

CONSTITUTION of Cane Hill Park Residents Association (CHiPRA)

Version: Draft 0.4 Date: 26th January 2020

1. The Association is known as Cane Hill Park Resident's Association (CHiPRA).
2. The area covered by the Association is the Cane Hill Park estate, currently entered via Cane Hill Drive / Lime Tree Avenue, and defined by the map in Appendix 1.

AIMS

3. The aims of the Association are:
 - a. To ensure that all members are consulted regularly and that all residents entitled to membership are encouraged to join.
 - b. To represent the views of members and work towards ensuring that the best interests of members are served.
 - c. To promote cultural and social activities to encourage a greater sense of community.
 - d. To co-operate with other Organisations in any of these aims.

MEMBERSHIP

4. Membership is open to all persons 16 years or over living in the area as defined above, who accept the aims of the Association, (including all tenants, leaseholders and freeholders), irrespective of age, race, gender, sexuality, disability, political or religious beliefs, or marital status. As far as possible, the membership should reflect the make-up of the local population.
5. Eligible residents can request membership via the Secretary.
6. All parties privy to personal details of members will not disclose or pass on without the member's explicit consent.
7. Members shall at all times conduct themselves in a reasonable manner at meetings of or in premises used by the Association. A member may be suspended from the Association for failure to observe this, or for any other conduct not in line with the aims of the Association. Any member so suspended has the right of appeal to the following General Meeting, before permanent suspension from the Association takes place.
8. Racist or sexist behaviour will not be tolerated and will be grounds for suspension.
9. Membership ends when a member moves out from the area covered by the Association.

SUBSCRIPTIONS

10. The Association has agreed not to charge an annual subscription or other form of membership fees at present.
11. Subscriptions or other money raised by or on behalf of the Association may be used only to further the aims of the Association.

CONDUCT OF BUSINESS

12. All Association business will be conducted in accordance with the Code of Conduct, please see Appendix 2
13. The business of the Association will be conducted by a committee normally elected at the Annual General Meeting, which shall consist of a Chair, Vice Chair, Treasurer, Secretary and not less than two other members. As far as possible, the composition of the committee shall reflect the local population of the area the Association represents.
14. Councillors or employees of the council shall not represent the Association in its dealings with the council or be members of the committee.
15. The election or removal of officers or committee members may take place only at a General Meeting of the Association. The committee may temporarily fill any vacancy arising among the officers of the Association from its other members until the next General Meeting. The committee has the power to suspend a member or committee member by a simple majority vote until the next general meeting.
16. The committee shall the power to appoint sub-committees as may be deemed advisable for special purposes, and if considered necessary, may co-opt on such sub-committees any member or members of the Association. Sub-committees will report to the Chairman or Vice Chairman as necessary.
17. An officer or committee member must declare any relevant personal interest in a matter under discussion. The committee shall have the right to determine whether that member should withdraw, or be allowed to speak but not vote, or be allowed to speak and vote.

DUTIES OF THE OFFICERS

18. The officers of the Association have a duty to further the aims of the Association.
19. The Chair shall guide the meetings of the Association and its committee. If the Chair is absent, the Vice Chair will take over.
20. The Treasurer shall open and/or maintain a bank or building society account in the name of the Association. All cheques must be signed by the Treasurer and at least one other nominated committee member (of up to three from a nominated group) who is from a different household and not related. Unless there are exceptional circumstances, there will be only one bank account for the Association, into which all monies are paid.
21. The Treasurer shall keep proper accounts of income and expenditure and details of subscriptions paid. He/she will also report on them as required by the committee, at General Meetings. The accounts should be available for inspection by any member of the Association.
22. The Secretary is responsible for arranging meetings and giving the relevant notice to members. The Secretary shall ensure that a proper record is kept of all meetings of the Association and its committee in the form of minutes, and make them available as required by the committee. A register of members' names and addresses will also be kept by the Secretary.
23. A member appointed to represent the Association in discussions or communication with any other body (including the media) shall act on the instructions of the

committee and shall report back to the following committee meeting or General Meeting, whichever is the sooner.

