

This document supersedes all previous Code of Conduct documents.



Tarka Tenant Panel Code of Conduct as from

Guidelines outlined in Tarka Housing's Customer Involvement Agreement provide an operational framework for involvement activity. The Tenant Panel and Tarka Senior Management both endorse this joint Agreement to ensure a quality standard for Customer Involvement. Tenant Panel members are advised to familiarise themselves with the contents of this document.

Tarka Housing respects and recognises that Tenant Panel members are volunteers, with a valuable role to play in its work.

The Panel members choose to accept certain responsibilities, which require them to behave in an appropriate manner at all times.

All Panel members shall agree to sign, abide by and adhere to the current Tarka Tenant Panel Code of Conduct and Disciplinary Procedure.

No tenant can serve as a panel member without signing the current Code of Conduct.

Whilst taking part in Tenant Panel meetings, any other Tarka Housing Ltd meetings, or external meetings on behalf of the Tenant Panel or Tarka Housing Ltd, members should always remember to:

1. Behave in a responsible manner, avoiding any conduct or language that is likely to give offence to others and / or damage the reputation of the Tenant Panel or Tarka Housing Ltd.
2. Acknowledge that the Tenant Panel is the sole body constituted for the purposes of tenant representation recognised by Tarka Housing Limited, and ratified as such in Tarka Housing's Customer Involvement Agreement.
3. Not attend any meetings whilst under the influence of alcohol or non-prescriptive drugs.
4. Be courteous and respectful towards everyone at all times. If necessary, agree to disagree.
5. Seek solutions to problems in a constructive manner.
6. Allow others the opportunity to speak and comment without interruption. However, the Chair (All future references to the Chair of the Tenant Panel will read Chair) may intervene if a member speaks for too long.
7. Remember that the purpose of being a member is to benefit tenants and not for personal advantage or gain.
8. Declare any conflict of interest, personal involvement or financial gain if relevant to the subject under discussion.
9. Speak one at a time and only through the Chair. Members will be prompted not to engage in "side discussions" while others are speaking.
10. Do not bring up personal business at Panel meetings.
11. Be prepared for meetings by reading relevant papers beforehand.
12. Uphold the Constitution and Code of Conduct at all times.
13. The Tenant Panel's decisions, protocols and procedures (agreed by majority vote) should not be undermined by any member; absence during voting will have no bearing on matters already decided by the Panel.
14. If a Panel member feels that a particular topic needs further discussion, this can be submitted to the Secretary in writing and included / excluded at an agenda setting meeting by Panel Officers. Members submitting an item(s) will

be informed in writing by the Secretary why their item(s) was not included as an agenda item.

15. In exceptional circumstances, a hearing may be held giving members the opportunity to state their case before Panel Officers if they regard an excluded item to be detrimental to the Tenant Panel or Tarka Housing. Decisions reached by the Panel at this stage will be final, and no further discussion will take place in Panel time.

16. Observers may be asked by the chair to leave a meeting for any discussion that is confidential or does not require their specific input.

17. Correspondence must not be sent to staff or external agencies on behalf of the Tenant Panel without the Chair's explicit permission. All Tenant Panel members will be regarded as representatives of the Tenant Panel as long as they remain members.

18. If an individual, or group of individuals, wish to make representation to an external agency in connection with the work of the Tenant Panel, or in the interests of Tarka Housing tenants, they must first seek approval from the Tenant Panel. Failure to do so will be regarded as a serious breach of conduct and will result in disciplinary action.

19. Members should not abuse their position on the Tenant Panel by promoting their own 'agenda', e.g., membership of a political or social pressure group, trade union officer post or running for or a member of local, regional or national government.

20. Panel Officers must not be influenced by lobbying from other Panel members or external agencies regarding Tenant Panel or Tarka Housing business, but should ensure that all matters are discussed openly at meetings with due regard to probity and transparency.

