

TARA Good Governance Requirements

June 2018

The Good Governance Requirements are the minimum expectations of TARAs who receive tenant levy payments. The Good Governance Requirements aim to protect tenant levy monies and minimise administrative burden on TARA Committees.

Sheffield City Council (SCC) has a responsibility, on behalf of all levy payers, to make sure that TARAs receiving levy payments adopt all the minimum requirements. In order to demonstrate to their members that they are using the tenant levy correctly each TARA Committee must meet the minimum requirements. Any TARA that does not meet the reporting requirements (see requirement 6) will not receive any payment of the tenant levy. This includes if SCC is carrying out any outstanding action against a TARA in relation to the requirements contained in this document.



Definitions

- **TARA** means the Tenants and Residents Association, who represent the interests of members living within the constituted TARA boundary. Only one levy-funded TARA may operate within a defined boundary.
- **TARA Members** means all tenants within the TARA boundary paying their tenant levy via Sheffield City Council or anyone else paying a membership fee directly to the TARA.
- **Levy** means the voluntary weekly additional contribution (currently 10p) to a tenant's rent account to fund their TARA.
- **Sheffield City Council** (SCC) includes where appropriate an officer of the Council. For general day-to-day housing issues contact with the TARA will be via their local Neighbourhood Team and for policy, levy or governance queries will be via the Community Engagement Team



The Six Good Governance Requirements

1. The TARA is properly constituted, has a clear purpose and is inclusive and accessible to its members

Properly constituted and having a **clear purpose** means

- Having a written constitution, this is a document that sets out the purpose of the TARA, how the TARA is organised and how it makes decisions
- Adopting the Council's model constitutional requirements into the document
- Making decisions and behaving in the way set out in the TARA constitution
- At all times abiding by the TARA Code of Conduct

Inclusive and accessible to its members means

- Ensuring that the TARA represents all sections of the local community and that all meetings and group activities are accessible and welcoming to all local residents
- Providing an update, for example a newsletter, e-bulletin, or on-line post at least annually, to its members about its activities

2. The Governing Committee is appropriately structured, meets regularly and decision-making is recorded

Appropriately structured means

- As a minimum, the TARA Committee must consist of a Chair, Secretary, Treasurer and at least two additional Committee members
- All TARA Committee positions must be elected at the Annual General Meeting (AGM)

Regular meetings means

- **The** Committee must meet regularly to ensure important matters (e.g. finances) are properly managed;
- **The** TARA Committee will arrange an Annual General Meeting (AGM) each year; to which all members and SCC must receive an invitation
- A General Meeting (GM) will be held as appropriate to discuss any issue that affect the TARA membership. All TARA members and SCC must receive an invitation to this meeting.

Decision-making is recorded means

- Committee meetings and any other meetings making important decisions must have formal written minutes. Having a formal written record provides clarity about what was agreed and who agreed it
- The TARA Committee should approve minutes of its meetings to ensure those Committee members who were present have the opportunity to confirm the record accurately, while capturing any decisions or points that were made
- Copies of TARA Committee meeting minutes and other documentation must be made available on request to any TARA member and SCC.

3. Conflicts of interest are recognised, managed by the Chair and recorded. At least three of the members of the TARA Committee are unrelated or do not live together. Unrelated Committee members must be in the majority

Relationship of Committee Members

The requirement to have at least three Committee members who are not related or living together helps ensure a range of experience and opinions; resulting in better and more rounded decisions. No more than two of the three key roles on the TARA Committee (Chair, Secretary and Treasurer) may be held by people related or living together.

Having a **conflict of interest** means that

- A Committee member (or their family) would benefit personally from a decision made by the Committee.