24. No member of the Association will speak on behalf of the Association without the prior approval of the committee.

COMMITTEE MEETINGS

25. The committee shall meet not less than three times a year and shall be open to any members of the Association wishing to attend, who may speak at the discretion of the Chair but not vote.
26. The committee shall monitor the work, finances and membership of the Association.
27. The committee shall report to each General Meeting on its activities since the last General Meeting.

GENERAL MEETINGS

28. General Meetings of the Association, open to all members to speak and vote, shall be held not less than twice a year. Decisions taken at these meetings shall be binding on the committee. Decisions shall be taken by a simple majority of members present and voting. All members shall be given not less than 14 days notice of any General Meeting.

ANNUAL GENERAL MEETING

29. The committee shall call an Annual General Meeting of the Association each May or June. Not less than 21 days notice shall be given of the AGM to all members and to all those eligible for membership. A formal application for membership shall also be distributed at this time. A representative of the council shall also be invited to attend.
30. At this meeting:
 - a. The committee shall present their annual report.
 - b. The Treasurer shall present the accounts of the Association for the past year.
 - c. An independent person or body to audit / check the financial records of the Association for the forthcoming year, shall be appointed.
 - d. The officers and committee for the next year shall be elected.
 - e. Any proposals submitted to the Secretary in writing not less than 14 days in advance of the meeting shall be considered.
31. The minutes of the AGM and the audited accounts should be made available to the members, together with the names of the officers and committee members of the Association.

SPECIAL GENERAL MEETING

32. The Secretary shall call a Special General Meeting at the request of a majority of the committee, or on receipt of no fewer than 20 individual written requests from members of the Association. The Secretary must give at least 7 days notice of the Special General Meeting to all members, which shall take place within 21 days of the request.

QUORUM

(The minimum number of members who must be present before a meeting may proceed)

33. The quorum for committee meetings of the Association shall be four members or one third of committee members (whichever is greater). The quorum for all General Meetings shall be one fifth of the membership.

VOTING

34. Those attending a meeting where members of the committee are selected, will be informed that any member may stand for any position on the committee. Any member may nominate individuals or volunteer themselves for any such positions.
35. Where there is a contest for officers of the Committee, or where the Association are unable to reach agreement on an issue, voting will be carried out by a written ballot.
36. Each household will have one vote only. The Chair will have only one vote, they will not have an additional or casting vote.
37. Where voting is required and a council officer is in attendance, they may be asked to administer and supervise the voting process.

NOTICE OF MEETINGS

38. Notice of all General Meetings and the Annual General Meeting will include the date, time and place of the meeting and the agenda of matters to be discussed and will be communicated to each member by contact at their home address or their registered email address.
39. In addition, notices, flyers or other forms of electronic communication may be used to ensure all those entitled to participate are made aware of the details of these meetings.

ALTERATION TO THE CONSTITUTION

40. Any proposal to change this Constitution must be given to the Secretary not less than 28 days before the General Meeting at which it is to be discussed. Any change requires the agreement of two thirds of those present and entitled to vote at the meeting.
41. The Association shall not be dissolved except by the vote of two thirds of the members present and eligible to vote at a General Meeting, on the Agenda of which shall appear the question of dissolution. For the sole purpose of dissolution a quorum need not apply.
42. On dissolution any assets remaining when the Association has paid all debts shall be applied for such purposes of benefit to the community or local charity as the meeting shall decide.

EQUAL OPPORTUNITIES COMMITMENT

43. The Association shall positively promote equal opportunities and diversity within the community and within its membership, and work for the elimination of discrimination against persons on the basis of race, gender, marital status, age, sexuality, disability, political and religious beliefs.

DECLARATION

The above constitution was discussed, approved and supported by the Association at the meeting which took place on

.....(Date of meeting)

at which the three members below were present:

Chair or Vice chair:

Print Name

Signature.....

Date.....

Member:

Print Name

Signature.....

Date.....

Member:

Print Name

Signature.....

Date.....

