

Tenant & Leaseholder Involvement

Code of Conduct



Introduction

The Council and its tenants and leaseholders are keen to develop a relationship built on trust, openness and honesty in all Involvement Activities. Whilst Tenants and the Council may not always agree, we are determined to provide an environment where the Council and tenants and leaseholders can work together to meet our joint ambition of improving services, homes and neighbourhoods.

This Code of Conduct (the 'Code') sets out the minimum standards of acceptable behaviour required during Tenant and Leaseholder Meetings and other events and occasions when tenants and leaseholders are taking part in Involvement Activities.

The Council wants to encourage as many tenants and leaseholders as possible to become involved to help improve services; It is essential to ensure that participants are not faced with rudeness, offensive behaviour or intimidation while working with each other.

This Code applies to tenants, leaseholders, residents, customers and officers whilst taking part in Involvement Activities in Southampton (or on behalf of Southampton City Council and its Tenants and Leaseholders) including meetings, training events, consultation events and conferences.

Please note: Any SCC Tenants and Leaseholders who are on or are added to the Councils Vexatious List and / or Incident List will not be able to engage in any of the Tenant Engagement supported groups, roles or activities, while on these lists.

1. Common Principles¹

- 1.1 All elements of the Code apply equally to tenants, leaseholders, residents, customers and officers, (called "participants", unless otherwise stated).
- 1.2 Participants are required at all times to act in a civil manner. Personal attacks, offensive, abusive or racist comments are not acceptable. The following are examples of behaviour which will not be tolerated: Using foul and abusive language or gestures; using racist language or gestures; making homophobic remarks or gestures.
- 1.3 In carrying out their role, no participant will discriminate against any person in a manner that is contrary to the Equality Act 2010 and Council's Equal Opportunities Policy. All participants acknowledge that everybody has the right to be treated with dignity and respect, regardless of ethnic or national origins, disability, gender, marital status, age, sexuality, religion or any other matter which causes people to be treated with injustice.
- 1.4 Participants must consider the Council's statutory Health and Safety duties, to ensure the effective operation of groups and any consultation processes and in particular its duty to protect residents, councillors and members of staff from verbal, physical abuse or harassment.
- 1.5 Participants must declare an interest if they have any personal, financial or material interest in any matter being considered. This may result in a participant being required to leave the

¹ These principles apply to all Tenant Involvement activities including all non-meeting based activities

meeting while those items relating to the matter in which the participant has an interest are discussed.

- 1.6 At meetings, all participants shall at all times operate within the rules laid down in the Constitution or Terms of Reference for the group
- 1.7 It is the responsibility of the Chair or organiser of the meeting to ensure that a copy of the relevant constitution or terms of reference is available at any given meeting.

2. Officer code

- 2.1 At all times, officers shall act in a professional manner and shall treat participants with courtesy and respect.
- 2.2 Officers shall use reasonable endeavours to make themselves available to meet with participants providing reasonable notice is given of the meeting and demands are not excessive.
- 2.3 Officers will, providing sufficient notice has been given, supply information to participants regarding the delivery of Housing Services. This will not include information relating to individuals including tenants/leaseholders or residents (except at that individual's request and with their written consent) which is confidential, and data protected. Officers have a responsibility to adhere to the EU General Data Protection Regulation (GDPR)
- 2.4 "Reasonable notice" will be at least 14 working days prior to any meeting or information request, unless a shorter timescale has been agreed.
- 2.5 The Council is committed to being open and transparent. However, some financial details of a confidential nature cannot be provided to participants.
- 2.6 Officers will not provide any more or less favourable Housing Services to any participants.

