



Basic Guide to Starting a Tenants & Residents Association

Updated Version 2006

The Tenants Information Service regularly produces Basic Guides and Information Notes on housing and related issues that are recommended to tenants and residents groups and federations. These guides are free of charge and are available to groups on request or from our website. Guides and Information Notes include:

Basic Guides

Basic Guide to Alternative Landlords

This guide explains the main feature of the different landlord options available in Scotland. It will help you consider the issues involved and make comparisons with your current landlord.

Basic Guide to Housing Inspection

This Guide contains a summary of how Communities Scotland's Housing Inspection process works and how tenants can get involved.

Basic Guide to Anti-social Behaviour

This Guide explains what is meant by the term anti-social behaviour and provides a summary of the current legal measures for tackling anti-social behaviour.

Basic Guide to Developing Tenant Participation in Supported Accommodation

This guide identifies good practice in developing tenant participation in supported accommodation across Scotland.

Basic Guide to Involving Tenants in Regeneration

This guide explains the stages involved in regeneration and how tenants can be involved.

Basic Guide to Starting a Tenants and Residents Association

This updated Guide provides information on setting up a tenants and residents group, becoming a registered group with your landlord and useful tips on organisation.

Information Notes (Information Notes are only available from our website or on request from TIS)

Information Note on Stock Transfer

This Information Note explains why stock transfer is happening in Scotland. It examines what stock transfer could mean for public sector tenants. Tenants who have not yet experienced stock transfer will find it of particular use.

Information note on the role of the Treasurer

This Information Note explains in practical detail how to carry out the duties of a treasurer.

Information note on the role of the Secretary

This Information Note explains in practical detail how to carry out the duties of a secretary.

Information note on Neighbourhood Management

This Information Note explains what Neighbourhood Management is and how tenants can get involved.

TIS Website Address

www.tis.org.uk

TIS Office Address

Suite 124-128, Baltic Chambers, 50 Wellington Street, Glasgow, G2 6HJ Tel: 0141 248 1242
Email: info@tis.org.uk

Contents

■ Section 1	
Introduction.....	page 4
■ Section 2	
Starting a tenants & residents group	page 5
■ Section 3	
Organising a public meeting	page 8
■ Section 4	
Tenants rights to information, consultation and participation	page 11
■ Section 5	
What is a Registered Tenants Organisation	page 12
■ Section 6	
Constitutions	page 15
■ Section 7	
The Committee.....	page 20
Committee members	page 20
The Chairperson.....	page 21
The Secretary	page 22
The Treasurer.....	page 23
■ Section 8	
The agenda.....	page 25
■ Section 9	
The minutes	page 26
■ Section 10	
How to make a good decision.....	page 28
■ Section 11	
Organising an annual general meeting.....	page 30
■ Section 12	
Where to get help and support.....	page 32
■ Section 13	
Charitable status.....	page 35

Section 1

Introduction

The Tenants Information Service is pleased to produce this guide, which is an up to date version of our well used publication "Starting a Tenants and Residents Association". This version contains some new sections due to the Housing (Scotland) Act 2001 which considerably strengthened tenants' rights to information, consultation and participation with their landlord. We hope that you will find it useful and wish you all the best in your activities in influencing your housing circumstances.

The Guide is written mainly for tenants of Local Authorities and Housing Associations (now known as Registered Social Landlords). We also hope it will be useful for workers from a range of agencies involved in assisting tenants and residents groups to organise.

The guide is set out in an easy to read format. It provides guidelines on:

- Tenants rights to information, consultation and participation
- What tenants and residents groups can do
- Registering with your landlord as a Registered Tenants Organisation (RTO)
- Practical advice on drawing up a constitution
- Information on committees and the duties and responsibilities of office bearers
- Ways of ensuring the group is democratic and accountable
- Information on sources of funding, help and support
- How to achieve charitable status (if appropriate).

Tenants Information Service

The Tenants Information Service was set up in 1989 by tenants to provide information, advice and training for Scottish tenants and generally support the efforts of tenants to improve their housing circumstances. The Tenants Information Service is a company limited by guarantee. It is a non-profit making support agency for tenants' organisations across Scotland.