Some of the most common forms of conflict of interests are

- A TARA Committee member agrees something with another organisation that benefits the TARA Committee member.
 - A TARA Committee member agrees something with another organisation owned by a close relative, which creates a benefit.
 - A TARA Committee member receives a gift from an individual or organisation that also does business with the TARA
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- Any conflicts of interest should be recognised, managed effectively, and recorded to make sure Committee members are not able to influence a decision to their benefit (or their family's benefit) rather than being the best value decision for the organisation
 - If a Committee member thinks they may be conflicted over a decision or discussion they should raise this ahead of the relevant discussion or decision; and the Chair

should manage this process.

- The TARA should maintain a register of interests for Committee members
- If an issue arises between the members of the TARA Committee, it is the responsibility of the TARA Committee to resolve this. The Committee may need to appoint an independent mediator or outside organisation to help resolve this.
- Any issues of concern in respect of finance, Safeguarding, a breach of criminal or civil law or a potential breach of any other legal requirements e.g. the Equality Act 2010, should be reported immediately to SCC

4. The TARA has a single bank account to manage all Levy and other payments from SCC. Signatures from two independent, unrelated, Committee members who do not live together are required for all payments

- TARAs must have a formal bank account into which funds can be paid. Having three independent signatories on the account helps to mitigate the risk of fraud and/or maladministration
- The TARA Committee minutes should formally record all spending decisions. This should be done before any spending is undertaken.
- For payments other than by cheque (such as BACS payments, cash withdrawals, debit card payments or cash payments), a requisition note should be signed by two authorised signatories in advance of the payment, and held by the treasurer.
- TARAs must not have a credit card in the name of the TARA
- To ensure that there is a clear audit trail, receipts must be obtained for all TARA transactions
- Any non-SCC grant payments and receipts received by the TARA should be clearly identified in the TARA main account or held by the TARA in a separate account.

5. Annual accounts are prepared and scrutinised independently of the person responsible for finance (e.g. treasurer) and are made available to members to describe how money has been spent

Prepared and scrutinised independently means

- To ensure accountability and promote integrity all TARA accounts containing levy or SCC grant payments must be verified each year by a person/organisation included on the SCC list of authorised verifiers. A TARA may request that a new verifier is considered for inclusion on this list.
- All monies received by the TARA must be recorded and presented in the TARA accounts. Any monies paid out by the TARA must also be recorded and presented in the TARA accounts

Made available to members means

- TARAs will be expected to make annual accounts available to members to provide them with information about the finances of the TARA. It will be for the TARA to determine how best to achieve this but could be, for example, at a General Meeting, via their website or newsletter
- As a minimum, TARA accounts must be verified in advance and presented at the AGM. The AGM must take place within a reasonable period following the closure of the annual accounts. This would usually be a maximum of 12 weeks following the end of the TARA financial year;
- TARA accounts should also be made available within 7 days following a request from a TARA member or SCC
- Any complaint or accusation about misuse or fraud relating to TARA funds should be reported to SCC. Action taken will be appropriate to the circumstances including formal legal or Police involvement; and levy payments may be suspended during any investigation.

6. The TARA Committee meet all the reporting and governance requirements required by SCC in order to ensure prompt payment of any tenant levy monies due. TARAs must use levy payments appropriately

Meeting the reporting and governance requirements means

- TARAs submitting a fully completed Annual Return and signed copies of all documents listed in the Constitution.
- Six months after the submission of the Annual Return the TARA will hold an update meeting with SCC to complete a monitoring return
- The TARA must have Public Liability insurance cover for at least £5 million and that SCC must see a copy of this certificate

Prompt payment means

- SCC will make a levy payment four times a year to the TARA. This levy payment will be the total of the individual levy payments collected from members of the TARA. The first payment will be made a maximum of 6 weeks from a fully completed and satisfactory Annual Return being received by SCC. Further payments will be made a 3 month intervals subject to a further 6 month update meeting with the TARA.
- An additional Digital TARA grant will be made to any TARA applying for this as part of their Annual Return.
- Money incorrectly paid to a TARA because of an administrative, banking or other similar error will be promptly repaid to SCC. It is the TARA's responsibility to update SCC of any changes to their bank account
- **No payments will be made to any TARA that does not meet the reporting**

requirements or where there is any outstanding action being taken by SCC in relation to the requirements contained within this document.

