

# *Membership Policy*

Rev: Feb 16  
N/R: Feb 21



ROSEHILL HOUSING CO-OPERATIVE LIMITED  
250 Peat Road, Glasgow, G53 6SA



## **1. INTRODUCTION**

- 1.1 Rosehill Housing Co-operative Limited is a fully Mutual Housing Co-operative registered under the Co-operative and Community Benefit Societies Act 2014 with the Financial Conduct Authority and the Scottish Housing Regulator.
- 1.2 We are required by paragraph 7 of our model rules to set, review and publish this membership policy for admitting new Members.

## **2. ADMITTING NEW MEMBERS**

- 2.1 Eligibility for membership of the Association, as set out in our rules, is restricted to tenants occupying housing or accommodation provided by us under the terms of a tenancy agreement granted by us, or, where we admit prospective tenants into membership, to such prospective tenants. However, we have decided not to admit prospective tenants in to membership. This means that only tenants and people offered and who accept a Tenancy agreement by us can become members.
- 2.2 An applicant(s) for housing will not be allowed to enter into a tenancy agreement with us until the applicant(s) has (have) been accepted into Membership. Joint applicants must apply for joint membership. If the applicant(s) subsequently refuses to enter into a tenancy agreement as required by Rule 6, which we have offered, membership will be ended in accordance with rule 10.1.6.
- 2.3 Membership applications are considered by the Membership Sub-Committee which meets on an “as required basis”.
- 2.4 Appropriate references to membership will be contained in other relevant policies such as allocations, and in information given to prospective tenants.

## **3. GROUNDS FOR REFUSAL OF MEMBERSHIP**

- 3.1 The Management Committee has absolute discretion in deciding on applications for membership and the following, as set out in rule 7.1, shall constitute grounds for refusal of an application for membership:-
  - Where membership would be contrary to our rules or policies;
  - Where a conflict of interest may exist which, even allowing for the disclosure of such an interest, may adversely affect our work
  - Where the Committee considers that accepting the application would not be in our best interests.

#### **4. APPLYING FOR MEMBERSHIP**

- 4.1 If you are applying for membership you must be a tenant of ours or a prospective tenant (someone we have offered a tenancy to) or a prospective joint tenant, and you must return a completed and signed application form and the sum of one pound (which will be returned to you if the application is not approved) to our registered office.
- 4.2 To become a member an applicant must purchase a £1.00 share in Rosehill.
- 4.3 The applicant will complete the relevant application form and forward it, together with £1.00, to Rosehill's Registered Office at 250 Peat Road, Glasgow, G53 6SA.
- 4.4 Your application shall be considered by the Committee (or an authorised sub-committee) as soon as reasonably practicable after we receive it. The Committee has the power in its absolute discretion to accept or reject the application.
- 4.5 If the Committee approves your application, you will immediately become a member or joint member and your name(s) and other necessary particulars will be included in the register of members within seven working days. You will then be issued one share or one joint share in the Association as the case may be.
- 4.6 You may at any time, with the approval of the Committee, become a joint member together with another person admitted by the Committee to joint membership and the share issued to you as a member shall be converted to a joint share in both your names. The register of members shall be amended accordingly and your name shall stand first in the register of members as between you and the other person. Approval will only be given where the other person qualifies to be a joint tenant with you. In the case of all joint members, the joint member whose name appears first in the register of members is solely entitled to exercise the rights of membership granted by our registered rules. Joint members must become joint tenants under the tenancy agreement. If you are a joint tenant of ours you may become an individual member if you wish, with the approval of the Committee. However, approval will only be given where the other joint tenant gives up their joint tenancy. There will only be one individual member in any house.

#### **5. EQUALITY OF TREATMENT**

- 5.1 Rosehill's Diversity Policy will be adhered to when considering applications for membership.

- 5.2 Applications for membership will be dealt with regardless of the applicant's race, colour, culture, ethnic or national origin, religion, gender, age, disability, sexual orientation, family circumstances or marital status.. However, only persons aged 16 or over are eligible for membership.
- 5.3 The Membership sub-committee will be given the applicant's name, current address, and the address of the property to be let.