The Tenants Information Service has approximately 300 tenants and residents groups in its membership and covers the whole of Scotland. An Executive Council, comprising of up to 20 tenants, is elected annually from the membership. The Executive Council directs the work of the organisation. TIS currently employs 15 members of staff.

Tenants Information Service has produced this guide with funding received from the Scottish Executive.

Section 2

How to get started

From ideas to action

Have you ever felt that your landlord is ignoring you? That your complaints are not dealt with? That you can't get your ideas taken up? Or that your area could be more neighbourly?

Thousands of tenants and residents have improved their area by joining together with their neighbours and forming a tenants and/or residents group.

Why start a tenants and residents group?

There are a lot of reasons for tenants/residents to join together to form a group. Here are just a few of the main ones:

- To organise around issues that affect the majority of people in their community, such as repairs, housing services, problems with neighbours, dampness, housing transfers, regeneration of neighbourhoods
- To apply pressure on their landlord to achieve change
- To have a representative voice. To provide the means for tenants to communicate with their landlord to influence decision making that affects them and their neighbours' homes
- To give accurate advice and information to tenants/residents
- To campaign on certain issues e.g. for better play facilities, for better housing conditions.

What is a tenants and residents group?

Usually tenants and residents groups are community groups made up of local people acting in a voluntary capacity to promote and defend the interests of tenants and/or residents in their area.

These days, various arrangements may be possible when setting up a local group. For example, a group for tenants only, or residents' groups for all adults in the community, or a group involving both tenants and residents of an area, or action groups formed round a particular issue. This guide will refer to all these variations as a tenants and residents group. What is important to the group are its aims and objectives and for whom it is set up to represent. This should be set out in your constitution (see Section 6 of this guide).

Tenants and residents groups can:

- Provide a collective voice for tenants in an area, act as a focus for consultation and an organisation to lobby for changes
- Develop extra services through self help schemes e.g. pensioners lunch clubs
- Offer advice to local people and represent individual tenants when dealing with authorities.

Most tenants and residents groups hold regular meetings open to all tenants in the area, but conduct their business through a smaller committee.

The strength of any tenants and residents group lies in the involvement of local people in the activities of the group.

How to start

Most tenants and residents groups start with just a handful of people who are keen to do something for the area. It is quite easy to get started.

Find people by:

- Talking to neighbours as they may share your concerns and be willing to help;
- Putting up notices locally to see if other tenants/residents are also interested in setting up a group.

Small Planning Meeting

Arrange a small planning meeting to discuss what it is that you want to tackle, and how to get help.

Decide:

- What you want to achieve
- What you want to do
- How to do it
- How long you think it should take
- Allocate tasks
- Share responsibility
- Operate democratically
- Find out who can give you help and support (see Section 13 of this guide)

Public Meeting

Arrange a public meeting to test wider support for your ideas. If you miss out this stage you run the risk of assuming that your first small planning meeting actually represents everyone's views. You could misjudge how many people feel the same way as your small group.

The public meeting will also formally launch the tenants and residents group and elect a steering group. At the meeting agree a date for a further meeting to discuss priorities and decide how to get things moving. Most groups delegate responsibility for this work to the group of people who form the steering group.

Steering Group

There are no hard and fast rules regarding organising a tenants and residents group. A steering group is simply a way of bringing people together to consider problems and make decisions on behalf of the full membership of the group. Once the steering group has been formed it needs to consider:

- The aims of the group
- What issues are important and which ones it wishes to make a priority
- How often it should meet
- What officers and committee members it should have
- What officers and committee members should do
- What resources the group will need and how money will be managed
- The name of the group and what geographical area it will cover.

All of these things need to be carefully thought out and set out in a formal constitution for the group. All of this is covered in the following sections of this Guide. You can use them as guidelines to best suit the needs of your group. What is important is that your group is open and accountable to your membership and that you involve everyone.

Remember that if you are going to apply for financial help from your landlord or other sources they will probably require you have a constitution.

