

# **C A M D E N L E A S E H O L D E R S ' F O R U M**

## **CONSTITUTION**

Terms used in a particular way in this Constitution are defined here:

"Leaseholder" is a leaseholder of a London Borough of Camden residential property;

"Forum" is the set of representatives of Camden leaseholders;

"Council" is Camden Council;

"Leaseholder Services" is a unit within the Council's Housing Department;

"District" is one of the five districts established by the Council for resident representation through its District Management Committee;

"Members" of the Forum are those persons elected or co-opted to it;

"Annual Meeting" is the first meeting of the municipal year following the Council elections, normally in May and each May thereafter;

"Chair" is the representative currently holding that post;

"Tenant Participation" is the unit within the Council's Housing Department dealing with resident involvement.

### **1 AIMS**

- 1.1 To represent Leaseholders in matters of general concern and to improve relations between Council and Leaseholders by identifying issues whose resolution will improve efficiency and cost-effectiveness for all.
- 1.2 To meet as a Forum or through Forum office bearers with appropriate Council officers and councillors to advance resolution of any issue identified above.
- 1.3 To arrange with Leaseholder Services a Leaseholders' Conference if a majority of the Forum consider such a meeting necessary.

### **2 MEMBERSHIP**

#### **Election of Representatives**

- 2.1 In accordance with the Process for Election of Representatives (Annex 1) an election shall take place once every three years, to be organised by the outgoing Forum.
- 2.2 There shall be four Representatives elected from each of the five Districts.
- 2.3 A Representative must be a Leaseholder. Council employees working in housing and serving councillors are not eligible to stand.
- 2.4 The person elected as Chair shall create a casual vacancy in their District, to be filled by co-option as per paragraph 2.5.

- 2.5 Any vacancy amongst the elected Representatives shall be filled by co-opting a Leaseholder until the end of the term of the current Forum. Co-optees should:-
- come from where the vacancy has occurred, giving preference to a leaseholder of a street property where none exists in the current membership for that District;
  - be found by advertisement;
  - except in cases where preference is given to a leaseholder of a street property, as above, giving preference to any nominee from a Registered Tenants/Residents Association with more than twenty-five members.
- 2.6 Exceptionally, the Forum may co-opt further non-voting members.

### **Cessation of membership**

- 2.7 Membership of the Forum will cease when a Representative
- fails to attend three consecutive formal meetings without a reason that satisfies the Forum as a whole; or
  - sends a letter of resignation to the Chair (with a copy to the Committee Clerk); or
  - in the opinion of the Forum as a whole fails to abide by this Constitution or the Code of Conduct; or
  - ceases to be a Leaseholder; or
  - reaches the end of their term.
- 2.8 Membership of the whole outgoing Forum will cease upon completion of the Process for Election of Representatives (Annex 1).

## **3 ORGANISATION OF THE FORUM**

### **Election of Chair and Vice Chair**

- 3.1 The Forum will elect a Chair, a Vice Chair and a Communications Member
- at the Annual Meeting;
  - when a vacancy arises.
- 3.2 The election takes place in accordance with the Process for Election of Officers (Annex 2).
- 3.3 Appointees hold office until the next Annual Meeting, unless the appointment is terminated or membership ceases. Appointees are normally eligible for re-election.

### **Forum meetings**

- 3.4 The Forum will hold four formal meetings in the year, to which the Chair will invite the attendance of the Head of Leaseholder Services.
- 3.5 Six Representatives shall be a quorum for all Forum meetings, whether formal or informal.

- 3.6 As far as practicable, the agenda will be sent out to members a week in advance of the meeting. The Chair should be informed of items for the agenda at least one week before that.
- 3.7 Other Leaseholders and interested parties may attend formal Forum meetings as observers and may participate at the discretion of the Chair. Where the meeting is a hybrid, such attendance shall be online unless otherwise directed by the Chair. Observers may not vote.
- 3.8 The Forum may, at the discretion of the Chair, hold such informal interim meetings online as may be deemed necessary to further the aims of the Forum.
- 3.9 Formal or interim meetings may include “Reserved Business”, normally at the end of the meeting, when Forum Members only meet to consider sensitive items or to plan the future work and direction of the Forum.

