	Report to: Northwards Housing Board 12 May 2009	Item No: 9b
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Title:	Area Panel Constitution Review		
Date:	1 May 2009		
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Confidential:	No		
For: (Please tick action required)	NOTING	DISCUSSION	APPROVAL ✓

PURPOSE OF REPORT

To report on the conclusion of the work of the Area Panel Constitution Review Group.

RECOMMENDATION

That the Board

- approves the Review Group recommendations for the revised Area Panel Constitution and Terms of Reference.
- thanks the Area Panel Review Group for their work

IMPLICATIONS	
Equality & Diversity:	It is a key part of the Governance arrangements that Equality & Diversity are embedded throughout.
Financial:	None directly
Staffing:	None directly
Decency Target:	None directly
Governance:	The review of the arrangements is a key part of the overall Governance framework.
Risk Assessment:	Not a primary risk area

Equality Impact Assessment	
Function being assessed	Area Panel Constitution
Section	All
Date of assessment	1 March 2009
Person Responsible for assessment	Claire Tyrrell
Is this a new or existing policy?	Existing
If there are significant implications in terms of equality please append a summary report.	N/A

Consultation/Consideration:

	Yes, No or N/A:	Name:	Date:
Sub-Committee:	No		
Area Panel:	Yes	All	June 2009
Task Groups:	No		
Ward Councillors:	No		

Working Group

1. The Area Panel Review Group concluded its review of the Area Panel Constitution at a meeting on 6 April. The review looked in particular at three areas:
 - Observers
 - Councillors
 - Training
2. The Group agreed to alter the process for observers attending, to shorten the timescales by allowing the Chair to approve attendance. It was agreed that there should be no change to the way Councillors attend meetings. The Group agreed to an annual skills audit of members and induction training for new members.
3. A few other minor amendments were made in order to make the document clearer.
4. The final document will be presented to a joint meeting of the Area Panels in July 2009 (date yet to be agreed).

Board

5. The Board are asked now to approve the work done by the Review Group in revising the Area Panel Constitution.

Recommendation

6. That the Board
 - a) approves the Review Groups recommendation for the revised Area Panel Constitution;
 - b) thanks the Area Panel Review Group for their work.

NORTHWARDS HOUSING

AREA PANEL (Name)

CONSTITUTION AND TERMS OF REFERENCE

1. Name

1.1 The group's formal title is the: **NORTHWARDS HOUSING AREA PANEL (Name)**.

2. Area

2.1 The area with which the Area Panel is concerned is defined by the Wards of (insert wards). See map in Appendix 1.

3. Neighbourhoods

3.1 Northwards Housing aims to achieve the widest possible representation of tenants and residents in the areas through membership on the Area Panel.

3.2 The area (as defined above) is made up of (two/three) Wards referred to in these documents as "The Area".

4. Objects and Powers

4.1 The Area Panel is established to represent tenants and residents of the Area in dealings with Northwards Housing (the Organisation) with regard to matters of common interest and concern of the area (as defined above) in a common effort to improve life for local people.

4.2 The ongoing successful partnership between the Organisation and the tenants is confirmed and strengthened by the Area Panels who will have an influence on the future management and regeneration of stock within their respective area.

4.3 This constitution should be read in conjunction with the agreed annual work plan for area panels.

4.4 The Organisation recognises that each community within North Manchester is unique and therefore recognises the importance of seeking the views and advice of the relevant Area Panel members.

4.5 Therefore the Organisation shall treat the Area Panel as its main consultative body when making decisions about its business in the Panel's Area. The Area Panel shall ensure that tenants and residents of the Council's homes and estates in the Area are properly consulted and that the outcomes of these consultations are properly taken into account in the Organisation's decision-making.