Councillors at Meetings

There is no simple rule about the attendance or otherwise of councillors at the meetings of tenants and residents associations. Councillors can be very experienced in public speaking and attending committee meetings and could therefore tend to dominate the proceedings of a new group.

To help you make a decision, first consider two important points:

- Tenants and residents groups are independent organisations who control their own affairs including who can attend their meetings
- Councillors have no inherent right or obligation to attend the meetings of tenants and residents groups, just because they are councillors.

This means it is a matter for the group to make a decision about who should or should not attend a meeting. It is also a matter for the councillor to decide whether to accept any invitations given or to seek such invitations.

As tenants and residents groups your options are:

1. Never invite councillor
2. Offer a standing invitation to the local councillor(s) to attend all meetings
3. Invite councillors to some meetings and not others depending on your judgement of their need to be there
4. Invite councillors to attend for specific agenda items at specific meetings.

How should you decide your course of action?

On one hand, you must be free as a group to discuss issues and arrive at your own point of view in your meetings. On the other hand, since you and your councillor are trying to be of service to local people, your roles overlap. Councillors may also have some clout when it comes to getting issues taken up.

Your aim should be to have a good working relationship with your local councillor(s), in which you can co-operate and help each other. However, you should not let anyone, councillor or not, interfere with your decision making processes. Think of deciding your views and taking up issues with the council as two separate activities. The attendance of a local councillor at your meeting should not lead to these separate tasks being mixed up or confused.

If the councillor is a tenant or resident of the area then he/she could attend your meetings but should make clear that this is in a personal capacity and not as a councillor unless invited as such.

If you decide on occasional invitations then bear in mind that councillors' diaries are very full. They need lots of notice of meeting dates.

Good Luck!

Section 3

Organising a public meeting

First things first - Decide

What is the purpose of the public meeting? Think about what you hope to achieve from the public meeting so that you design the meeting to fulfil the purpose.

Investigate all the options to ensure that you achieve the purpose.

- Who do you want to attend?
- Who do you want to contribute to the meeting?

Think about who could be excluded from the meeting:

- People whose first language is not English
- People who are blind or partially sighted
- Including people who are deaf or hard of hearing
- People with disabilities
- People with child care or carer responsibilities

Getting people there

- Make it attractive
- Organise it so it runs smoothly – share out tasks with the planning group
- Have a clear purpose
- Select the most appropriate and interesting contributors, and inform them clearly of what you wish them to do at the meeting
- Choose a convenient and pleasant meeting place
- Put on tea/coffee, if possible
- Consider having a free raffle (if you can get donations)
- Advertise it well
- Consider preparing and distributing a leaflet or poster
- Advertise in your local newspaper, supermarket, post office or community notice board
- Publicise in the local newspaper, radio station
- If possible, follow up publicity by word of mouth
- Discuss other ideas for publicity with planning group
- Date and time (choose the most convenient time.) Think who you are trying to attract to your meetings
- Length of meeting (usually two hours is long enough for a public meeting)
- Meeting place (make sure it is suitable for elderly people and less able people)
- Will participants need help with transport?

continued over

- Is a crèche required?
- Can you get assistance for deaf people or people who do not have English as a first language

Preparation for the meeting

- Think who you want to chair the meeting. The person you choose needs to be able to keep order, letting everyone have his or her say without straying off the point. It can be quite a difficult job. You may wish to consider getting someone with experience, for example from your local tenants' federation. Meet with them beforehand to plan the meeting.
- Decide how everyone on the committee will contribute to the meeting. Will they be at the front of the meeting or in the audience to ask questions?
- Make up an agenda for the meeting. Put the most important thing first to capture people's attention. Allow for questions and answers and ask the chairperson to summarise what has been decided.
- Arrange for someone to take notes of the meeting so you have a full record of the meeting and any decisions taken.
- Ask people to sign an attendance sheet as this can be used in the future as a contact list.
- Make sure everyone has their say and don't allow the most talkative and confident people to take over the meeting.
- Some people at the meeting may try to raise individual complaints or personal points, explain politely but firmly that the meeting is to discuss issues that people have in common with one another and that individual complaints can be dealt with at the end of the meeting.
- Use this meeting as confirmation for the way forward of your new group. Ask for volunteers to help in the work of the association. Announce the date of the first meeting of this group and also the date of the next public meeting.