21. Members should not use the Tarka Housing or Tenant Panel Logos for unauthorized purposes.

22. Members must not speak to the media as a representative of the Tenant Panel unless specifically asked to do so by the Chair. The Chair will consult with the Communications Officer of the Westward Group and this should be recorded.

23. Any member who knowingly gives false information which brings the Tenant Panel or Tarka Housing into disrepute will have their membership of the Panel reviewed by the disciplinary procedure.

24. Members who contravene the code of conduct will be subject to disciplinary action as set out in the Breach of Code of Conduct Procedure (Appendix I).

I * have read and understood and will abide by this Code of Conduct

*Print name

Signature..... Date.....

Signature..... Date.....
(Chair)

Breach of the Code of Conduct

1. Members who contravene the Code of Conduct of the Tenant Panel may be subject to Disciplinary Action under the following procedure:

- Written allegations or written complaints should be brought to the attention of the Chair and / or Vice Chair.
- The handling of the complaint will depend on the nature and severity of the issue as well as the conduct of the Panel member (see disciplinary procedure).
- A decision on the appropriate course of action, as set out in the disciplinary procedure, will be made following a preliminary investigation by the Chair and / or Vice Chair.

2. The Chair or Vice Chair may, in exceptional circumstances, temporarily suspend a member(s) with immediate effect, and then instigate disciplinary procedures. Such circumstance may include, but not be limited to, the following:

- violence
- harassment
- theft
- fraud
- the health and safety of Tenant Panel or Tarka Housing staff members is at risk
- the Tenant Panel or Tarka Housing's business or reputation is under immediate and clear threat from the behavior or actions of an individual member or members

2.1. Where the matter concerns the Chair, the Vice Chair will consult firstly with other Tenant Panel officers on whether to proceed with the Disciplinary Procedure.

3. In most cases the Chair will send a letter by recorded delivery stating that there is a complaint against a member(s), the nature of that complaint and offer an opportunity to state their case before a decision is reached by the Chair or Vice Chair on whether to proceed.

3.1. If it is decided there is a case to answer, then an investigating panel will be set up.

3.2. In situations where there is clear and unambiguous evidence of a serious breach of the Code of Conduct, an investigative Panel can decide on foregoing further procedure. At this point the Panel may recommend that the member(s) bring the matter to a vote by the Tenant Panel and proceed to an immediate call for expulsion.

3.3. Ordinary Panel members may be given a summary of the case together with a review of the relevant evidence to help them reach a decision, if required. Members are reminded to adhere to the Tenant Panel Confidentiality Agreement throughout this process.

4. The investigating Panel will ensure that no disciplinary action is taken (other than at 2 above) until the facts of the case have been established, and that action is reasonable in the circumstances. (See disciplinary procedure below under 'investigation').

4.1. The Panel will ensure fairness in this procedure in the following ways:

- There will be no discrimination on the grounds of gender, marital status, racial group, sexual orientation, religion or belief, disability or age, when applying the procedure.
- All Tenant Panel members have the right to be accompanied by one person, but not a solicitor or anyone connected with the case, to a formal investigation hearing.

5. If the matter is being dealt with by the police / courts, it will be held in sub judice and therefore cannot be dealt with until resolved.

6. Investigation:

6.1. The Tenant Panel will appoint three members with at least 6 months service each, to conduct an investigation into the alleged breach of the Code of Conduct.

6.2. The Chair shall call for volunteers at a Tenant Panel meeting. The choice will be based on the ability of the chosen members to be objective, thorough and fair. They must have no connection to the incident.

6.3. The investigating team can call on the support of Tarka staff through the Customer Involvement Manager for advice and guidance, and for any verbal or written evidence required.

6.4. A letter will be sent recorded delivery to the member from the Chair / Vice Chair, stating what the alleged complaint / breach of the Code of Conduct is, informing them that an investigation will be held and that this could result in a Disciplinary Hearing.

6.5. They will be advised that they can be interviewed as part of the investigation.

The investigation will involve interviewing witnesses, collecting written evidence and accurate records will be kept throughout.