Using levy payment **appropriately** means

- Supporting the day to day running costs of the TARA and facilitating engagement activities for its members
- Ensuring that the spending of any levy money benefits the whole community in which they work. Spending which only benefits an individual or small group of individuals (including the Committee) should be avoided.
- Using Digital TARA grant received to purchase ICT equipment and/or contribute towards the installation and running costs of internet access to support communications with their members and SCC
- TARAs in receipt of the Digital TARA grant are expected to communicate electronically with SCC and will receive electronic copies of meeting invites via a recognised TARA (rather than any personal) email addresses. Printed copies of meeting papers will only be provided at the meeting for those who attend. TARAs receiving the Digital TARA grant will also need to commit to increasing their electronic communications with their members e.g. email, Facebook and Twitter.



Monitoring compliance with these requirements

SCC will investigate any concerns about a TARA not meeting any of the minimum requirements and appropriate action will be taken which may include suspending further levy payments. The action taken will depend on the circumstances.

- In the first instance, this will be a discussion between SCC and the relevant TARA to try to resolve the situation. This may lead to a time-limited action plan being agreed.
- If the situation continues, then an officer of SCC not previously involved with the TARA may carry out an independent investigation of the situation. The Director of Housing and Neighbourhoods will review the recommendations from the investigation and determine the action to be taken.
- Any TARA who feels that SCC has not applied the principles of the Good Governance Requirements correctly may address these concerns through the *SCC Complaints Policy*.
- It is the responsibility of the TARA Committee to resolve issues between members of the TARA Committee. The Committee may consider an independent mediator to assist in this process. Any issues of concern relating to finance, Safeguarding, a breach of criminal or civil law or a potential breach of any other legal requirements e.g. Equality Act 2010, should be raised immediately with SCC.

The Good Governance Requirements will be subject to periodic review and amendment.

TARA Model Constitution

June 2018

1. Name and boundary

- This is the Constitution for **X** TARA.
- The area covered by the TARA shown on the TARA Map.

2. Objectives

- It is the aim of **X** TARA to represent the interests of the members and the local community working solely and/or in partnership with other agencies. This could include support, negotiation, advocacy for its members and the provision of social, educational and recreational benefits for all local people. The TARA aims to strengthen community resilience whilst promoting equality and fairness.

3. Membership

- Membership of **X** TARA is open to any tenant who lives within the boundary of the TARA and pays their levy to Sheffield City Council (SCC).
- Membership of the TARA is also open to anyone else with an interest in the community represented by the TARA, on payment of a fee determined by the TARA at its AGM.

4. Code of Conduct

- At all times members of the TARA Committee must abide by the TARA Code of Conduct. If any member of the TARA Committee fails to abide by the TARA Code of Conduct, action will be taken in line with the TARA Good Governance and Financial Management Requirements. Following the Annual General Meeting the Code of Conduct must be signed by all members of the TARA Committee

5. Officers and Committee

- The business of the TARA will be carried out by a Committee elected at the Annual General Meeting. The Committee will meet not less than three times a year.
- The TARA committee must consist of a Chair, Secretary, Treasurer and at least two additional Committee members as a minimum.

- The Officers' roles are
 - Chair, who shall chair both general and committee meetings
 - Secretary, who shall be responsible for the taking of minutes and the distribution of all papers
 - Treasurer, who shall be responsible for maintaining accounts
- In the event of an officer standing down during the year, the next General Meeting of members will elect a replacement. This meeting should be held within four weeks of the resignation.
- Any Committee member not attending a meeting without apology for three months will be asked to resign.
- Any member of the TARA Committee who carries out any duties that involve working with children, elderly or vulnerable people must produce, if requested, a current Disclosure and Barring Service (DBS) check for carrying out a regulated activity under the relevant legislation.

