

Eastbourne Homes Leasehold Panel Terms of Reference

1 Introduction

The Leasehold Panel is a consultative body which represents the interests of Eastbourne Borough Council's (EBC) leaseholders.

The Panel is part of the governance structure of the Council's property management company, Eastbourne Homes Ltd (EHL) and provides the main channel of communication between EHL and leaseholders in the Council's homes.

2 Remit of the Leasehold Panel

The Panel's remit is to:

- Work with EHL on matters relating to leasehold services with the joint aim of driving continuous improvement
- Act as the point of contact between the body of leasehold residents and EHL (on behalf of EBC).
- Report back to leaseholders and bring the views of leaseholders forward to the Panel.

The Panel will not take up individual complaints or concerns but will signpost people to an EHL Manager or the EHL Complaints Procedure, as appropriate.

3 Panel composition

The Panel's membership of seven reflects the different categories of EBC leaseholders. The composition is currently:

- One 'right to buy' leaseholder
- One open market leaseholder
- One investor landlord leaseholder
- Two further leaseholders from any of these categories.

This will be kept under review and may be changed in the future should it become necessary to increase representation from any section of the leasehold community.

Should a Panel member cease to be an EBC leaseholder, their membership will be terminated immediately and a replacement selected.

Members will be selected on the basis of their ability to contribute to the work of the Panel. The criteria and selection process are set out in appendix A.

Panel members will usually serve for a three year term (but see below). They may apply to serve for a second term but must go through the selection process again. No member may be on the Panel for more than six consecutive years and must wait three years before applying again.

For the Panel's first three years of operation, terms of service will be staggered so that no more than one third of the Panel members retire in each year.

4 Independent Chair

The Panel will have an independent, professional Chair with specialist knowledge of leasehold law and management. The Independent Chair's role is to:

- Provide advice to the Panel members
- Chair meetings
- Ensure that the Panel operates in accordance with its terms of reference and code of conduct.

The Independent Chair does not have voting rights.

The Chair will have an annual review meeting with *EHL's Managing Director*.

The first Chair will be appointed by EHL and will serve for three years. The Panel members will be involved in subsequent appointments.

The position is not remunerated but expenses will be paid in accordance with EHL's expenses policy.

5 Officers

The Panel will, at their discretion, elect a: Vice Chair, a Secretary and a Treasurer for a twelve month term from amongst their members. The Officers may stand for election again but may serve for no more than three consecutive terms before standing aside for at least one year.

6 Panel meetings

The Panel will hold quarterly, formal meetings in facilities provided by EHL. The dates and times of formal meetings will be agreed by the Panel annually and published on the EHL website. Minutes will be taken by the Secretary.

The agenda will be circulated to Panel members at least five working days before each meeting and members may submit items to the Secretary for inclusion. The minutes will be approved by the Chair and then circulated within ten working days of the meeting. The minutes will be posted on EHL's website.

A quorum will be two members plus the Chair.

The Panel will hold additional, informal meetings as the members consider necessary.

The EHL Leasehold Management Officer will attend all formal Panel meetings and may attend informal meetings by invitation from the Chair. The Leasehold Management Officer is a Panel member but does not have voting rights.

The Panel may, through the Chair, invite other people to attend a meeting for a specific purpose.

7 Annual work plan

The Panel will have an annual work plan which will be developed in response to matters of concern to the Panel and issues that have been raised by EBC leaseholders, EHL or the Council. Panel members will agree the plan in the last quarter of the previous year.

The work plan will include success measures and an annual assessment of the impact of the Panel.

8 Reporting

The Panel will report to the Operations and Finance Committee of the EHL Board. The work of the Leaseholders Panel will be a standing agenda item at Committee meetings and a member of the Panel will attend to speak to the report and answer questions, if required.

9 Accountability to EBC leaseholders

The remit of the Panel and the names of Panel members will be published to leaseholders through the website, and in EHL's *Open House* magazine. EHL will provide an email address and leaseholders will be told how to contact the Panel.

The Panel has a responsibility to seek the views and concerns of the wider body of leaseholders and address them appropriately. This might include bringing matters to the attention of EHL or the Council. The Panel will not act on behalf of an individual leaseholder unless the matter raised is considered to be of wider significance.

The Panel will produce an annual report for leaseholders, detailing its activities over the preceding year and reporting on its impact.

10 Relationships with other resident groups

The Panel will endeavour to develop good working relationships with the Council's tenant groups and in particular with the Resident Scrutiny Panel. The Leaseholder Panel can suggest review topics to the Scrutiny Panel and the two may work together on matters of common interest.

11 Training and development

EHL will provide Panel members with the support and training they need to fulfil their role effectively.

All Panel members will be expected to attend induction training. Guided by the Independent Chair and in discussion with EHL, the Panel will draw up its own training and development plan which will be resourced by EHL.

Panel members will have annual one-to-one meetings with the Independent Chair at which the member's contribution to the work of the panel will be discussed and any training needs agreed.

12 *Remuneration*

Panel members are unpaid, giving their time on a purely voluntary basis. Out of pocket expenses will be reimbursed in accordance with the EHL expenses policy.