Venue arrangements

Book a suitable venue, taking into consideration:

- Location
- Ease of access for everyone. Try and ensure that consideration is given to people with disabilities e.g. hearing problems, mobility problems
- Size of hall
- Chairs/tables /layout of meeting
- Is public address (P.A.) equipment needed?
- Is catering of any sort needed?

And finally.....

Pause to consider what might go wrong, and think about how to prevent it.

See page 10 for an example of a draft agenda for a public meeting

Example draft agenda

Anytown Tenants Association
Public Meeting
12th May 2005, 6.30pm
held in Anytown Community Centre

Agenda

1. Chairperson's opening remarks
2. Introduction of speakers
3. Contribution from speakers
4. Discussion and questions with those in attendance
5. Summary of decisions and future action
6. Any other business
7. Date time and place of next meeting



Public meeting in action

Section 4

Tenants rights to information, consultation and participation

The Housing (Scotland) Act 2001 introduced a legal framework for tenant participation. The Act introduced new rights for tenants and placed new duties on landlords. These are detailed below:

Right to Information

Part 2, Chapter 1, Section 23, details the new statutory right to information. This does not add significant obligations on landlords over and above current good practice. Landlords must provide tenants with a written tenancy agreement and information about the complaints procedure. Tenants have the right to request the following information from their landlord:

- Policy and procedure relating to rent setting and charges
- Allocations Policy
- Repairs and maintenance
- Right to Buy
- Tenant Participation Strategy
- Stock Transfer.

Good practice recommends that landlords should be keeping tenants informed of relevant matters.

Tenant Participation

Part 2, Chapter 3, Section 53, details the new responsibilities for local authorities and Registered Social Landlords to implement tenant participation.

Participation provisions include:

- A duty on landlords to establish a register of tenant's organisations based on criteria set by Scottish Ministers.
- A duty on local authorities and RSL's to prepare a strategy to promote tenant participation. These strategies must include how a landlord intends to take account of the views of registered tenants groups, the proposals on which they are likely to consult and information provided to tenants and registered groups. The strategy must also include an assessment of the resources needed to give effect to the strategy.

Consultation

Part 2, Chapter 3, Section 54, details the consultation requirements for landlords with tenants and registered tenants organisations. This includes:

- A duty on landlords to notify tenants and registered tenants organisations of proposals relating to housing management, standards of service and the tenant participation strategy itself and a duty to have regard to representations made by individual tenants or tenants groups.

In addition, the Act also re-stated that landlords could enter into an arrangement to set up a tenant management co-operative with the approval of Scottish Ministers. This Guide does not go into detail about Tenant Management Organisations Co-operatives. If you wish further information on Tenant Management Organisations contact TIS. See back page for contact details.

Section 5

Registered Tenant Organisations

What is a Registered Tenant Organisation (RTO)

The idea of registered tenant organisation (RTOs) was introduced by the Housing (Scotland) Act 2001 and gives important rights to groups who register with their landlord. RTOs are groups set up to represent tenants' housing and related interests. Registration gives groups a recognised role in the decision making process. Landlords should also guide groups through the registration process.

Rights of registered tenant organisations

Registered Tenant Organisations should work with their landlord in a variety of ways, in addition to any specific consultation with tenants as a whole. Landlords and RTOs should work together to identify policies and practices, which they think need to be revised. RTOs should be notified by the landlord of their intention to review policies and practices at the planning stage, and should not be presented with proposals as a "fait accompli". Matters that are likely to be subject to review or new proposals that landlords should involve RTOs in include housing services, housing standards, tenant participation strategies and stock transfers. RTOs should be given information on the background to proposals and reviews. Reasonable timescale must be given which have been agreed between the RTO and landlord to consider the issues. The views and suggestions of RTO's must be taken into consideration. Landlords should take these views into account and provide feedback to RTOs on the outcome of the review and proposals.

RTOs should also be involved in Communities Scotland Housing Inspections and be kept involved at every stage by their landlord.

