



## CONSTITUTION

### 1. NAME

The name of the group shall be the 'Moray Tenants' Forum'. From this point on the name will be referred to as the 'Forum'.

### 2. OBJECTIVES

To improve the living conditions, community facilities and services for tenants and residents living in the area covered by The Moray Council. The Forum will at all times operate on an equal opportunities basis.

### 3. MEMBERSHIP

Membership of the Forum will comprise of tenants who are registered tenants of the Moray Council. Joint tenants will both be eligible to join but will have their voting rights restricted to one vote per household.

### 4. COMMITTEE

- a) The Committee shall comprise the members as defined in paragraph 3 above and shall serve for 12 months. They will retire at the next AGM and may stand for re-election.
- b) The Committee shall elect from within their number:
  - i) Chairperson
  - ii) Vice Chairperson
  - iii) Secretary
  - iv) Treasurer
  - v) Tenant Representatives to Moray Council Committees and other bodies as appropriate.
- c) The Forum shall make and carry out decisions in accordance with the objectives as per section 2.

- d) There must be at least three members of the Forum present for decisions to be made at a committee meeting; one of whom should be an Office Bearer.
- e) Non-voting members may be invited onto the Forum from Landlords, Moray Council staff, and Councillors.
- f) Voting members may be co-opted amongst other tenants to fill temporary vacancies throughout the year.
- g) Committee members and tenant representatives can be voted off if they have not attended three consecutive meetings without an apology or have terminated their tenancy.
- h) Committee members must declare any interest they may have in the topic under discussion and the committee will decide if they need to forfeit their right to vote on this occasion.
- i) Should a committee member resign/leave the Forum all relevant documentation and/or equipment must be returned to the group within 28 days. In the event that the position is that of the Treasurer the accounts will be checked before a new Treasurer is appointed.
- j) Decisions will be made by a simple majority, voted in through a show of hands. This applies to all meetings of the Forum. All members have an equal vote; however the Chair shall have the casting vote if the vote is tied.
- k) Members elected to office may fill one position only, and no two Office Bearers should come from the same house.
- l) The committee may co-opt a council officer or committee member if a vacancy arises.

## **5. EQUAL OPPORTUNITIES**

- a) The Forum will uphold equal opportunities and work towards good relations amongst all Members and do all it can to promote equality and diversity.
- b) All members should actively seek to represent the various needs of the area and will not discriminate between individuals with any of the following protected characteristics: age, disability, gender reassignment, marital status/civil partnership, pregnancy and maternity, race, religion or belief, and sexual orientation. In addition, we seek to promote equal opportunities irrespective of language, literacy and numeracy, social origin, employment status, and responsibility for dependents.

- c) All meetings to be held at times and in venues that meet the individual needs of members of the Forum.
- d) Communication produced by the Forum will be in 'plain language', and key documents will be available in different formats (for example, Braille, large print, audio cassette, languages) upon request. Where necessary the Forum will seek the assistance of the Moray Council to produce communication in different formats/languages.

## **6. FINANCES**

- a) The Forum may raise funds by obtaining grants from other bodies or by fund raising schemes, but guidance and approval should be sought from the Moray Council prior to application. All funding from the Moray Council or from any other sources should be addressed to the Treasurer.
- b) If the Treasurer role is vacant, Moray Council will act as Treasurer and administer the finances on behalf of the Forum.
- c) All funds shall be kept in a bank account, which shall be opened in the name of the 'Moray Tenants' Forum'.
- d) The Committee shall appoint up to four members as signatories on the account this should include the Treasurer and at least one other Office Bearer, and all cheques shall require two of these signatures. No two signatures can be from the same address.
- e) Accounts shall be kept by the Treasurer, and brought to every Forum meeting, where they may be inspected. Failure to have the books available at two consecutive meetings will mean that the Treasurer may be asked to resign.
- f) All expenditure shall be agreed and controlled by the Forum.
- g) All payments shall be made in an appropriate manner. All expenses claims must be submitted within three months of the date of issue, and accompanied by a properly completed and signed expenses claim form.
- h) No signatory shall sign a blank cheque. All cheques are to be completed before signatures are added.
- i) Once a year the accounts will be audited and presented to the Annual General Meeting of the Forum. The auditors will be an appropriate independent person/s appointed by the Committee.

- j) All correspondence of the organisation, excluding bank statements, shall be addressed to the Secretary. All correspondence from the bank or sources relating to finance shall be addressed to the Treasurer for action.

## **7. PAYMENT OF EXPENSES**

- a) The Forum will refund reasonable relevant expenses to members representing the Forum at meetings, events or other tenant participation activities. Expenses claims must be submitted within three months of the meeting/event and must be supported by valid receipts and an appropriately completed and signed expenses claim form.
- b) Relevant expenses can include travel, food and refreshments (where not provided), child/adult care costs to allow participation and any other relevant expenses agreed in advance with the Forum. Where possible the method of travel should be public transport. Car use should be the last option and must be agreed in advance with the Forum.
- c) Where car use has been agreed, mileage will be set at the approved rates within the HM Revenue & Customs scheme.
- d) The Forum reserves the right to query any claim.
- e) Any claim submitted must be valid, accurate, and complete. Where a claim for expenses is found to be fraudulent the Forum shall take action to recover any payments made as a result of any such claim. Any member/s who tenders a fraudulent claim will also be subject to disciplinary action.