13 *Code of conduct*

Panel members are expected to sign the code of conduct and to follow it at all times. The code is at appendix B.

14 *Responsibilities of Eastbourne Homes Ltd*

EHL will encourage and support the work of the Panel. The company will set aside an annual budget to meet the Panel's operating and training costs and will cover the expenses of the Chair and Panel members. EHL will arrange meetings, circulate papers and upload Panel information to the website as required.

The Leasehold Management Officer will attend formal meetings to provide information and act as the first point of contact between the Panel and EHL.

EHL will give the Panel access to any information it reasonably needs in the course of its work, including performance data, customer feedback and financial reports, and will facilitate communication between the Panel and the leaseholders it represents. This is, of course, subject to Data Protection requirements.

15 *Changes to the terms of reference*

The terms of reference will be reviewed at least once every three years by the Panel and the Operations and Finance Committee in a joint meeting and changes made as agreed by a majority of both bodies.

Appendix A: Leasehold Panel member criteria and selection process

1 *The role*

Leaseholders Panel members represent the interests of the leaseholders in Eastbourne Borough Council properties and have an important role in helping to improve services. They are expected to take a wider view of what is best for leaseholders in general rather than pursuing their personal interests.

They must be willing to participate fully in the regular Panel meetings, preparing by reading papers or gathering information. From time to time Leaseholders Panel members will be asked to take part in meetings with leaseholders or other Council groups or committees, attend conferences or represent the Panel at events.

Members will need to be committed to the aims of the Panel and be willing to work as a member of the team. They must understand that the Panel will bring about change only by working with EHL and the Council, not by confrontation.

The role is purely voluntary although expenses will be reimbursed in accordance with Eastbourne Homes Ltd's policy. Training and support will be provided.

2 *Eligibility*

Panel members must be Eastbourne Borough Council leaseholders.

They must have complied fully with the terms of their lease for at least the preceding 12 months.

They must not be involved in any serious dispute with EBC or EHL or have been subject to any formal or legal action for anti-social behaviour or harassment committed in the property or neighbourhood.

3 *Person specification*

Panel members will be:

- Committed to working with EHL to improve leasehold services
- Able to communicate clearly and to listen well
- Team players, willing and able to co-operate with others to achieve the best outcome
- Able to understand reports and other information and come to an objective, evidence based conclusion
- Respectful of different points of view
- Willing to learn.

IT skills (including use of email and internet) will be useful to Panel members but are not essential for selection as training can be provided.

Previous experience in a similar representative role might be helpful but is not a requirement.

All members will be expected to complete a Disclosure and Barring form in line with EHL's Safeguarding Policy.

4 *Application and selection process*

Vacancies on the Leaseholders Panel will be widely advertised. Enquirers will be offered an opportunity for an informal discussion so they can find out more about the role and the expectations of members before deciding whether to apply.

Application will be by a short form and shortlisted applicants will be invited to meet a selection panel. For the initial set of appointments, the selection panel will comprise:

- The Independent Chair of the Leasehold Panel
- One person nominated by the EHL Board
- A consultant from HQN, a specialist external company.

The composition of the panel may change for subsequent selections.

At the meeting applicants will be asked to explain why they want to be on the Leaseholders Panel and how they believe they can contribute to the work of the team. The selection panel will make a decision based on the person specification in section 3.

Appendix B: Code of conduct

Introduction

The code of conduct sets out the standards of personal behaviour that members of the Leasehold Panel must observe. It is important that members abide by the rules and demonstrate the highest possible standard of conduct and integrity.

Terms of reference

Panel members are expected to be familiar with the Panel's terms of reference and to observe them at all times. In particular, they must remember that their role is to represent the interests of all Eastbourne Borough Council's leaseholders with the aim of helping to improve the service delivered by EHL; the Panel is not a forum for raising personal issues or pursuing or promoting political or personal interests, activities or beliefs.

Behaviour in meetings

If a member is unable to attend a meeting they should send their apologies to the Chair.

Members must attend meetings in good time having fully prepared themselves and come ready to participate.

Once the meeting starts, mobile phones should be turned off or put on silent.

Offensive behaviour, including racist, sexist or inflammatory remarks, and particularly offensive remarks directed at an individual (whether it be a Panel member or officer) will not be tolerated. If the unreasonable behaviour persists, the member will be excluded from the meeting. Persistent breaches of good conduct will result in the member being asked to resign.

Confidentiality

Panel members are likely to be given information in the course of their work that is confidential to individuals or to EHL or the Council. They must respect that confidentiality and take care not to leave papers or on-screen information where it might be seen by other people or discuss sensitive matters in places where they might be overheard.

Data protection legislation applies to Panel members and will be covered in the induction training.

Removal from the Panel

Membership of the Panel is likely to be revoked if a member:

- Breaches the code of conduct
- Does not attend two consecutive meetings and fails to give the Chair a satisfactory reason

- Ceases to be a leaseholder of Eastbourne Homes, is in breach of the terms of their lease or becomes involved in a serious dispute with EHL or Eastbourne Borough Council.
- Conflict of interests.

The decision about removing someone from the Panel will be taken by the Independent Chair in consultation with officers.

I agree to abide by the code of conduct.

Name

Signed

Date