3. Tenants', Leaseholders' and Residents Representatives' Code

- 3.1 Tenant, leaseholder and residents' representatives shall be courteous at all times in their dealings with each other, officers, councillors, contractors, agencies, other residents and members of the public.
- 3.2 Tenants, leaseholders and residents' representatives must always act in the best interests of residents in their area/estate. They should try and reflect and understand the views of the community.
- 3.3 The Council recognises that there are many different opportunities for tenants to get involved and that some tenants will need to report back to a group or area they live in, whereas other tenants will get involved on an individual basis. However, where tenants, leaseholders and residents are representing a group, they have a responsibility to report back the views of that group (and not their view as an individual) and to feedback those views to any parent group. If anyone makes a personal point, they must state clearly this is their own personal view and not those of the group.
- 3.4 There may be occasions where officers cannot give their personal views about the policies, management, staff or elected members of the Council and should not be pressed to do so.
- 3.5 Tenants, leaseholders and residents must respect the impartiality of officers and must undertake not to make party political statements.
- 3.6 From time to time, tenants, leaseholders and residents will have access to sensitive and confidential information which is not yet in the public domain. When tenants, leaseholders and residents are advised that information is confidential or where it is clear by the nature of the information or the purpose of the meeting that the information is confidential, that information must not be disclosed to others under any circumstances. This includes discussions outside of the meeting(s) or with any participants' partners and/or family/friends.

Participants may be required to sign a confidentiality statement before the start of the confidential section of the meeting. The Council will explain why this information is confidential. Such information must not be used for personal gain.

4. All Participants

- 4.1 Participants shall respect all individuals' confidentiality, whether present or not, and should not mention specific individual cases in public meetings which may cause embarrassment to or identification of an individual or a member of that person's family.

5. Standards for meetings

- 5.1 Standards for meetings are set down in individual groups' own constitutions and terms of reference and we ask tenants to adhere to these. This code shall work in conjunction with those existing guidelines. Where there is a perceived conflict, this code will have priority.
- 5.2 For well run meetings we recommend the following standards: -
- If the meeting has a chairperson, you should allow the meeting to be run by the chair.
 - It is polite to get the agreement of the chair before speaking.
 - Only one person should speak at a time and you should allow each other to speak and be heard.
 - Speakers should stay relevant and to the point
- 5.3 The Chair will provide guidance on the rules of the group and take the lead on any unruly or disruptive behaviour. If anyone fails to comply with this Code at a meeting, any attendee may ask the chair to take action against the person which may involve asking that participant to leave the meeting. This must be with the majority consent of the attendees. For more information relating to Breach of the Code of conduct, please refer to Section 9.

6. Tenants' Group and Tenants' Representatives' contact with the Media

- 6.1 There should be only one designated media contact for each tenant group/body.
- 6.2 When dealing with the media, the designated media contact must make it clear who they represent and have the agreement of that group/body before expressing any views.
- 6.3 Any participant who wishes to express their own individual views to the media must make it clear that the view being expressed is the participant's own view and not that of any group/body.
- 6.4 Tenants' Groups and Representatives can seek advice from the Council's Communications Team if they would like assistance before making any statement to the media.
- 6.5 It is recommended that all statements to the media should be in written format to ensure that there is no confusion over what has been said and an audit trail is available. Media contact should be made by email wherever possible.
- 6.6 Training will be provided if requested in relation to contact with the media, press releases and publicity.
- 6.7 Information given to the media: –
- Should not identify any individual or enable any identification of any individual unless that person has consented to their identification.
 - Must be factual and must not be party political.

7. Political affiliation

- 7.1 Individual participants may be affiliated to or be members of a political party but may not represent a political party in their role as a participant of a group.
- 7.2 No party-political references should be made during meetings. However Elected Members and Members of Parliament can attend meetings by invitation.
- 7.3 In line with the Council's requirements for Councillors seeking election, any participant standing for the position of Elected Member or Member of Parliament will be required to withdraw from any Committee positions or spokesperson for a group during the period leading up to elections (commonly known as purdah)
- 7.4 Any information obtained in the course of an Involvement Activity must not be used as the basis for any form of political activity, lobby or canvassing without the express permission of the Head of Stronger Communities, Neighbourhoods and Housing or the Legal Practice Manager.