6. Meetings

6.1. Annual General Meetings

- An Annual General Meeting (AGM) must be held each year and no more than fifteen months from the previous AGM.
- All TARA members and SCC will be notified in writing at least three weeks before the date of the meeting, giving the venue, date and time.
- Nominations for the Committee may be made to the Secretary before the meeting, or at the meeting.

At the AGM

- The Committee presents a report on TARA activities over the year.
- The Committee presents the accounts for the previous year.
- The officers and Committee for the next year are elected.
- The Committee will consult on their spending plans for the forthcoming year.
- Any proposals given to the Secretary at least seven days in advance of the meeting will be discussed.
- Minutes or action points from the meeting should be recorded.

6.2 Special General Meetings

- A Special General Meeting (SGM) can be called at the request of the majority of the TARA Committee or on receipt of a petition signed by

more than ten TARA members.

- All TARA members and SCC must receive an invitation to this meeting.
- The meeting will take place within 21 days of the request.
- All members will be given fourteen days' notice of such a meeting, giving the venue, date, time and agenda.
- Minutes or action points from the meeting should be recorded.

6.3 General Meetings

- A General Meeting (GM) will be held as appropriate to discuss any issue that affects the TARA membership.
- All members including SCC will be given fourteen days' notice of such a meeting, giving the venue, date, time and agenda.
- Minutes or action points from the meeting should be recorded.

6.4 Quorum (the minimum number of members required for a meeting)

- The quorum for an AGM, SGM or GM will be:
 - Chair, Secretary and Treasurer and a minimum of 2 Committee members unless there are exceptional circumstances. Unrelated Committee members must be in the majority in order to make a formal decision.
 - There must also be one member in every 100 from the membership of the TARA, or a minimum of fifteen members if the TARA has more than 1500 members.

6.5 Committee Meetings

- Any officer on the Committee may call a Committee meeting.
- Committee members must receive notice of meetings at least seven days before the meeting.
- The quorum for Committee meetings is three Committee members.
- In order for the committee to make a formal decision, unrelated Committee members must be in the majority.
- Minutes or action points from the meeting should be recorded.

7. Rules of Procedure for meetings

- All questions that arise at any meeting will be discussed openly and the meeting will seek to reach agreement.
- If a consensus cannot be reached a vote will be taken and a decision will be made by a simple majority of members present. Only TARA members present at the meeting may vote – one vote per member. No

proxy voting is allowed. If the number of votes cast on each side is equal, the Chair of the meeting will cast an additional vote.

- Confidential items should be identified on the agenda and the Chair should reference these when opening the meeting. Non-TARA members may be asked to leave when these items are considered.

8. Finances

- An account will be held by the TARA at a bank agreed by the Committee. Signatures from two independent, unrelated, Committee members who do not live together are required for all payments.
- Two of the signatories will sign all payments.
- For cheque payments, the signatories will sign the cheque.
- For other payments (such as BACS payments, cash withdrawals, debit card payments or cash payments), a requisition note will be signed by two signatories in advance of the payment, and held by the Treasurer. Receipts for any cash withdrawn should be obtained and retained for the TARA accounts.
- Records of income and expenditure are to be maintained by the Treasurer who will also provide at each meeting a financial statement.
- All money raised by or on behalf of the TARA is only to be used to further the aims of the group, as specified in Item 2 of this Constitution.

9. Amendments to the Constitution

- The Constitution can only be altered at an Annual General Meeting or at a Special General Meeting arranged for that purpose. The minimum requirements cannot be altered.
- Any proposed changes must be written and sent to the TARA Secretary in advance of the meeting.
- Changes to the Constitution must be agreed by two thirds of the members present at the meeting.