5. Membership of the Area Panel

- 5.1 Membership will be open to all tenants and residents living on Council housing estates in the Area who meet the set criteria.
- 5.2 There shall be (12/13) places on the Area Panel (Name) (not including co-optees) of which:
- 7 shall be secure (not introductory) tenants
 - 2 shall be owner occupiers
 - 1 shall be a leaseholder
 - 1 shall be a Councillor from each Ward within the area???

This Area Panel celebrates and respects the diversity of lifestyles and cultures of all people living in the area and values the contribution each individual can make to the success of its work. In order to become more representative of the communities it serves, the Area Panel will actively work towards encouraging representation from the Black and Minority Ethnic (BME) community and other difficult to engage groups in the Area Panel membership (or the co-opted membership).

- 5.3 Up to three additional persons can be co-opted to the Area Panel from other organisations with an interest in the local area such as representatives of local voluntary and statutory organisations who can provide additional expertise or representation. Additional co-optee places will be made available for representatives of Tenant Management Organisations in the area. The Area Panel must give final approval. Co-opted members shall not have voting rights.

6. Appointment of Tenants and Leaseholders to the Area Panel

- 6.1 For the avoidance of doubt the definition of a tenant shall at all times be as set out in the Articles of Association of the Organisation.
- 6.2 For the formation of the first Area Panel, members shall be appointed for a period of up to three years by members of the existing Area Consultation Group. Members will be voted on to the Area Panel (after being nominated and seconded) by a simple majority show of hands. If more members are nominated than vacancies a secret ballot will be held. For the first appointments, lots shall be drawn to determine which tenant Area Panel members stand for 1, 2 or 3 years. Subject to sections 15 and 16, at least twelve months must elapse before any tenant member is required to stand down.
- 6.3 A third (or the nearest number to a third) of all of the tenant members shall stand down each year by rotation. The AGM shall be the annual occasion of replacing (or reinstating for a further term) those members standing down. The Annual General Meeting will be a publicised meeting open to all tenants and residents of the area. Below is the process for replacing/reinstating members at an AGM.
- 6.4 The presiding officer will:
- ask for those members required to stand down
 - ask for nominations
 - members are voted to the Area Panel (after being nominated and seconded) by a simple majority show of hands.
 - If more members are nominated than vacancies a secret ballot will be held.

6.5 The Area Panel will seek to appoint, where appropriate, a level of representation which reflects the broad geographical profile of the Wards within the Area, and which reflects the demographic make-up of the area, e.g. in terms of age and ethnic groups, responsibilities as carers etc. Area Panel members will be required to operate on a non-constituency basis (i.e. will make decisions on behalf of the whole Area rather than a specific Ward within the Area or a specific demographic group).

6.6 In the event that the Area Panel is unable to appoint tenant members as detailed in 6.5 above then the Area Panel will use their best endeavours to recruit alternative tenant members from within the Area.

7. Appointment of Non-Tenants to the Area Panel

7.1 For the formation of the first Area Panel, resident members of the Area who are not tenants (owner occupiers or leaseholders) shall be appointed for a period of up to three years by members of the existing Area Consultation Group. Members will be voted on to the Area Panel (after being nominated and seconded) by a simple majority show of hands. If more members are nominated than vacancies a secret ballot will be held. For the first appointments, lots shall be drawn to determine which resident Area Panel members stand for 1, 2 or 3 years. Subject to sections 15 and 16, at least twelve months must elapse before any resident member is required to stand down.

7.2 One of the resident members shall stand down each year by rotation. The AGM shall be the annual occasion of replacing (or reinstating for a further term) those members standing down. Below is the process for replacing/reinstating members at an AGM.

7.3 The presiding officer will:

- ask for those members required to stand down
- ask for nominations
- members are voted to the Area Panel (after being nominated and seconded) by a simple majority show of hands.
- If more members are nominated than vacancies a secret ballot will be held.

8. Casual Vacancies for Tenants and Residents

8.1 If casual vacancies arise in the places held for tenants and/or residents, the Area Panel may in its discretion appoint a replacement to serve until the next formal opportunity for appointments at the Annual General Meeting (AGM).