Appendix

1. Map of area covered by the Association



2. Code of Conduct

All committee members should:

- Act in the best interest of the association
- Declare all relevant personal and financial interests to the secretary
- Never use their position to seek preferential treatment for themselves, their family or relatives.
- Attend meetings – if unable to do so send apologies beforehand to the secretary and read the papers for the meeting beforehand
- Accept collective responsibility for the decisions of the committee
- Not divulge any association business which is treated as confidential to other person or organisations.
- Support the chair at all times in ensuring that members meet the code of conduct

During a meeting:

- All members at the meeting are responsible for conducting themselves in a way that does not cause offence or limits the ability of others to participate in the meeting.
- Members must speak in a polite and respectful manner
- Members must not use rude, obscene or abusive language
- Members must not behave violently
- Members must not insult or demean others in the meeting
- Members must not use racist, sexist or other discriminatory language
- Only one person shall speak at a time and speakers should not be interrupted.
- The chair of the meeting shall decide who shall speak if two or more people try to speak at the same time
- Members need to be sensitive to others whose first language is not English and are not used to speaking in public
- Avoid lengthy discussion of and points of detail on the minutes of previous meetings and matters arising unless there is a fundamental problem
- Respect the authority of the chair
- Raise items of any other business with the chair before the meeting
- Avoid naming individuals
- Committee members must avoid public criticism of individuals/ the RA or sub-teams
 - This is to include WhatsApp and any other form of social media; i.e. Facebook
- Avoid straying from items on the agenda or introducing side issues
- Voters should always be prepared to accept the majority decision and not take such a decision as any form of personal slight or criticism
- It is the responsibility of the chair with the assistance and co-operation from all members to ensure that the Code of Conduct is adhered to during meetings.

Communication on behalf of the association:

Statements to the media or other organisations on behalf of the Association should be made by the Chairperson or committee members with the prior approval of the Committee. Formal correspondence sent on behalf of the Association must be signed by the Secretary, Chairperson or the relevant sub-committee lead (in the case of email correspondence). Social media correspondence i.e. Facebook posts or WhatsApp responses should be agreed with the Chair, Deputy Chair or relevant committee lead in advance of posting.

Procedures if the Code has been ignored

All committee and association members must comply with the Constitution and Code of Conduct. Any serious breach of the Constitution or Code of Conduct may result in committee members, following a majority vote of the Committee, being asked to resign and if appropriate, termination of membership according to the procedures set out in section 3, Termination of membership.

1. Committee meetings

- If a member feels that another member has ignored the Code, he/she should raise this with the chair either at the time or immediately after the meeting.
- If the chair agrees, the member will be advised that they have breached the Code of Conduct and that their behaviour therefore is not acceptable.
- If the member persists with this behaviour, the chair will put to the meeting a motion that the member be asked to leave the meeting immediately. A simple majority of members present will suffice to pass such a motion.
- Continued unacceptable behaviour from the individual may result in the committee putting a motion to an emergency committee meeting that the individual's membership is either suspended for a period or terminated according to procedures in point 3.

2. General members

- Any resident who feels that they have not been treated fairly and equally by the Association can raise this with the Committee who will respond within twenty-eight (28) days.
- Any complaints received about the conduct of the Association or individual members will be taken to the Committee who will respond within twenty-eight (28) days. The Committee will only deal with complaints that relate to the activities of the Association and its members in relation to the Constitution and Code of Conduct.
- Committee members will not act on behalf of Resident Association to deal with neighbour or inter-personal disputes in the area.

3. Termination of membership

In the event of breaches of the Constitution or Code of Conduct membership of the Association can be suspended or ended by a two thirds majority vote of the Committee.

Notification of suspension must be given in writing with a copy of the Constitution attached.

4. Appeals

Any member who has been suspended or had their membership terminated shall have the right to appeal. If a member wishes to appeal, they have the right to ask the Secretary to arrange a special meeting to hear their appeal. Appeals must be made to the Secretary within twenty-eight (28) days of receipt of the letter suspending them. A special meeting must be held to hear the appeal within twenty-one (21) days of the Secretary receiving notification from the member. The appeals panel shall include at least three ordinary members of the association who are not on the Committee. Any member appealing suspension shall have the right to bring a third party and, if they wish, to be represented by the third party.

The decision of the appeals panel shall be binding on both parties.