### **Sub-groups**

- 3.10 The Forum may set up sub-groups or task forces and set their terms of reference. These groups will periodically report their activities to the Chair and the Forum, normally prior to and/or at Forum meetings, and are accountable to the Forum as a whole.

## **4 CONDUCT OF BUSINESS AT ALL MEETINGS**

### **Voting**

- 4.1 Voting by Representatives will be by show of hands unless the meeting deems by a simple majority that a secret ballot is required. The Chair may give a casting vote in the event of an equality of votes on any matter. The overall procedure for taking decisions is governed by Standing Orders in Annex 3.

### **Code of Conduct compliance**

- 4.2 Forum members and observers shall abide by the Code of Conduct last adopted, appended as Annex 4.
- 4.3 Offensive behaviour, including racist, sexist or inflammatory remarks, and particularly offensive remarks directed at an individual, is not permitted and will constitute a breach of reasonable behaviour. If the unreasonable behaviour persists, the Chair may exclude the Representative from the meeting. Persistent breaches of good conduct will lead to the member being asked to resign.

### **Constitution compliance**

- 4.4 Any breach of this Constitution may be raised by a Representative rising to a point of order. The ruling of the Chair on the matter is final.

## **5 AMENDMENTS TO THE CONSTITUTION**

- 5.1 The Constitution may be amended by a majority of the Representatives provided that
- notice of a proposed change to the Constitution has been given as a published agenda item;
  - that the quorum set out in paragraph 3.5 is present; and
  - postal and emailed votes are counted.

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## **ANNEX 1**

### **PROCESS FOR ELECTION OF REPRESENTATIVES**

#### **1 Process for election**

##### **Election panel**

- 1.1 The Forum sets up an election panel, led by the Chair, to organise the election of a new Forum.

##### **Call for nominations**

- 1.2 In the Autumn of the third year of a Forum a call for nominations to serve on a new Forum is included in the Council mailing of the service charge demands. The nomination period closes six weeks after the date of the call notice.
- 1.3 Nominations are to be submitted to Tenant Participation.
- 1.4 As soon as the nomination period has closed, Tenant Participation confirms whether nominees are Leaseholders and passes all nomination submissions to the Chair and other members of the election panel.
- 1.5 The election panel checks nominees' eligibility and identifies the District represented.

#### **2 Election**

- 2.1 Where no more than four valid Leaseholder nominations are received for a District those Leaseholders shall be deemed elected as Members.
- 2.2 Where more than four valid Leaseholder nominations are received for a District an election shall take place as follows:
- The candidates are invited to submit a statement, if they have not already done so, briefly describing what they would bring to the role.
  - The list of candidates and their statements are sent to all subscribers on the Forum's email list.
  - The subscribers are invited to vote for no more than four candidates for each District balloted and to email their votes to the Forum no later than the stated closing date for submission.
  - Following the closing date for submission the votes are counted by the election panel. The four candidates with the most votes are elected. All candidates are notified of the election result.
- 2.3 The Process for Election of Representatives ends when Representatives have been elected to fill all the District seats available insofar as there have been sufficient nominations.

## **ANNEX 2**

### **PROCESS FOR ELECTION OF OFFICERS**

#### **Before the meeting**

- 1.1 Leaseholder Services is provided with the names of all Forum members, the district represented and their email address.
- 1.2 Leaseholder Services sends to each member a list of the members and district represented and a Nomination paper for the roles of Chair and Vice Chair.
- 1.3 Members may nominate a Chair and/or Vice Chair and return the Nomination paper to Leaseholder Services by email no later than 3 working days prior to the meeting.
- 1.4 A member nominating themselves should include a supporting statement of no more than 100 words describing what they would bring to the role.
- 1.5 Leaseholder Services circulates by email to all members 2 working days prior to the meeting the list of advance nominees and statements received.

#### **At the meeting – the Elections**

##### **Election of a Chair**

- 1.6 The list of advance nominees for the role of Chair is read out.
- 1.7 Proposers and Seconders for the nominees are called for.
- 1.8 A request is made for nominations from the members in attendance (Proposers and Seconders are called for).
- 1.9 Each nominee is offered the opportunity to support their candidacy with a short speech – no more than 2 minutes each.
- 1.10 Voting for the election of Chair is conducted by a show of hands (Candidate 1, those in favour; Candidate 2, those in favour...etc.).
- 1.11 Only the votes of those members included in the list referred to in paragraph 1.2 are counted.
- 1.12 Members present at the meeting vote in person. Members are present whether attending physically or virtually (in a hybrid meeting); proxy votes are not permitted.
- 1.13 In the event of a drawn vote, members vote again (as paragraph 1.10) in a runoff to resolve the election of a Chair.