9. Election of Area Panel Officers

9.1 The Officers of the Area Panel are the Chair and Vice Chair. Only tenants will be eligible to stand for election as Chair or Vice Chair. The Chair of Northwards Board is not eligible to be Chair of an Area Panel. Ordinary Board Members may be members of Area Panels and are eligible to be Chair.

9.2 Officers are to be elected by a majority poll of Area Panel members at the first meeting following the AGM

9.3 At the first Area Panel meeting following the AGM, the role of Chair will be elected by the Area Panel as follows:

- ask for nominations for the role of Chair
- ask for any nominations to be seconded
- if there are no other nominations, asks for a show of hands as a vote for the nominee to be elected into position
- if more than one nomination then a secret ballot shall be held
- the presiding officer will state which nominee has been voted into post of Chair

This procedure will also be adopted for the election of the Vice Chair.

- 9.4 Officers of the Area Panel should serve one year and may offer themselves for re-election each year.
- 9.5 In the event of an Officer resigning before their term of office is complete, the Area Panel shall elect a replacement to serve until the next AGM, when a new Officer will be appointed as per paragraph 9.3.
- 9.6 Any motion to remove an Officer must be clearly advertised in the Notice calling the meeting, and in the Agenda for the meeting.
- 9.7 In the event of an Officer being removed before their term of office is complete, the Area Panel shall elect a replacement to serve until the next AGM when a new Officer will be appointed as per paragraph 9.3.

10. Voting Rights

- 10.1 Voting shall be a simple majority on a show of hands or ballot (as the meeting may decide). Only tenants and residents who live in the Area and are eligible for full membership of the Area Panel are entitled to vote at the AGM. Councillors who have been nominated to the Area Panel to represent their ward are also eligible for full membership of the Area Panel are entitled to vote at the AGM. Observers and co-opted members shall not have any voting rights.
- 10.2 In the case of equality of votes, the Chair shall have the casting vote.

11. Objectives

- 11.1 The role of the Area Panel shall be:
- i) To make recommendations on matters as directed and as and when required by the Board.
 - ii) To represent tenants' and residents' interests on all matters relating to housing services, policies and practices, either within the Area as a whole or any part of it. To consider and respond on matters affecting housing conditions and amenities and to comment on new policy initiatives that affect tenants and residents.
 - iii) To suggest and promote ideas for improving service delivery.
 - iv) To comment to the Organisation on its expenditure priorities in respect of the management and maintenance of its housing stock within the Area.

- v) To receive and consider performance monitoring reports relating to the Organisation's housing services within the Area and other initiatives carried out in partnership with other agencies, contractors and recognised groups.
- vi) To support Tenant and Resident Groups, and to promote participation and mutual support in such groups.
- vii) To work with Northwards Housing to develop new and innovative methods of involving tenants and residents in the area
- viii) To receive reports from the Organisation and to make recommendations to the Board or Sub-Committees of the Organisation, as may be appropriate.
- ix) To work with Northwards Housing to develop an a Comprehensive Equality Policy which will clearly demonstrate its commitment to engaging all sections of the community in its activities and work towards ensuring that its membership reflects the demographic makeup of the area it represents.
- x) To share information and experience between tenants and residents in the Area, and to foster mutual support between tenants, and between tenants and residents.
- xi) To work towards the improvement of the quality of life in the Area, including working in partnership with tenants/residents associations, other agencies and recognised groups.
- xii) To receive and comment on information from the Organisation relating to budgets, performance and policy.
- xiii) To hold Annual General Meetings (AGM)
 - To receive and comment on Annual Reports and Plans.
 - To elect the Area Panel Members

11.2 The Organisation and the Area Panel agree to ensure consultation between them on:

- Spending priorities for the Area
- Developing any local lettings arrangements for the Area
- Developing approaches to anti-social behaviour in the Area
- Prioritising, specifying and timetabling works and contract arrangements for the Area
- Changes to the specification and work programme once agreed
- Area specific issues such as neighbourhood management
- The performance of contractors employed on major works contracts
- Tenant satisfaction surveys and quality reviews
- Equality and diversity policy and practices

11.3 After a period when the Area Panels have been up and running, the Board (having reviewed the situation) may recommend delegating functions to the Area Panels and making them into decision-making Area Boards to devolve powers locally. If this were to occur, then the Constitution of the Area Panels would need to be amended to reflect this.