## **6. ENDING YOUR MEMBERSHIP**

- 6.1 Your membership of the Association will end and the Committee will cancel your share and record the ending of your membership in the register of members if:-
- 6.1.1 you resign your membership by giving the Secretary one month's notice in writing at our registered office provided that you give up your tenancy agreement at the same time.
  - 6.1.2 you have ceased to occupy the house provided by the us under the tenancy agreement; or
  - 6.1.3 your tenancy agreement ends or is ended; or
  - 6.1.4 you are a prospective tenant and you have notified us in writing that you no longer require accommodation to be provided by us or you have refused to enter into a tenancy agreement which we have offered to you; or
  - 6.1.5 you have died; or
  - 6.1.6 you fail to sign a tenancy agreement as required by Rule 6.
  - 6.1.7 we receive a complaint about your behaviour and two-thirds of the members voting at a special general meeting agree to end your membership. The following conditions apply to this procedure:
    - 6.1.7.1 the complaint must be in writing and must relate to behaviour which could harm our interests.
    - 6.1.7.2 the Secretary must notify you of the complaint in writing not less than one calendar month before the meeting takes place;
    - 6.1.7.3 the notice for the special general meeting will give details of the business for which the meeting is being called;

- 6.1.7.4 you will be called to answer the complaint at the meeting. The Members present will consider the evidence supporting the complaint and any evidence you decide to introduce;
  - 6.1.7.5 the Members can vote in person or through a representative by proxy;
  - 6.1.7.6 if you receive proper notice but do not go to the meeting without providing a good reason, the meeting will go ahead without you and the members will be entitled to vote to end your membership.
- 6.2 Your joint membership shall end and we will cancel your share, the value of which will then belong to the Association with effect from the date of a Committee resolution to that effect, and the register of members will be amended accordingly if:-
- 6.2.1 you fail to sign a tenancy agreement; or
  - 6.2.2 your tenancy agreement ends or is ended; or
  - 6.2.3 you cease to occupy the house provided by us under the tenancy agreement.
- 6.3 if one of you ceases to occupy the house provided by us under the tenancy agreement or dies your interest in the membership share and the tenancy agreement shall belong to the remaining joint member who will then become an individual member. The joint share shall be changed to a share in the sole name of the remaining member and the register of members shall be amended accordingly.
- 6.4 If your tenancy agreement ends or is ended, you will cease to be a member unless you have entered into a new tenancy agreement with us.
- 6.5 If you die or end your membership or have your membership ended, the Committee will cancel your share and the value of the share will then belong to us.

## **7. BENEFITS OF MEMBERSHIP**

- 7.1 The right to attend and vote at any General or Special Meeting of Rosehill.
- 7.2 The right to stand for election to the Management Committee if nominated in accordance with the registered rules.

(For other benefits see the registered rules.)

## **8. MEMBERSHIP REFUSALS**

- 8.1 An applicant refused membership will be given a reason for such a refusal, in writing, within seven days of the refusal.
- 8.2 All membership applications which are refused by the Membership Sub-Committee must be reported to the next meeting of the full Management Committee. The applicant has the right to appeal against any such refusal. Appeals must usually be submitted to the Management Committee in writing. However, verbal appeals are acceptable. Appeals must be intimated to Rosehill within 14 days of the date of written confirmation of refusal being sent to the applicant.

The applicant may appear in person at the appeal hearing and may be accompanied or represented by another person. You must notify us in advance if you will be accompanied or represented and provide us with the person's name address and, whether or not they are representing you

The Management Committee will issue its decision in writing within 14 days of receipt of sufficient information from the applicant to consider the appeal.

## **9. EQUALITY AND DIVERSITY**

- 9.1 We are committed to ensuring equal opportunities and fair treatment for all people in our work. In implementing this Policy, we will provide a fair and equal service to all people, irrespective of factors such as gender, race, disability, age, sexual orientation, language or social origin, or other personal attributes.