## **Election of a Vice Chair and Any Other Officer**

- 1.14 The election of a Vice Chair or any other officer is conducted in the same manner as for the Chair save that in the event of a drawn vote the newly elected Chair has the casting vote.

## **After the election**

- 1.15 The Chair takes over the meeting.

## **ANNEX 3**

### **STANDING ORDERS**

1. Decisions at formal meetings of the Camden Leaseholders Forum shall whenever possible be taken by consensus. For minuting purposes, the Chair will move the decision arrived at.
2. Where there is no consensus, a member may move their preferred decision and seek a seconder.
3. Other members may move and seek seconds for amendments as follows:
  - the direct negative
  - an alternative decision
  - deferral to the next full meeting.
4. Voting shall take place in the following order:
  - on an amendment to defer, which if carried shall end the debate
  - on alternative decisions, by setting the last proposed against its immediate predecessor until a single amendment can be put against the motion
  - on the direct negative if its proposer and seconder still wish to proceed.
5. Where discussion of a topic has resulted in no decision, the Chair may refer the matter to a working party, or move that the matter be noted in the minute, which would allow the matter to be discussed again at a subsequent full meeting.
6. The members in attendance at a Forum meeting can overrule the Chair on any decision. While the motion to appeal the Chair's decision must be seconded, it cannot be amended.

When the motion is moved and seconded, the question is stated as, "Shall the decision of the Chair stand?" If the result is a drawn vote, the Chair's decision is upheld.

The motion is not debatable when there is a pending motion to close debate. However, the motion can be debated at other times.



**ANNEX 4**

**C A M D E N L E A S E H O L D E R S ' F O R U M**

**CODE OF CONDUCT**

**1 INTRODUCTION**

- 1.1 This is the Code of Conduct referred to in the Forum's Constitution.
- 1.2 The elected Forum members ("Members") and others participating in Forum business shall comply with this Code of Conduct.

**2 CHAIRING CODE**

The Chair should:

- 2.1 Consult Members in advance on the content of agendas.
- 2.2 Run the meeting in accordance with the Constitution.
- 2.3 Encourage and allow all Members to participate during meetings.
- 2.4 Sum up at the end of each discussion/agenda item.
- 2.5 Appropriately manage the agenda and timing of meetings.
- 2.6 Take appropriate action in cases where there is a breach of this Code of Conduct.

**3 PERSONAL CONDUCT FOR MEMBERS BEFORE MEETINGS**

- 3.1 Send apologies before the meeting if you cannot attend.
- 3.2 Read the papers and bring them to the meeting.
- 3.3 Arrive by the time the meeting is due to start.
- 3.4 Switch off or silence devices which may cause disturbance (e.g., mobile telephones) unless required for the meeting.

**4 PERSONAL CONDUCT FOR THOSE TAKING PART DURING MEETINGS**

- 4.1 Treat people with dignity and respect and always demonstrate good manners.
- 4.2 Do not record the meeting unless the Chair permits you to do so.
- 4.3 Declare any personal or financial interest before expressing an opinion on any matter if it would not reasonably be obvious from your being a leaseholder.
- 4.4 Do not disturb the meeting by conversations with other individuals.
- 4.5 Seek permission to speak from the Chair.

- 4.6 Co-operate with the Chair in dealing with the business and keeping to the agenda and time available for the meeting/agenda items.
- 4.7 Do not interrupt others when they are speaking and value their contributions.
- 4.8 Refrain from behaviour which others could perceive as aggressive, racist, sexist, abusive, defamatory or otherwise offensive.
- 4.9 Avoid what could be seen as party political speeches.
- 4.10 Speak to the agenda item being considered, concisely and to the point.
- 4.11 Listen to others' views and do not dominate discussions.
- 4.12 Do not use your membership of the Forum to seek preferential treatment for yourself, your family or relatives. Equally, you should not expect less favourable treatment from the Council as a result of your membership of the Forum or your activities as a Member.
- 4.13 Be aware of your responsibility to represent leaseholders when giving an opinion or voting.
- 4.14 Seek a consensus acceptable to the meeting wherever possible.
- 4.15 Respect the outcome of voting.
- 4.16 Ensure that confidentiality is always maintained in relation to matters of a personal or sensitive nature, or anything which has been shared in confidence.

