Clearly CLH organisations who have direct responsibility for some or all of the services covered within this guidance have a responsibility to develop the policies and procedures they need in the subject areas relevant to them.

It is suggested that even where a CLH organisation enters into a long term lease agreement with a housing association, where the housing association is responsible for management of the homes, that the CLH organisation should still use this guidance to enable them to have discussions with and monitor how the housing association is providing services to the residents of the homes owned by the CLH organisation.

Policy review

There is always a need to review, amend and update policies. Policies may need to change because legislation, regulations or best practice may change. A CLH organisation may have drafted a policy with specific aims in mind, but it subsequently turns out that the aims are not being achieved – in which case there is a need to change the aims or the ways they are being implemented. It is usually the case that



there should be a rolling programme of policy review. Such reviews should happen in conjunction with the residents of the homes – particularly in a CLH organisation where residents are likely to be very familiar with local issues, problems and difficulties.

Feedback

Please feel free to provide feedback on this policy guidance. Has the guidance been helpful? Are there policy areas that are missing? Could the policy guidance be improved upon? Please send in any feedback to info@cch.coop

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Membership policy

Aims of the membership policy

The following may be aims of the membership policy:

- To identify the purpose and roles of membership in the CLH organisation
- To set out how people become and remain members
- To discuss practicalities regarding membership
- To ensure that the policy implements what is set out in the CLH organisation's governing documents about membership

Types of CLH organisation membership

most CLH organisations are likely to be membership organisations, in that they permit a group of people to become legal members of the organisation. The purpose of CLH organisation memberships differs dependent on the nature of the organisation and why it was set up. There are three broad types of membership in the CLH sector:

- **area based non-residential memberships** – designed to encourage people from a local community area (ie. not necessarily people who will live in the homes built or use its services) to sign up to and identify with what the CLH organisation is doing. In such an organisation, members may be encouraged to play an active part – and some would have to be on the governing body – but there would less expectation that all should get actively involved in the CLH organisation.
- **residential membership (smaller)** – a CLH organisation that has been set up by people who will be its members and residents. In smaller residential CLH organisations, all residents are likely to be both members and part of the organisation's governing body – meaning that all resident members play an equal part in governing the organisation
- **residential membership (larger)** – a CLH organisation that has also been set up by people who will be its members and residents. However, the larger a residential CLH organisation is, the more likely it is that the membership will elect a Board or a Management Committee to be the governing body. In these circumstances, whilst the wider membership may still be encouraged to participate, the CLH organisation would not be reliant on the wider membership for it to be involved in governance.

Legal membership issues

The CLH organisation's legal identity also determines some key membership issues:

- **formal membership accountability in a society** – the governing body of a CLH organisation that is registered as a society either is the CLH organisation's membership or is formally and legally accountable to the membership. The membership has rights to call general meetings of the society, to attend and vote at them, and in most cases to elect the governing body (if there is one that is not the whole membership)
- **formal membership accountability in a company** - the governing body of a CLH organisation that is registered as a company is not accountable in the same way to its membership. A company membership does not have legal rights to vote on issues in general meetings.



- **full mutuality** – most UK housing co-operatives are fully mutual – i.e. all members are tenants or prospective tenants and all tenants are required to be members. In such a CLH organisation, removal of membership also implies loss of the tenancy.

Membership type

A CLH organisation would want to set out at the start of a membership policy the nature and type of membership operated in the CLH organisation. Where a CLH organisation's membership plays an integral role in decision-making and governance, developing a membership policy may assume a greater level of importance.

Purpose of membership

A CLH organisation's legal membership is intrinsic to the organisation, but membership of a CLH organisation needs to be about more than legal membership. The CLH organisation may wish to state the purposes it sees for membership, which might include:

- membership may be seen as being about identity, ownership and a sense of ownership, guardianship and stewardship – sharing the values and vision of the CLH organisation
- being the *raison d'être* of community-led housing organisations – potentially involving all members of a community in decision making rather than just Board members
- developing legitimacy and credibility
- providing opportunities for involvement that are broader than formal governing body and membership meetings
- developing genuine democracy
- enabling two-way dialogue on different levels taking into account that people engage in different ways
- a means of enabling member time and energy into the development of the organisation; in some cases, a means by which members invest money into the organisation.

Membership fee and consequent rights and responsibilities

The CLH organisation needs to set out what its membership fee is (if there is one), whether it is returnable and what the membership fee gives to members – i.e. rights to attend general meetings - and voting rights if this is the case - and responsibilities of being a member. The responsibilities of being a member might include:

- attending general meetings of the CLH organisation and actively participating in decision-making
- upholding the vision, values and principles of the CLH organisation
- more detailed responsibilities to actively participate in some CLH organisations.

General meetings

The CLH organisation may wish to refer to its approach to general meetings of the organisation:

- how often they are called and what they are called for
- who can attend and vote
- quorums for general meetings
- how members can call general meetings
- how members can raise items at general meetings
- how members can get onto the governing body
- how proxy voting works

Involving members

The CLH organisation may wish to refer to how members can be involved in the organisation. This is likely to be detailed in a separate involvement policy.