## **8. ATTENDANCE AT EVENTS**

- a) Any attendance fees, travel expenses and accommodation expenses may be met by the Moray Council or the Forum, depending on the nature of the event and budgetary constraints. Bookings will be made on the understanding that members intend to make themselves available to attend.
- b) Where expense has been, or will be incurred as a result of non attendance at such an event by a Forum member, and the place could not be transferred to another member, the Forum will decide whether monies lost should be reclaimed from the member. The Forum will take into account the personal circumstances of the member, for example illness and past history.

- c) Repayment by instalments will be arranged where required at a mutually agreed rate of payment.

## **9. GENERAL MEETINGS**

- a) General meetings will usually take place the week before the council Housing and Community Safety Committee meets.
- b) Fourteen days notice to be given to members of a general meeting.
- c) Arrangements will be made for members to participate in general meetings either in-person or by way of an audio or audio-visual link.
- d) If members wish to participate by way of audio or audio-visual link, the meeting notice will set out details of how to connect and participate via the link.
- e) The meeting will be conducted to make sure, so far as reasonably possible, that those members who participate via an audio or audio-visual link are not disadvantaged regarding their ability to contribute to discussions at the meeting, as compared with those members (if any) who are attending in person (and vice versa).

## **10. SPECIAL PUBLIC MEETINGS**

Any member, having the written support of three other members may request the Forum to call a special Public Meeting of the Forum. The Forum shall call the meeting within 21 days of this written request.

## **11. ANNUAL GENERAL MEETING**

- a) An Annual General Meeting shall be held every year to discuss the activities of the Forum, to receive the audited accounts and to elect the Office Bearers of the Forum and appoint Auditor(s).
- b) The gap between one AGM and the next must not be longer than 15 months.
- c) The Annual General Meeting shall be held at a suitable venue to accommodate as many members as possible. With an additional option to participate or by way of an audio or audio-visual link.
- d) Quorum shall be three members.
- e) 21 days notice to be given to members of the Annual General Meeting.

- f) At each Annual General Meeting, the committee shall discuss and agree a budget for the Forum's activities.

## **12. CHANGES TO THE CONSTITUTION**

- a) This constitution shall only be changed at a Special Public Meeting of the Forum or at an Annual General Meeting.
- b) For decisions to be taken there must be quorum of at least three people, one of whom should be an Office Bearer. The voting shall be by a simple majority of those present.
- c) All members shall be given 21 days notice of the meeting and the proposed changes.

## **13. DISSOLUTION OF THE FORUM**

- a) The Forum may only be dissolved by a Special General Meeting of the Forum set for that purpose.
- b) All members to receive notice of the meeting and its purpose no less than 21 days before the proposed meeting.
- c) All unspent grants or financial assistance made by the Moray Council to the Forum must be returned to the council.
- d) All funds and documents relating to the Forum shall be disposed of in accordance with the wishes of the meeting and to an organisation with similar aims to the Forum.

This constitution was adopted on 5 November 2024

Name: Liz McKnockiter.....

Signature: .....

Position: Chair.....

Name: Alison Angus .....

Signature: .....

Position: Vice-chair.....

Name: Peter Cruickshank.....

Signature: .....

Position: Treasurer.....

## **Appendix 1**

### **CONDUCT OF BUSINESS OR STANDING ORDERS**

1. Members may speak only through the Chair:
2. Decisions will be made by a simple majority, voted in through a show of hands. This applies to all meetings of the Forum. All members have an equal vote; however the Chairperson has the casting vote if the vote is tied.
3. Meetings will end at a time agreed by the Forum
4. Any offensive behaviour, including racist, ageism, sexist, homophobic, transphobic or inflammatory remarks will not be permitted:
5. Members are reminded that the Forum is not the platform for personal grievances with the council; these should be directed to the appropriate department outwith the meeting.
6. The Forum will uphold equal opportunities and work towards good relations amongst all Members and do all it can to promote equality and diversity. The Forum will prohibit any conduct which discriminates on the grounds of the following protected characteristics: age, disability, gender reassignment, marital status/civil partnership, pregnancy and maternity, race, religion or belief, and sexual orientation.
7. Any member who brings the Forum into disrepute or refuses to comply with the constitution may be expelled by way of a resolution passed by a two-thirds majority vote at a Special General Meeting. Providing the following procedures have been followed:
  - a) At least 21 days notice is given to the member concerned, specifying the grounds for the proposed expulsion.



- b) The member concerned is heard at the Special General Meeting called for that purpose.
8. Any such member will have the right to appeal within 21 days of expulsion. The appeal shall be heard by an appropriate independent body such as TPAS (Tenant Participation Advisory Service) Scotland. Following any expulsion the Secretary/Chairperson shall write to the member in question informing them of their right to appeal.
  9. The Secretary shall deal with all correspondence, except bank statements which shall go directly to the Treasurer. All funding from the Moray Council or from any other sources shall go to the Treasurer.
  10. Minutes and agendas will be distributed to the membership at least 7 days before a meeting. Items for the agenda should be with the secretary a minimum of 10 days prior to the meeting. No minutes will be distributed bearing any personal details other than names.