

## **Elected Tenant and Leaseholder Representatives Code of Conduct**

### **1. Introduction**

This Code applies to all Tenant and Leaseholder Representatives (TLR) elected to sit on the Housing Scrutiny Committee. It offers guidance to all regarding conduct and behaviour and should be read in conjunction with the Council's Constitution Part 4E: Appendix 1, Section 4.1, Section 6.2 and Section 6.3.

The role of a TLR is a voluntary role. The City Council recognises the immense benefits that TLR' can bring, and the bridges that they build between the Council and the local community. The Council values the contribution that TLR' make as part of the decision making process.

The TLR' are free to refuse the role, the TLR should give as much notice as possible (preferably at least three months) if they are no longer able to fulfil it.

The Council is not bound to provide the TLR position on the Housing Scrutiny Committee, a decision to change the overall membership of the committee would be made by full Council. Should the Council decide to remove TLR from the Housing Scrutiny Committee membership the TLR will be given at least 3 months' notice.

### **Scope**

TLR' must comply with this Code whenever conducting the business of the office to which they are elected.

### **2. General Obligations**

TLR are expected to comply with the Council's Equal Opportunities and Health & Safety policies while they are on its premises or undertaking any of their volunteering duties. The Resident Engagement Officer should ensure that their induction includes an explanation of these policies and procedures and any other policies which are relevant to the volunteering work (e.g. Safeguarding). Copies or links to policies should be given during their induction.

TLR' are expected to show commitment to carrying out their role on the Housing Scrutiny Committee (HSC) and to the representation of and engagement with City Council residents. TLR' are required to attend the meetings outlined within their role description, the Resident Engagement Officer will accommodate all TLR' availability and locality when organising meetings. If a TLR is unable to attend an organised meeting they should give as much notice as practicable. Consistent failure to fulfil the role in this respect may lead to the Council asking the TLR in question to withdraw from the role. However, this would always be preceded by a warning.

## APPENDIX 1

TLR are eligible to claim an allowance, the amount corresponds to the level of TLR activity undertaken in the preceding 6 months. TLR' are also eligible to claim expenses; any claim should be made with integrity. Fraudulent claims are likely to lead to instant dismissal from the role.

TLR' agree to ensure that their rent and/ or service charges will be kept in good standing. If a TLR feels that their account is at risk of falling into arrears they should notify the Resident Engagement Officer and Income Management Team within City Homes as soon possible to help manage the situation and agree a solution in a timely manner. In the event that arrears do accrue the TLR should proactively seek to agree arrangements to repay the arrears with the Income Management Team.

TLR are likely to receive information which is not in the public domain; possibly relating to individuals, organisations or financial matters. It is the responsibility of each TLR to ensure that this information remains confidential. TLR must never use confidential information for their personal advantage or the advantage or disadvantage of anyone known to them. This does not prevent disclosure once the information is in the public domain (unless it has been made public as a result of the volunteer's breach of confidentiality) or where the law permits or requires disclosure.

Whilst in the conduct of the role TLR' must:

- a) treat others with respect.
- b) be accountable for their actions ensuring appropriate use of information, exercising diligence and duty of care obligations and avoiding conflicts of interest.
- c) uphold honesty and act in an unbiased and unprejudiced way.

TLR' must not:

- a) do anything which may cause the authority to breach any of the equality enactments (Equality Act 2010);
- b) bully any person. Bullying constitutes: the use of force, threat, or coercion to abuse, intimidate or aggressively dominate others. The behaviour is often repeated and habitual. One essential prerequisite is the perception, by the bully or by others, of an imbalance of social or physical power, which distinguishes bullying from conflict.
- c) conduct themselves in a manner which could reasonably be regarded as bringing their office or authority into disrepute.

### **3. General Principles**

TLR' will apply the following standards at all times:

**Selflessness-** TLR should serve only the public interest and should never improperly confer an advantage or disadvantage on any person.

**Honesty and Integrity-** TLR should not place themselves in situations where their honesty and integrity may be questioned, should not behave improperly and should on all occasions avoid the appearance of such behaviour.

**Objectivity-** TLR should make decisions on merit, including when making appointments, awarding contracts, or recommending individuals for rewards or benefits.

**Accountability-** TLR should be accountable to the public for their actions and the manner in which they carry out their responsibilities, and should co-operate fully and honestly.