Basic features of registration

- Every landlord must keep a register of tenant groups in their area, which is a public document open to public inspection at reasonable times;
- Criteria for registration is set by Scottish Ministers;
- Tenant and residents groups can register with the landlord, provided they meet the criteria set by Ministers about being democratic and accountable;
- To receive the full benefit of the legislation, tenant and residents groups should register with every landlord whose tenants they represent;
- Tenant and residents groups can appeal to Scottish Ministers if they are unhappy with a decision reached about registration;
- Landlords are responsible for ensuring that registered groups meet the registration criteria and that this is regularly reviewed.

Conditions for Registration

There are a range of conditions which groups have to meet if they wish to become registered with their landlord.

The group must have a written constitution which details:

- The group's objectives;

- The area in which it operates;
- The membership process;
- How the committee operates and is elected;
- How business is conducted;
- How funds are managed;
- When meetings are held, including the Annual General Meeting;
- How the constitution can be amended;
- The group's commitment to equal opportunities;
- How the group intends to promote housing and housing related matters.

The group must have a committee that:

- Is elected annually and committee members must be required to stand down after a certain period (this period should be specified in the constitution);
- Consists of at least three members who can co-opt other members on;
- Reaches decisions democratically (the decision making process should be included in the constitution).

In addition:

- The group must operate within a defined area that includes the landlord's housing stock, and it must be open to all tenants within that area;
- The group must have proper accounting records showing income and expenditure, assets and liabilities. The constitution must require an annual audited financial statement to be presented at the Annual General Meeting;
- The group must be able to demonstrate how it plans to represent the views of its members and how it will keep them informed.

Tenant federations

The criteria for the registration of tenant federations will be the same as for individual tenant organisations.

Groups who do not wish to register

Not all tenant groups will wish to register. If this is the case, individuals still have a right to be consulted. Landlords should encourage groups to register by providing training, information and support.

Changes made by Registered Tenant Organisations

If a tenants and residents group changes its constitution, office bearers, membership or area of operation, it is required to inform their landlord. Providing the changes mean that the registration criteria are still met, landlords will amend the register of tenant organisations accordingly. The failure of a registered group to meet the criteria for registration would constitute grounds for deregistration. Where groups no longer meet the registration criteria, landlords should provide support to help them meet the criteria again, but should not shy away from deregistering them if need be.

Appeals procedure

A tenant group may appeal against the landlord's decision not to register the organisation: or

- To remove the organisation from the register or
- Not to remove the organisation from the register.

The appeals process will be considered by the Regulation and Inspection Division of Communities Scotland, on behalf of Scottish Ministers. It is important to note, however, that an appeal should be presented to Communities Scotland only after the landlord's internal appeals procedure have been exhausted. The internal appeals procedure should be initiated without delay and should be completed within three months of the appeal being made or as otherwise agreed between the landlord and the RTO.



A Committee in action

Section 6

Model constitution for tenants and residents groups

This guide offers a draft of a possible constitution for a tenants and residents association. You can use it either to review your existing constitution or create a new one, if you are helping form a new association. The draft constitution is in the left-hand column. It offers a wording with phrases in bold where you should decide the details which suit you. In the right hand column, some of the issues you should consider are described.

<p>Name of Group</p> <p>The name of the group shall be the</p> <p>.....</p> <p>TENANTS and RESIDENTS Group</p>	<p>Decide on your association's name. When spoken, names are often abbreviated. You might be keen to have an abbreviated version that is quite snappy.</p>
<p>Aims of the Association</p> <p>To safeguard and promote the interest of tenants and/or residents in the area on matters concerning housing and the environment of the area, and the social and community life of the area.</p> <p>To uphold equal opportunities and work towards good relations amongst all members of the community, specifically prohibiting any conduct, which discriminates or harasses on the grounds of race, religion, disability, political belief, sex or sexual orientation.</p>	<p>It is worth giving this very careful consideration. Very broad aims like the ones quoted opposite would enable you to take up whatever issues arise in your community.</p> <p>However, more limited and specific aims can help you be very focused on the things you most want to do. This could increase your chances of success. Be clear whether you are there to serve the whole community, or represent the interests of tenants only. For charitable status, your aims have to be charitable. (see section 14 of this guide).</p> <p>Tenants and residents groups have a responsibility to oppose discrimination. Your constitution has a role to play in eliminating discrimination and promoting equal opportunities in your organisation.</p>
<p>Membership</p> <p>(a) Membership shall be open to all tenants and/or residents, irrespective of tenure, in the area (describe the area by its boundaries or by listing street names)</p> <p>(b) Membership shall be free of charge (you may prefer a subscription)</p>	<p>Whether membership is confined to tenants only or is open to all residents depends on the decision you have made about aims.</p> <p>You must make very clear who can and cannot be a member to avoid disputes later. It is also important to define the area you aim to serve.</p>