10. Dissolution (closure), merger or division of the TARA

- The TARA may only be dissolved, merged or divided at a Special General Meeting called for that purpose and advertised to all members.
- The costs for the SGM will be met by the TARA.
- A proposal to dissolve, merge or divide the TARA will take effect only if agreed by two thirds of members present at the meeting.
- All TARA assets (financial or otherwise, remaining after the payment of

all debts) should be held until the SGM. If the TARA is dissolved:

- the balance of the TARA account should be handed over to SCC where it will be held for 18 months pending a new TARA forming. Any non-financial assets will be retained by SCC if possible or offered to other TARAs to re-use.
- Keys to any SCC premises used by the TARA, including a concessionary let, should be returned to the Neighbourhood Manager within 28 days of the agreement to dissolve the TARA. Any agreements for the use of alternative TARA meeting premises should be ended by the TARA.
- Any reoccurring liabilities, such as utility or broadband contracts, should be finalised by the Committee.
- All unused income from grant funding to be returned to the funding organisation in accordance with grant requirements.
- It is the responsibility of the TARA Treasurer to have the TARA accounts audited, and close the TARA Bank account, the balance to be returned to SCC. SCC will investigate any complaint or accusation about misuse or fraud relating to TARA funds. Action will be taken appropriate to the circumstances including formal legal or Police involvement if necessary. Individual signatories will remain liable for TARA funds until this responsibility is formally handed over to another TARA Committee member or the funds returned to SCC.
- Monies will be held for 18 months for a new TARA to be established. After 18 months if no TARA has been set up, monies will be added to the Residual Levy account held by SCC.

This constitution was agreed at the meeting of the TARA on:	
Date:	
Name:	
Position in group:	
Signed:	
Name:	
Position in group:	
Date:	
Signed:	

Code of Conduct for TARA Committee Members

June 2018

1. General

TARA Committee members are expected to:

- Always operate within the rules laid down by the Constitution.
- Not to seek any personal benefit or advantage, or expect to receive more favourable treatment by Sheffield City Council (SCC) staff, because of their membership of the TARA.
- Not speak or write on behalf of the TARA without prior agreement of the TARA Committee. This includes the use of social media.
- Make any correspondence sent on behalf of the TARA available to all members of the TARA Committee.

2. Disclosing and Declaring Conflicts of Interests

- TARA Committee members must disclose to the TARA Committee any interest, whether personal or on behalf of any other group they represent, that they consider may affect or influence their approach whilst representing the TARA.

3. Confidentiality

- TARA Committee members should respect all individuals' confidentiality, whether present or not, and refrain from mentioning specific individual cases which may cause identification of an individual.
- TARA Committee members should have an awareness of any responsibilities under relevant Data Protection legislation.
- Information or documents given in confidence, whether as a result of attendance at meetings or information acquired otherwise, which is of a confidential nature, must not be disclosed without consent of the appropriate person authorised to give it, unless required to do so by law.

4. Political Affiliation

- The TARA must not belong or be associated with a political party.
- Individual TARA Committee members may be affiliated to/or be

members of a political party but they may not represent a political party in their role as a member of a TARA.

- TARA Committee members must not use any social media account held on behalf of the TARA to promote their own political views or those of the TARA.
- Elected members of Sheffield City Council cannot be a member of the TARA Committee.

5. Equality & Diversity

- No TARA Committee member will discriminate against, harass, victimise or bully on any ground any member of the TARA, public or representative of SCC.
- The TARA recognises that discrimination creates barriers to achieving equality. TARA Committee members will treat everyone with dignity and respect, regardless of age, disability, gender, marital status, pregnancy or maternity, race, religion or belief, sex, or sexual orientation (the protected characteristics under the Equality Act 2010), or any other matter which causes injustice to people.
- TARA Committee members will play an active role to assist in removing any barriers to equality and will lead by example.
- The TARA will operate an open door policy and membership will be open to all tenants and residents living in the community.

6. Gifts/Grants

- All TARA Committee members will declare and clearly record in the TARA accounts, any gifts given to them as TARA members. Financial grants received by the TARA should be recorded in the TARA accounts.