8. Tenants and Leaseholders and legal disputes with the Council

- 8.1 The Council reserves the right to cease working with any participant (or associated group) who is involved in a legal dispute with the Council.
- 8.2 Participants must not use any of the tenant involvement resources provided by the Tenant Engagement Team (TET) to assist them in any legal dispute with the Council.

9. Breaches of Code of Conduct

- 9.1 The Council will endeavour to ensure that all participants have the same right to take part in Involvement Activities as each other. If it comes to the Council's attention that there has been a breach of this Code by a participant, the Senior Manager, Housing Services will be informed, and the Council will take such action against the individual as appropriate.
- 9.2 Such action may include but is not limited to:
 - Verbal or written warning;
 - Removal from a specific meeting
 - Time limited suspension on participation in certain activity or group(s)
 - Exclusion from certain activities
 - Individuals who have been excluded may be required to complete a probationary period after their exclusion period expires.
- 9.3 **Council run meetings**
 - 9.3.1 At meetings run and/or chaired by the Council, should there be a breach of this Code, the Chair of the meeting will be responsible for addressing any breach. The Chair may seek advice from the Council officers as appropriate.
 - 9.3.2 There is a right of appeal against any such a decision; See Appeals Process (Section 10).
- 9.4 **Tenant and Leaseholder run meetings or activities**
 - 9.4.1 Tenant run groups such as Tenant Associations or other Tenant Involvement groups are expected to address any breaches of this Code of Conduct informally themselves.
 - 9.4.2 Should the Chair of a Tenant/Leaseholder run meeting or activity, fail to address a breach of this Code, Officers and Councillors may refer to this Code and reserve the right to withdraw from the meeting or activity.
 - 9.4.3 Should the Chair of Tenant/Leaseholder group, acting on the wishes of the majority of the group wish to suspend any participant, either temporarily or permanently for breaches of the Code, then the Chair is required to provide all evidence to be relied upon in support

of the suspension or exclusion to the Customer Involvement Manager in the TET who will be responsible for making the final decision.

9.4.4 Any decision to suspend or exclude any participant will be given in writing within 14 days of receipt of all information or as soon as practicable thereafter.

9.4.5 Participants may appeal against such a decision; See Appeals Process (Section 10).

9.5 General breaches of conduct

9.5.1 The Council may withdraw recognition, support, resources and / or financial assistance to any Tenants' Group or individual who fails to adhere to the principles of the Code.

9.5.2 Allegations have to be recognised as of a serious nature and must not be malicious or vexatious. Any malicious allegations may result in the action being taken against the person making these allegations.

9.5.3 If appropriate, the Council may take reasonable steps to deal with disruptive or discourteous behaviour detrimental to the effective operation of any Tenant Involvement Group or activity(s) including restricting access to meetings or contact with officers and councillors.

9.5.4 Tenants and leaseholders may also face restrictions or exclusions if their actions are considered to be inappropriate by the Council. Some examples include:

- Misuse of funds;
- Misuse or inappropriate use of resources including photocopiers, phones, and IT equipment;
- Being the recipient of or the cause of service of a Notice Before Proceedings under Ground 2 for a Demotion Order or a Notice of Seeking Possession for anti social behaviour or any illegal or immoral activity;
- Being the subject of an Anti-Social Behaviour Order or an injunction for anti social behaviour.

9.5.5 Where appropriate, mediation will be offered to resolve disputes.

9.6 The Tenant Engagement Team (TET) will be responsible for administering any restrictions or exclusions of individuals or groups from the Council's Tenant Involvement Activities.

10. Appeals process

10.1 If an individual or group is not satisfied with the Council's decision to withdraw recognition, support and financial assistance to a group or restrict or to exclude or suspend an individual from tenant Involvement Activities then they may appeal against the decision through the Council's formal Customer Complaints Procedure.

10.2 Until any appeal has been determined by the Customer Complaints Procedure, such recognition, support and financial assistance or suspension or exclusion will remain in force. The time limit for any exclusion will run from the date of the original decision and not the outcome of the appeal process.

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