12. Meetings and Conduct of Business

12.1 Frequency of Meetings

Area Panel Meetings

Area Panel meetings shall be held at least once a quarter and otherwise as necessary to undertake the role set out in the Constitution, at a place that the Area Panel shall determine.

Annual General Meetings

The AGM of the Area Panel shall be held in each year at such a time (not being more than 15 months after the preceding AGM) and a place within the immediate locality as the Area Panel shall determine.

12.2 Code of Conduct

Area Panel members will have to sign up to the Area Panel Code of Conduct.

12.3 Servicing

The Area Panel shall be supported by the Organisation in servicing meetings, including arrangements and agendas for, and minutes from meetings.

The Organisation shall distribute papers for meetings to Area Panel members at least seven days in advance, including agendas, minutes, and reports.

Regular written reports will include updates on lettings, rent collection and arrears, anti-social behaviour, work programmes and day-to-day maintenance.

The Organisation will provide meeting facilities for the Area Panel along with reasonable financial support to allow the Area Panel to operate as an effective representative group for tenants, owner-occupiers and leaseholders within its Area.

The Organisation will ensure appropriate Officer attendance at meetings.

Other officers and Board members of the Organisation will be entitled to attend Area Panel and Annual General Meetings of the Area Panel, but not to vote.

Officer responsibilities are detailed in appendix 2.

12.4 Chairing

The Area Panel shall have a Chair to be appointed by the members of the Area Panel in an election once a year, such Chair being removable by a majority decision of those other members of the Area Panel (not including co-opted members) present at a quorate meeting of the Area Panel.

Any motion to remove the Chair must have been clearly advertised in the Notice calling the meeting, and in the Agenda for the meeting.

In the case of equality of votes, the Chair shall have the casting vote.

12.5 Quorum

The quorum for a meeting of the Area Panel shall be at least 50% of the Area Panel tenant and resident membership as at the date of the meeting, including at least three of the tenant members.

12.6 Decision Making

Decisions shall be reached wherever possible by consensus, but where a minority view is held by one or more members of the Area Panel this shall be formally recorded in the minutes of the relevant meeting. Voting shall be a simple majority on a show of hands or ballot (as the meeting may decide).

12.7 Communication Outside Meetings

The Chair shall contact the Organisation regarding any formal communications. This should be to the Senior Officer responsible for servicing the Area Panel. The Area Panel may decide to delegate this to another member as appropriate.

Area Panel members can only speak on behalf of the panel if the Area Panel has agreed to this as above.

Any Area Panel member who talks with other agencies on behalf of the Area Panel must confirm this conversation in writing and request written replies to their enquiries, copies of such correspondence to be circulated with the next available agenda.

All media communications to be directed through the Chair or Vice Chair in liaison with the Organisation's designated Officer.

12.8 Openness

Attendance at Area Panel Meetings as an observer by other individuals or organisations shall be by request to the Resident Involvement Officers prior to any meeting.

Requests for attendance will be considered by the Chair in consultation with the Senior Officer responsible for that panel.

If the request is refused the individual or organisation will have the right of appeal to a Panel consisting of the two other Area Panel Chairs (or an alternate) and a Director. These three will review the request and the Area Panels response in the light of the code of conduct and make a decision. This decision shall be final.

Observers shall not be entitled to speak at an Area Panel Meeting unless a request has been agreed by the Chair and if invited to do so by the Chair. Observers may not vote on any issue. Observers will be expected to comply with the Code of Conduct.