The investigating Panel will consider:

- If the alleged breach / complaint is supported by evidence.
- The severity of the allegations / complaint (see 2, 2.1, 3, 3.1 and 3.2 on pg. 5).
- What the next course of action might be.

The investigating Panel may decide at this stage:

- That there is insufficient evidence and the matter be closed.
- That there is sufficient evidence and the matter should be put before a formal hearing.
- The Chair and / or Vice Chair shall formally suspend the Tenant Panel member involved until the matter is resolved (see 2. and 3.2 on pg. 5).

7. Disciplinary Hearing:

If a formal hearing is deemed necessary, the following procedures will apply:

7.1. The Tenant Panel member(s) will be invited to a formal hearing to respond to the allegation, complaint / complaints.

7.2. The Tenant Panel member will receive a minimum of 10 working days notice of the hearing and will be notified in writing by the Chair or Vice Chair. The letter will outline the nature of the allegation or complaint, including details of any witnesses and /or copies of documents to be used as evidence. It will also notify the Tenant Panel member of their right to bring one person to the hearing to represent or support them (see 4.1 on pg. 6).

7.4. The attendance of a representative acting in support of a member will be the sole responsibility of that member. The Panel reserve the right to continue their work if the representative is unable to attend, or ask the representative to leave if their behaviour is inappropriate or disruptive.

7.5. If the member is unable to attend they must submit a written statement for the Panel's consideration, within five days of receipt of notification of the disciplinary hearing. Should the Panel not receive a written statement then a decision will be reached in the absence of the member.

7.6. The investigative Panel will present the case against the member and elicit their response through a series of questions directed to the member. These questions will be to establish facts and provide any necessary clarification; they will not be regarded as an invitation to argument or debate.

8. Outcomes:

Where the Disciplinary Panel finds that the case is not established, there will be no further action. A written decision will be sent by recorded delivery to the member and an update will be given at the next Tenant Panel meeting informing members of the investigative Panel's decision.

If further action is required, the following will apply:

8.1. Written Warning

This is applicable for relatively minor issues. A written warning will be issued by the Chair and / or Vice Chair. The warning should outline the nature of the misconduct and provide guidance on how conduct should be improved or maintained in the future.

8.2. Expulsion

A serious breach of conduct, if established, will result in immediate and permanent expulsion from the Tenant Panel.

8.3. All documentation relating to the Disciplinary Panel will be retained by Tarka Housing and kept in PDF format in compliance with Tarka's role as Data Controller under the Data Protection Act. Members are reminded that all matters relating to disciplinary procedures are covered by the Confidentiality Agreement signed by all members, and should therefore not be discussed outside the Tenant Panel.

9. Right of Appeal

9.1. A Tenant Panel member wishing to appeal against the outcome of the formal Disciplinary process must do so in writing to the Chair and / or Vice Chair within 10 working days of written notification of the Panel's decision, stating their grounds for appeal. However, in cases of serious breaches of conduct there will be no appeal; in all other cases a right of appeal will apply.

9.2. The Appeals Panel will consist of three different Tenant Panel members not previously connected with the case.

9.3. The appeal will be heard as soon as practically possible. The Tenant Panel member will receive written notification of the appeal and may call witnesses and produce documents relevant to the appeal. The member will have the right to be accompanied by one person. All documentary evidence to be considered at an appeal will be made available to all parties 10 days in advance of the hearing.

9.4. The attendance of a representative acting in support of a member will be the sole responsibility of that member. The Appeal Panel reserve the right to continue their work if the representative is unable to attend, or ask the representative to leave if their behaviour is inappropriate or disruptive.

9.5. If the member is unable to attend they must submit a written statement for the Appeals Panel's consideration within five days of receipt of notification of the appeal. Should the Panel not receive a written statement then a decision will be reached on available information.

9.6. Where the appeal is upheld all relevant documentation will be destroyed. If the appeal is rejected, then the decision of the Panel is final and no further appeal will be allowed. Whatever the outcome, the member will be informed of the appeal outcome in writing within five working days.