7. Social Media

- Any use of social media must be in line with the Social Media Policy for TARAs, included as an appendix to this Code of Conduct.
- All TARA Committee members have responsibility for operating within the boundaries of this policy. All TARA Committee members will understand in relation to the Social Media policy the standards of behaviour expected of them. The TARA Committee will take action when behaviour falls below this.
- **Any breach of the social media guidelines will be treated as a breach of the TARA Code of Conduct.**

8. Breaches of the Code

- All TARA Committee members should recognise that failure to follow the Code of Conduct may damage the TARA's reputation and its work and so will be viewed as a disciplinary matter. In the event of an alleged breach of the Code, any investigation or action will be undertaken in line with the TARA Good Governance Requirements.

All TARA committee members will sign to confirm they agree and will abide by this Code of Conduct :	
Date:	
Name:	
Position in group:	
Signed:	
Name:	
Position in group:	
Date:	
Signed:	

Social Media Policy for TARAs

Appendix 1 to the Code of Conduct



Our TARA is committed to making the best use of all available technology and innovation to improve the way we work. This includes using all reasonable and cost-effective means to improve the way we communicate, reach out and interact with the different communities we serve.

We recognise that the internet provides unique opportunities to participate in interactive discussions and share information on particular topics relevant to our work using a wide variety of social media, such as Facebook, Twitter and blogs. This policy aims to protect TARA Committee members, and anyone acting on behalf of the Committee, and to encourage them to take responsibility for what they write and post on-line, and to exercise good judgment and common sense.

Scope and purpose of the Policy

The Social Media Policy, deals with the use of all forms of social media, including TARA web pages, Facebook, YouTube, Twitter and all other social networking sites, and all other internet postings, including blogs, photos and videos.

It applies to the use of social media for TARA activity and any personal activity which is linked to TARA membership, whether undertaking TARA activity or otherwise. The policy applies regardless of whether the social media is accessed using TARA ICT facilities and equipment or equipment belonging to TARA members or any other person or organisation.

Guidelines for responsible use of social media

- TARA Committee members' are not permitted to set up social media accounts for TARA purposes without prior consultation with the TARA Committee.
- TARA Committee members must not post defamatory statements about anyone or anything including TARAs, Sheffield City Council staff and Councillors, TARA members past or present; and other stakeholders.
- TARA Committee members should also avoid social communications that could be misconstrued in a way that could damage reputations, even indirectly. This includes the sharing, liking and retweeting of posts made by other individuals or organisations.
- If you are posting images or text to use on social media, you must obtain a publicity consent form from any individual included prior to this activity. Tagging of vulnerable adults or anyone under the age of 18 is not allowed.
- If you disclose your affiliation as a member of the TARA, you must also state that your views do not represent those of the TARA. For example, you could state, "the views in this posting do not represent the views of X TARA."

- You should ensure that your profile, privacy settings and any content you post are consistent with the image you present to those you work with as part of your membership of the TARA.
- You can only use the TARA email address if your role involves using social media on behalf of the TARA.

Remember that you must respect confidentiality at all times and protect confidential information. Confidential information may include things such as unpublished details about planned activities, details of current projects, future projects, financial information or personal information.

If you see content in social media that disparages or reflects poorly on the TARA, you should report it to the TARA committee and/or Sheffield City Council.

People responsible for implementing the Policy

All TARA Committee members have responsibility for operating within the boundaries of this Social Media Policy and for understanding the standards of behaviour expected of them in relation to the Policy. The TARA Committee will take action when behaviour falls below this.

TARA Committee members are responsible for monitoring the content of their web pages and social media accounts. The TARA committee will take action to remove any social media or internet postings that constitute a breach of this policy. This includes blocking offensive or inappropriate postings shared by any person connected with the TARA.

Any breach of these social media guidelines will be treated as a breach of the TARA Code of Conduct. Action will be taken to deal with this breach in line with the TARA Good Governance Requirements.