Observers will normally sit at the meeting table unless there is insufficient room for Area Panel Members and Officers in attendance.

In the event that anything of a confidential nature has to be discussed in the course of a particular meeting, then any observers present may be required to leave the meeting during the confidential discussion at the direction of the Chair.

The Area Panel Meetings are not the only way members of the public can interact with the work of the Organisation and through publicity, the website, and Forum

Groups promoted by the Resident Involvement Officers and others it is hoped that individuals and organisations will get involved.

12.9 Agenda Items

The agenda for Area Panel meetings will be drawn up by the Chair of the Area Panel, in consultation with the Governance Manager. The Organisation may request particular agenda items to be included. All Area Panel members shall be entitled to place items on the agenda, provided they have given 21 days notice to the Governance Manager before the date of the meeting.

Any other urgent business may be included at the Chair's discretion.

The Area Panel may also recommend that a particular item can be put on a relevant Sub-Committee or Board meeting agenda by contacting the Chief Executive of the Organisation at least 28 days prior to the meeting, or by referring the matter specifically within the minutes of the Area Panel.

12.10 Minutes

All Area Panel minutes shall be placed on the agenda of the next Board, and Sub-Committee meetings where appropriate, for noting and (where relevant) action. Where a recommendation is being made, the minutes will state which Sub-Committee(s) is/are being asked to consider the matter; or if the matter is to be referred directly to the Board. Minutes of Northwards Housing Board and Sub-Committees shall be included on the agenda of each Area Panel meeting for information and (where relevant) action.

Minutes of each meeting, with the exception of any minutes held by the Chair to contain confidential information, shall be documents of public record and shall be made available for inspection by members of the public on request. The Area Panel's minutes, agendas and reports will also be circulated to the other Area Panels for information.

12.11 Declaration of Interest

Area Panel Members must declare interest they have in accordance with the Code of Conduct.

If the Area Panel are discussing a matter which specifically affects an Area Panel member the Area Panel member must declare an interest. This includes:

- An organisation with which he or she is involved,
- has direct financial implications for the Panel member
- has financial implications for the organisation with which he or she is involved

The Area Panel member may be required to withdraw from that part of the meeting at the direction of the Chair.

12.12 Publicity

Area Panel and AGM meetings shall be publicised in an appropriate manner and not less than seven calendar day's notice shall be given.

12.13 Equality

The Area Panel will actively promote equal opportunities for all tenants and residents in the area irrespective of age, gender, racial/ethnic origin, sexuality, disability, class, appearance, HIV/AIDS status, and responsibility for dependants, employment status, political or religious beliefs or any other matter which may cause people to be treated with injustice. To achieve this, Northwards Housing has developed a Single Equality Scheme which demonstrates its commitment to actively listen and respond to the needs of individuals and communities within its area. This will support creating an open and transparent atmosphere which will encourage all sections of the community to become members of, and/or work in partnership with, the Area Panel.

The Area Panel will carry out Equality Monitoring on an annual basis and all panel members are required to complete a monitoring form. The panels will agree targets to address under-representation when compared to the community served.

13. Training

- 13.1 The importance of training is recognised and accepted for the overall development of the group. Such training would include any which is relevant to the remit of the Panel, including training to improve the skills and understanding of the Panel and issues relevant to the improvement of the quality of life in the area.
- 13.2 Training needs and how they can best be met will be the subject of discussion at Area Panel meetings.
- 13.3 The Area Panel will agree with the Organisation on a budget and a programme of training, where Area Panel members may attend conferences, seminars, training days and workshops as may be agreed by the Area Panel (subject to funds being available).
- 13.4 The Area Panel will carry out an annual skills audit. This will be discussed at an annual review meeting with the Panel Chair. Learning and Development plans will be agreed for each panel member.
- 13.5 Induction training will be provided for all new members and refresher training will be offered to existing panel members.