**Openness-** TLR should be as open as possible about their actions, and should be prepared to give reasons for those actions.

**Personal Judgement-** TLR may take account of the views of others, but should reach their own conclusions on the issues before them and act in accordance with those conclusions.

**Respect for Others-** TLR should promote equality by not discriminating unlawfully against any person, and by treating people with respect, regardless of their race, age, religion, gender, sexual orientation or disability. They should respect the impartiality and integrity of the Council's statutory officers, and its employees.

**Duty to Uphold the Law-** TLR should uphold the law and, on all occasions, act in accordance with the trust that the public is entitled to place in them.

**Leadership-** TLR should promote and support these principles by leadership, and by example, and should act in a way that secures or preserves public confidence.

### **4. Disclosure of Interests**

#### **5.1 Registration of Interests**

Advice and queries relating to disclosure of interests should be sought from the Resident Engagement Officer. TLR' must-

- (a) within 28 days of election register any interests by providing written notification to the Resident Engagement Officer

- (b) within 28 days of becoming aware of any new or a change to an interest, register details of that new personal interest or change by providing written notification to the Resident Engagement Officer

## **5.2 Disclosable interests in matters considered at meetings**

If TLR' attend a meeting and have an interest in any matter to be considered, or being considered, they must disclose to the meeting the fact that they have an interest in that matter. Depending on the nature of the interest they should consider not voting and leaving the meeting during the item concerned.

## **5. Gifts and Hospitality**

All TLR' must avoid any conflict between their own interests and the interests of the Council; not accepting gifts or hospitality from organisations or suppliers that the Council has dealings with.

TLR' do not need to declare trivial gifts or hospitality; e.g. tea and biscuits at a meeting, or the gift of a calendar. Anything more substantial that has been prompted by their status as a TLR should be declared. TLR' do not need to make a declaration if they were offered gifts/hospitality but refused the offer.

The Resident Engagement Officer shall establish and maintain a register of gifts and hospitality.

## **6. Complaints**

The City Council promotes an open and transparent working environment. If a TLR wishes to make a formal complaint they should put the complaint in writing to the Resident Engagement Officer in the first instance. If the complaint is against the Resident Engagement Officer the point of contact should be the Head of Housing. It is expected that the person receiving the letter will meet with the complainant to discuss the issues raised and to seek a resolution.

## **7. Breaches of the code**

It is always preferable for breaches of the Code to be dealt with in a timely manner. A complaint against a TLR or report of a breach will be notified to them in writing by the Resident Engagement Officer. An investigation will be undertaken by the Resident Engagement Officer which will involve information gathering and interviews

where required. Depending on the nature and severity of the breach a decision about further action will be made in consultation with the Strategic Director and Head of Housing. In relation to a minor breach the Strategic Director has authority to give the TLR a verbal warning about their actions and outline the seriousness of repeating them. The Strategic Director will refer a serious breach to the Chair of Housing Scrutiny Committee to convene a Panel Hearing. A Panel has the authority to impose sanctions including suspension from the role of TLR. If a TLR is convicted of a criminal act during service the Council will review the circumstances and will need to consider dismissal from their role.

## **8. Procedures to be followed**

If a serious breach has taken place, a review panel will be convened as soon as practicable. This will consist of the Chair, Vice-Chair (or another TLR if the Vice-Chair is the member concerned) and opposition Councillor who sits on HSC. The Strategic Director or Head of Housing would present findings and an Officer will provide administrative support. The TLR concerned is invited to attend the panel to present their case, they are welcome bring someone for support. The panel will then examine the evidence and reach a decision. If the panel decides that a breach has not taken place, this will be reported back to the TLR concerned and the Housing Scrutiny Committee. If a breach is confirmed, the panel are authorised to take action dependent upon the severity of the breach, such as:

- a) Give a written warning concerning future conduct.
- b) Impose a fixed term suspension from involvement in activities relating to membership.
- c) Terminate Tenant or Leaseholder Representative status including membership of the Housing Scrutiny Committee with the return of all equipment and the destruction of any confidential documents.

The appropriate sanctions will be taken as recommended by the review panel.

If a TLR is terminated from their position on the Housing Scrutiny Committee they will not be able to stand in any future ballot.