Training, information and development

The CLH organisation may wish to refer to how it will provide training and information to its members and how it will develop those members who actively participate. Again, the details of training, information and development may be set out in the Involvement Policy.

Equality and diversity

The CLH organisation may wish to make a general statement about how it aims to encourage membership from all people who can use the services of the organisation and how it will operate its membership in ways that promote equality and diversity.

Termination of membership

The CLH organisation may describe how membership is terminated (which will be set out in the CLH organisation's governing documents). Membership is usually terminated if a member dies, resigns or is expelled. In some organisations, membership is automatically terminated if the reason they became a member ceases to exist (such as a resident member ceasing to be a resident or a prospective tenant member ceasing to be a prospective tenant).

Expulsion from membership

The CLH organisation may describe reasons why a member might be expelled. It is usually the case that a member can be expelled as a result of a complaint that they have conducted themselves in ways that are detrimental to the interests of the CLH organisation. Examples of detrimental conduct is likely to be set out in the CLH organisation's Code of Conduct.

Complaints process

The process for how a complaint of conduct detrimental to the CLH organisation will be heard should be set out in the CLH organisation's governing documents or in the Code of Conduct. For societies it would be expected that a member can only be expelled following an agreed resolution at a general meeting.

Risks to be avoided:

- A CLH organisation is not clear about what membership means; how people can become members; and what powers members are given
- Members do not know their rights within the organisation and do not get training or information to help them use their membership effectively
- a CLH organisation with a large area-based membership sets its membership criteria too broadly – the membership becomes very large and difficult to administrate – potentially resulting in a very large quorum that might be difficult to fulfil at general meetings.

Procedure

The CLH organisation needs to have procedures to:

- admit new members
- maintain a share register and issue share certificates
- manage general meetings
- manage complaints of conduct detrimental to the CLH organisation



Involvement policy

Aims of the involvement policy

The following may be aims of the involvement policy:

- To encourage the development of a residential or area-based community where everyone can have personal dignity and realise their potential
- To offer options for involvement and empowerment to all residents in key aspects of the CLH organisation
- To ensure compliance with the Involvement and Empowerment Standard (for Registered Provider CLH organisations)

General principles

How the CLH organisation involves its residents will be dependent on the size, type and nature of the CLH organisation. This policy guidance includes options for larger CLH organisations. Smaller CLH organisations may be able to consider the principles outlined in the policy and adapt them to fit their circumstances.

The CLH organisation may wish to set out some key general principles about how it will involve residents such as:

- the CLH organisation considers that involving residents in decision-making is not only right in terms of the CLH organisation being accountable – it also makes good business sense that the CLH organisation is built on the basis of good knowledge of what residents want and aspire to.

A range of involvement methods

The CLH organisation may wish to state that it provides a range of ways for residents to get involved, including:

- understanding the wishes and needs of residents
- exploring with residents how they would like to be involved
- carrying out consultation programmes on key issues regarding activities and services, and enabling residents to respond to consultation in different ways
- using multiple techniques to assess resident views of individual service-related issues
- encouraging or requiring residents to be CLH organisation members, and to use their membership to receive personal support and development and to get involved in CLH organisation activities
- encouragement and support to participate in the CLH organisation's Board or Management Committee
- supporting residents to be involved in community activities as well as the housing related activities of the CLH organisation.

Reviewing the strategy

The CLH organisation may wish to review its involvement strategy on a periodic basis considering:



- an analysis of the impact of the strategy from the previous time it was set, setting out whether and how the CLH organisation has met its previous targets, and how residents have shaped activities and have contributed to strengthening the local community
- the intended outcomes for the strategy over the next period – based on successes and challenges from the previous strategy
- a set of specific, measurable, achievable, realistic, and time limited action points and targets to achieve outcomes that can be checked to see if the CLH organisation has been successful in its strategy.

Profiling

The CLH organisation could maintain a profile of its residents. As well as ensuring that it provide services to residents that meet their needs, profiling will enable the organisation to adapt its involvement approach to match residents' wishes and aspirations. The CLH organisation could develop its profile through carrying out surveys of existing residents, and through asking new residents a set of profiling questions. Where contact is made with the resident in relation to other issues, the resident can periodically be asked if their profile information needs to be updated.

Residents should be informed that the information gathered will be used in accordance with General Data Protection Regulations and solely used to assist in providing them with a service aimed at meeting their needs.

As well as asking questions about statistical, diversity and service-related issues, the profile could include questions about how the resident would like to be involved in the CLH organisation:

- how the resident would like to be contacted and would like to contact the CLH organisation
- what consultation issues they might respond to
- whether they would like to attend occasional or periodic meetings, and what barriers might prevent them from attending meetings
- whether there are particular service-related issues they would like to be involved with
- whether they want to participate in community activities
- whether they might like to participate in training and development sessions
- whether they would like to attend a session about being a governing body member.

CLH organisations should use their best endeavours to ensure that it collects profile information from residents with learning difficulties or visual impairments who may not be able to complete a survey.