Membership (Cont)

- (c) All voting members must be at least 16 years of age.
- (d) Membership shall cease immediately upon a person leaving the area defined in paragraph 3(a)
- (e) Members shall at all times conduct themselves in a reasonable manner when attending meetings or any other function in connection with the group.

If you choose to run a subscription, make sure you are being realistic about being able to collect it. Include a subscription renewal date.

16 years is the age when someone can be given a tenancy.

The Committee

- (a) A committee shall be elected to carry out the business of the Association
- (b) The committee shall be made up of chairperson, vice-chairperson, secretary, and treasurer and up to seven general members. The committee may appoint one of their number as minute secretary. A majority of the committee must be tenants. At least three of the four principal office bearer positions must be filled by tenants.
- (c) The committee shall be elected at the Annual General Meeting of the Association. The committee shall elect Office Bearers from their own number at the first meeting after the AGM.
- (d) Should any committee member fail to attend three consecutive committee meetings without tendering apologies, the committee may at its discretion terminate that person's committee membership
- (e) Vacancies on the committee may be filled at a general meeting or at the discretion of the committee.
- (f) The committee and office bearers shall carry out the duties given them by a general meeting of the Association.
- (g) Councillors may attend committee meetings as and when invited by the committee.
- (h) The committee shall meet not less than 8 times per year, in addition to the AGM.
- (i) The quorum at any meetings of the committee shall be 5 including at least 2 Office Bearers.

A committee is formed to pursue the aims and carry out the day-to-day work of the association.

If a committee is too small, there will not be enough people among whom to share out the work. Remember people drop out occasionally. The typical numbers attending will be a bit less than the number you allow for in the constitution.

If the association's main work is to represent tenants' interests, you should ensure that tenants are prominent among those active on the committee, otherwise your credibility may be questioned when trying to represent tenants.

In (c) you could have office bearers elected at the AGM as an alternative.

The committee is obliged to follow any instructions or guidance laid down by a general meeting. This is an essential part of being democratic and accountable to your membership.

Avoid allowing any non-members to have a right to attend your meetings.

Any non-members should attend by invitation only.

A small quorum allows things to be kept going when you are experiencing a sticky patch in activity. A large quorum may be more democratic, but that counts for nothing if you cannot get enough people to attend a meeting so that it can legitimately take place.

Annual General Meeting

- (a) There shall be an Annual General Meeting within fourteen months of the Association's Inaugural Meeting or last Annual General Meeting.
- (b) The Annual General Meeting shall:
 - Receive a report from the committee of its activities, including a statement of accounts fully audited;
 - Accept the resignation of all committee members and elect a new committee;
 - Vote on any recommendations/ motions and any amendments to the constitution; and
 - Appoint two competent individuals, not having served on the committee during the preceding twelve months or elected to serve on the new committee, to audit its accounts.
- (c) The secretary will notify all Members of the date of the meeting not less than 21 days in advance of that meeting.
- (d) The quorum of annual general meetings shall be 15 members.

The Annual General Meeting ensures that the committee can be made accountable to the membership as a whole.

It is usually better for the committee to pool its efforts to produce one report of the year's activities and achievements rather than one from each office bearer, which often leads to duplication.

This requirement exists as an independent check on the proper handling of money.

Some groups may choose to have 28 days notice. Decide what timescale is realistic for your group.