## **5 PERSONAL CONDUCT FOR THOSE TAKING PART BETWEEN MEETINGS**

- 5.1 Do not make a statement purporting to be on behalf of the Forum, whether to the media or other bodies or individuals, unless the content has been agreed by Members (as may be confirmed by the Chair).
- 5.2 Do not seek preferential treatment by virtue of your status as a representative.
- 5.3 Refrain from behaviour toward other Members and/or meeting attendees which could be seen as bullying or harassment, defamatory, anti-social, aggressive, racist, sexist, abusive, or otherwise offensive.

## **6 BREACHES OF THIS CODE OF CONDUCT**

- 6.1 All participants in Forum meetings and Forum activities are responsible for abiding by the Code of Conduct and helping to ensure that others do so.
- 6.2 The principal responsibility for enforcing this Code of Conduct falls to the Chair and the Members of the Forum.
- 6.3 The Chair is responsible for enforcing this Code of Conduct, with the support of other Members. If the Chair breaks the code, the Vice-chair or any other Member can call the Chair to account under this Code of Conduct.

- 6.4 On becoming aware of a breach during a meeting, the Chair shall notify the participants and issue a warning. If an individual or individuals repeat the breach the Chair may require that those persons leave the meeting. If online attendees, they may be removed or muted by the Host at the discretion of the Chair.
- 6.5 On becoming notified or being made aware of an alleged serious breach of the Constitution or the Code of Conduct, the Chair shall institute an investigation and shall notify the Member who has allegedly committed the serious breach. The investigator must allow the Member to respond to the allegation. If justified by the results of the investigation, the Chair shall present its findings to a formal or interim meeting of the Forum under "Reserved Business" as set out in 3.9 of the Forum's Constitution. The Forum may then decide whether to impose sanctions against a Member. Depending on the seriousness of the breach, the sanctions may include:
- Suspension of Membership;
  - Termination of tenure of a Forum office;
  - Barring from eligibility for a Forum office for a defined or indefinite period.

Serious breaches are constituted by the following:

- Knowingly making false statements to a meeting of the Forum;
- Interfering with the process of electing Members;
- Making a statement to the media in contravention of 5.1 above;
- Repeatedly or continually failing to respect the terms of the Constitution or the Code of Conduct.

Disciplinary actions will be governed by due process and fairness to all parties.

- 6.6 If the Vice-chair becomes aware of an alleged serious breach by the Chair, they shall institute an investigation on the lines set out in 6.5, above, except that the role of the Chair in presenting the results of an investigation shall be replaced by the role of the Vice-chair. The Chair may not impose sanctions on the Vice-chair for taking such action as prescribed in this Code. The Forum may decide to suspend an office holder from their office in the event that they are the subject of an investigation and/or disciplinary action.
- 6.7 In the event of alleged serious breaches by the Chair and Vice-chair, the majority of those present at a formal Forum meeting may appoint a person to manage an investigation, who will appoint a(n) investigator(s), and present the results of the investigation to a later Forum meeting. The majority of those present at a formal Forum meeting may also decide to suspend the office holders from their offices for the duration of an investigation and the presentation of its findings to a Forum meeting.

- 6.8 The Chair shall not obstruct the initiation of an investigation unless there be valid grounds for a prima facie judgment that there is no case to answer. A Member may petition at a formal Forum meeting, as a point of order, a call for the initiation of an investigation. The matter will be decided by the majority of the Members present at the meeting.

## **7 FACILITATING COMMUNICATION AMONG MEMBERS**

- 7.1 Within a month of being elected to the Forum, Members must designate a personal email address for the purpose of communication of Forum business. The Member must thereafter maintain such an email address for this purpose and inform the Communications Member of any change throughout the Member's term.
- 7.2 Members will protect the confidentiality of one another's email addresses by not providing without consent another Member's email address to anyone outside the Forum.