Communications

The CLH organisation may provide written information to its residents through a Resident Handbook, periodic newsletters, occasional one-off flyers and information sheets, notice boards, through digital means and elsewhere and letters about specific issues that the CLH organisation needs to write to residents about.

The CLH organisation should ensure that written information is attractively produced, resident friendly, and does not contain jargon or information that residents are unlikely to understand.

The Handbook could particularly include:



- information about how the CLH organisation’s democratic structures work and how they can stand for election or to be recruited to the governing body
- a summary version of the CLH organisation’s Equality and Diversity Policy – and practical information about discriminatory behaviour not being tolerated, and what residents should do if they consider that discriminatory behaviour is or has taken place
- information about the CLH organisation’s Anti-Social Behaviour Policy – what behaviour the organisation considers anti-social, and what residents should do if they consider that anti-social behaviour is taking place
- service-related information – particularly including policy information on the repairs, rent arrears, allocations and transfers services.
- information about health and safety issues – particularly in relation to fire safety – what they should do in the event of a fire and what they need to do to prevent fire. The CLH organisation has legal duties in relation to providing information to residents of flats about fire safety.
- information on what residents should do if they want to make a complaint
- the Handbook could also advise residents that minutes of all general meetings and CLH organisation policies are available on the organisation’s website or on request.

The CLH organisation should use its best endeavours to provide assistance to residents who are not able to read or understand written communications, where it is aware that residents need such assistance through profiling or through some other means.

Consultation

The CLH organisation should periodically consult and seek the views of residents on key issues in running the organisation possibly using the following consultation methods:

- informal word of mouth discussions
- distribution of consultation articles in information sheets or on notice boards or on the CLH organisation website
- carrying out questionnaires
- through holding CLH organisation general meetings.

The CLH organisation could also use profiling information to develop appropriate methods to consult with groups of people who may want to be contacted and have dialogue in particular ways.

The CLH organisation should feed back results of resident consultation, so that residents are aware of how their views are being taken into account.

Assessing resident views of service-related issues

The CLH organisation may wish to gather information on views of residents on service-related issues, assembling a database of information that will inform decision-making.

The CLH organisation should ask residents to return repairs satisfaction slips after completion of a repair. When a resident makes a complaint and when the complaint procedure is completed, the complainant should be asked their views on how the complaint was dealt with.



In making contact with residents, the CLH organisation could encourage residents to raise any other issues they are concerned about with regards services, and other ideas about how services could be improved.

Resident members

All residents/members should be encouraged to attend general meetings. The CLH organisation should carefully consider both how to ensure that as many members are attracted to attend and participate and to ensure that particular groups of members are not discriminated against. This consideration may include:

- a) providing translation services at general meetings where necessary
- b) catering for other special needs, such as learning, hearing and sight difficulties
- c) setting times and dates for general meetings that fit with work and family schedules and possibly varying the times of general meetings
- d) ensuring that the location will be easily accessible to all (e.g. does it have parking, does it have facilities to lock bicycles, is it wheelchair accessible, does it serve alcohol – the latter potentially putting some people off attending)
- e) providing childcare as necessary
- f) providing food or refreshments.

The CLH organisation should develop a training & development programme and encourage residents/members to participate in the programme. The CLH organisation could investigate whether training could be provided that would lead to recognised qualifications, and work in partnership with local colleges to provide training that could enhance residents' life opportunities.

The CLH organisation could encourage residents/members to participate in CLH organisation sub-groups.

The governing body

The CLH organisation should ensure that all residents/members are aware of the Annual General Meeting and the governing body elections/recruitment process.

The following steps could be taken to encourage and support potential new governing body members:

- during the lettings process, the CLH organisation could encourage new residents to become involved in some way, and will discuss with them any particular needs they might have to become involved
- the CLH organisation could make contact with new members who have indicated a wish to be involved
- the CLH organisation could use a range of informal contacts with residents, through community activities and through day to day dialogue, to encourage them to get involved
- the CLH organisation could hold periodic introductory sessions for new residents to become involved in the CLH organisation
- if a resident expresses an interest in being involved with the governing body, the CLH organisation could assign someone to encourage and support them to get involved, to *mentor* them, to call for them prior to meetings and discuss their possible involvement



- residents who express an interest in getting involved could be invited to attend meetings as an observer and could be invited to participate in sub-group meetings.

The CLH organisation could periodically prepare a training plan for the collective and individual needs of governing body members. The governing body could particularly ensure that its new members receive training.

Community activities

The CLH organisation is also likely to operate community activities to encourage involvement and active community. CLH organisations will recognise the importance of wider community and neighbourhood issues to building a strong self-sustaining community, and to achieve the CLH organisation's overall objectives. The CLH organisation also recognises that encouraging residents to participate in arranging community activities may be one method to encouraging their participation in other CLH organisation activities.

Data mapping and usage

The CLH organisation should regularly review and map how it obtains data, where it is stored, who has access to it and when/how it is destroyed.

Procedure

The CLH organisation will need to consider developing procedures relating to:

- reviewing the involvement strategy
- carrying out resident profiling
- producing a resident/member handbook
- carrying out consultations
- encouraging members/residents to become governing body members



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