14. Changes to the Constitution

- 14.1 The Constitution can only be changed by the Organisation's Board after consultation and agreement of the Area Panels.

15. Harmful Actions

- 15.1 If at any time the Board of the Organisation believes that the operations of the Area Panel are being harmed by the activities of one or more members of the Area Panel, then the Board may, having given the member concerned due notice and an opportunity to state their case to a panel of the Organisation Board members convened for this purpose, remove such members from the Area Panel. Such removal shall have immediate effect following the passing of the relevant resolution by said panel of the Organisation's Board members.
- 15.2 If the Area Panel believes that a panel member has broken the code of conduct they may follow the Disciplinary Procedure as described in appendix 1 of the code of conduct.

16. Cessation of Membership

16.1 A member of the Area Panel shall cease to be a member:

- under the provisions of 15 above
- if a tenant, owner-occupier or leaseholder member moves out of the area covered by the Panel, or moves out of the housing owned by the Council and managed by the Organisation in the Panel area, they shall cease to be a Panel member with immediate effect
- if a tenant buys their Council home they shall stand down at the next AGM. They will be eligible to stand for election to an owner-occupier or leaseholder place (as applicable) on the Panel.
- if a member fails to attend three consecutive meetings, the Panel shall be entitled to vote to end their membership of the Panel. The Panel may decide to fill the vacancy after consideration of any exceptional circumstances that the Area Panel has been made aware of.

17. Responsibilities of the Area Panel

The Area Panel will:

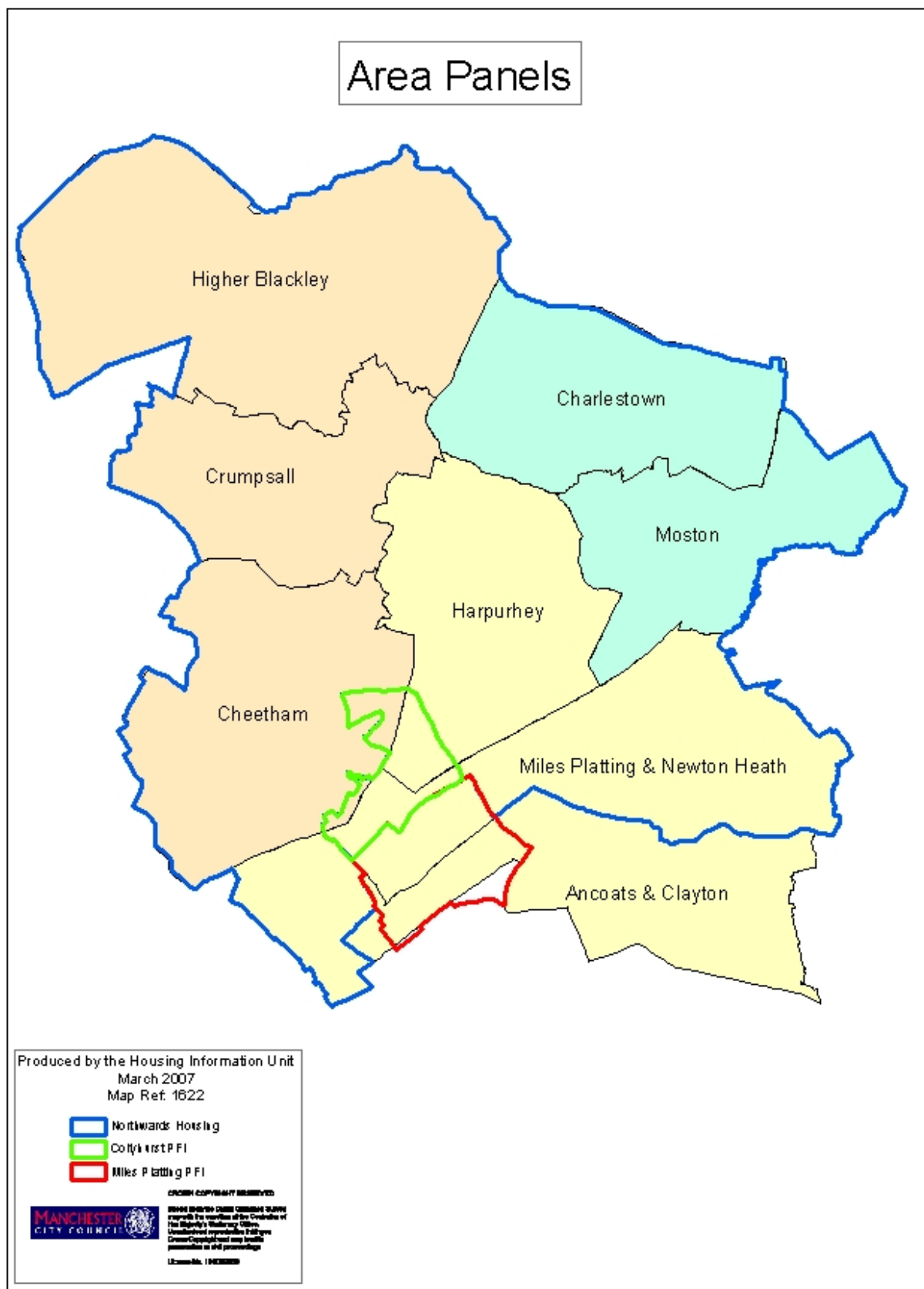
- a) Ensure to the best of its ability that the Area Panel adequately represents all those receiving a management service from the Organisation. This includes endeavouring to ensure a balanced representation across the geographical area served.
- b) Communicate regularly with and listen to the views of tenants and residents associations. Together with the Organisation officers, they must report back to these groups on the work of the Organisation.
- c) Hold Area Panel meetings at least four times per year.
- d) Encourage tenants to take a more active role in supporting the Organisation staff in their work.
- e) Monitor the management services provided by the Organisation, and to liaise regularly with officers on this.
- f) Adopt in full and abide by the Organisation's policy on Equal Opportunities.
- g) Abide by the membership rules for the Area Panel, as set out in the Constitution.
- h) Operate within any budget provided by the Organisation.
- i) Adopt in full and abide by the Organisation's Resident Involvement Agreement