## **10. RISK MANAGEMENT**

- 10.1 In all the key areas of our business we need to consider any risks which may arise. To this end we have in place a robust Risk Management Policy and from this flows our Risk Register. We have identified our "Top 10" risks which are regularly monitored by our Management Team and Audit Sub-Committee.
- 10.2 Key to mitigating the risks related to service delivery including membership of Rosehill is having a comprehensive policy and procedures in place. The Policy should provide clear guidance for staff in how to deal with applications for membership and clear information for applicants on what they need to do to apply.
- 10.3 To ensure we continue to manage the associated risks we will periodically review this Policy to ensure compliance with all legislative requirements and regulatory and best practice guidance.

## **11. COMPLAINTS PROCEDURE**

- 11.1 We aim to get things right first time and provide a good quality service to our tenants. However, we acknowledge that things can go wrong and that some tenants may be unhappy with the service provided.
- 11.2 We promote our Complaints procedure through our website and periodic articles in our newsletters. In addition we initially issued all of our tenants with a copy of the new Procedure introduced in October 2012. This information leaflet is also issued to all new tenants as part of the signing up pack.

## **12. Data Protection**

- 12.1 On the 25<sup>th</sup> May 2018 the legislation governing data protection changed with the introduction of the General Data Protection Regulation (GDPR).
- 12.2 We hold a variety of Personal Data relating to individuals including tenants, waiting list applicants, factored owners, other service users, employees and Committee Members. Our Privacy Policy sets out the basis on which we can process and share such data with third parties, it also sets out how we will securely store individuals' data, whether electronically or in paper format. It also provides information on individuals' rights under GDPR including: to view personal data held about them by us; to request a restriction of processing of their data; the right to be forgotten and a right to object to us processing their data. In terms of the rights to be forgotten and to restrict or object to processing of Personal Data, any such requests will require to be considered on their own merits and legal advice will need to be obtained in some circumstances. We have the responsibility for accepting or refusing such requests and will do so in writing.
- 12.3 Under GDPR we are required to provide all customers whose Personal Data we hold with a Fair Processing Notice (also known as a Privacy Notice). The Notice sets out the Personal Data we process and the basis for doing so.
- 12.4 We will only keep and process Personal Data for the original purpose we gathered it for and we will not keep it for any longer than necessary. Attached to our Privacy Policy is a table of Retention Periods for Personal Data held and processed by us. We recognise that not all Personal Data can be processed and kept for the same period of time, and this will vary depending on the individual circumstances of each person whose Personal Data we hold.
- 12.5 The Privacy Policy sets out what should happen in the event of a Data breach e.g. does the breach require reporting to the Information



Commissioner's Office and whether the individual affected should be notified. Timescales are set out for dealing with data breaches.

- 12.6 Full copies of our Privacy Policy are available upon request at our office or from our website [www.rosehillhousing.co.uk](http://www.rosehillhousing.co.uk)

### **13. POLICY REVIEW**

- 13.1 This Policy will be reviewed every five years or sooner to ensure it continues to reflect current thinking and practice and to comply with changes to our registered rules, best practice or legislation.

**NOTES FOR COMMITTEE MEMBERS SERVING ON THE MEMBERSHIP  
SUB-COMMITTEE**

1. The Membership Policy has been drafted in a fairly positive manner. However, Committee members may continue to measure each application against particular criteria.
2. The grounds on which membership will be granted are as follows:-
  - a) The applicant expresses and demonstrates a willingness to support the aims and objectives of Rosehill.
  - b) The applicant has conducted any past or present tenancies with any landlord in a satisfactory manner.
  - c) The applicant is in all regards a "good" and "reasonable" neighbour.
  - d) Committee may take account of any activity by the applicant to compromise or undermine the work of Rosehill, or put our independence at risk.

On a day to day basis, staff will carry out the usual checks on applicants and cases put before committee will already have been considered by staff as being eligible for membership. Membership should only be refused where committee members are aware of serious issues with regards to an applicant which are not known to staff. Such cases will likely require further investigation.

3. Decisions should be taken based on fact only and must be reasonable, bearing in mind at all times the applicant's particular circumstances.