18. Responsibilities of the Organisation

The Organisation will:

- a) Provide the Area Panel with all reasonable support to ensure that the Panel performs effectively.

- b) Make available regular information and to discuss with the Area Panel issues regarding management and maintenance services provided by the Organisation overall and at an Area level, in accordance with the Schedule of Information & Consultation.
- c) Keep Area Panels, Tenants and Residents Associations and tenants informed of any proposed changes in policy or procedure that affect the running of the Organisation.
- d) Liaise closely with the Area Panel to ensure that service reviews and policies under consideration by the Organisation are developed in consultation.
- e) Produce newsletters (jointly with local people) to inform tenants and residents of the work of the Organisation and the Area Panels using formats to ensure information is accessible to all (for example, large print, Braille, audio, DVD/video, translations etc).



Appendix 2

Area Panel Officers

Senior Officer – Head of Neighbourhood Services

- Dealing with communications outside meetings
- Taking a lead at meetings
- Ensuring appropriate officers are available at meetings
- Agreeing environmental works programme with the Panel.
- Agreeing observer attendance with the Chair

Resident Involvement Officer

- Taking minutes and arrangements for meetings
- Sending minutes for approval to the Chair
- Dealing with requests to observe meetings
- Leading on AGM arrangements
- Recruitment of new members
- Managing attendance including receiving apologies

Governance Support Manager

- Agreeing annual work-plan
- Agreeing monthly agenda with the Chair
- Collating and circulating meeting papers within agreed timescales
- Arranging training and development
- Arranging Chair and Vice Chair meetings
- Governance arrangements including publicity of AGM's
- Assisting Senior Officer with governance issues