The quorum should relate to the size of your membership, but keep the figure low. For example, 15 is reasonable for a membership of say 200.

Other General Meetings

- (a) A request for a general meeting should be made in writing to the secretary, carrying the signatures and addresses of 15 members. A request for a general meeting should state the reasons for calling it. The committee may also call a general meeting.
- (b) The secretary will notify all members in writing of the date of the meeting not less than 21 days in advance of that meeting, and state its purpose in the notice.

General meetings in addition to the AGM give an opportunity to the membership to take part in some important business as it arises. This section is deliberately framed so that a general meeting can be called whether or not the committee wants it to happen.

Again some groups may choose to give 28 days notice. Choose a timescale that is suitable to your group.

<p>Changes to the Constitution</p> <p>(a) The constitution may be altered at the Annual General Meeting or at special meeting called for that purpose.</p> <p>(b) Proposed changes must be submitted to the secretary in writing not less than 28 days before the AGM. The secretary must notify members of any proposed changes within 21 days of the meeting.</p> <p>(c) Changes must be agreed by at least a two-thirds majority of voting members present at the meeting.</p>	<p>Changes to the constitution should only take place after careful thought.</p> <p>It is important that there is good support among the membership for a change.</p> <p>Advance notice of the proposed changes and two thirds majority voting helps achieve these objectives.</p>
<p>Finance</p> <p>(a) All money raised by or on behalf of the Association shall be applied to further the objects of the Association.</p> <p>(b) The Treasurer shall keep proper accounts of the finances of the Association and make a report available at every committee meeting.</p> <p>(c) The funds of the Association shall be managed through a bank account. Cheques written on behalf of the Association must bear the signatures of two office bearers.</p>	<p>Proper control of the association's finances cannot be overstressed. The committee as a whole and office bearers other than the treasurer should take a keen interest in the finances. It is in many ways unfair to leave concerns about the finances just to the treasurer. She or he should be supported.</p> <p>Remember that any body giving grant aid will want to be satisfied money is being properly used.</p> <p>Banks will in any case normally require this practice in the running of an association's accounts.</p> <p>Two members of the same household <u>must not</u> to be signatories on the cheque book. This protects the office bearers and the association from allegations of misconduct.</p> <p>External auditors will carry out an annual audit of the group's finances and present a report at the Annual General meeting.</p>
<p>Dissolution of the Association</p> <p>(a) The Association may only be dissolved by a special meeting called for that purpose. Such a meeting shall come about following a proposal in writing signed by a simple majority of those remaining in membership being submitted to the Secretary.</p> <p>(b) All members shall be informed of such a meeting at least 21 days before the date of the meeting.</p>	<p>Outstanding grants from the landlord and/ or other sources have to be disposed of in consultation with whoever provided the grant.</p>

<p>Dissolution of the Association (cont)</p> <p>(c) Dissolution of the Association shall only take effect if agreed by two thirds of the members present and voting at that meeting.</p> <p>(d) Any assets remaining after meeting liabilities must be distributed among local charities nominated by that meeting.</p> <p>(e) Any money received via funding bodies should be returned to the funders in relation to the funding criteria.</p> <p>(f) On dissolution, any documents belonging to the Association shall be disposed of in a manner agreed by that meeting.</p>	
<p>Adoption</p> <p>This constitution was adopted at the Inaugural/Annual General Meeting of (date).</p> <p>Signed..... (Chair)</p> <p>..... (Secretary)</p> <p>..... (Date)</p>	<p>Once agreed, the constitution should be signed and dated. This helps in the future to verify its authenticity. It also helps distinguish different versions as changes may be made from time to time.</p> <p>Copies should be given to all committee members and any other members requesting it. If you receive grant aid, the funding body will normally require an up to date copy of the constitution.</p>

Drawing up a constitution will take time and shouldn't be rushed. You will probably need to hold more than one meeting to discuss it amongst your members and get agreement on what should be included and what should not. It is important that there is unity about your constitution otherwise your organisation may get off to a bad start if everyone does not agree about the way business should be conducted.

(Please note the model constitution shown in the last few pages is not suitable for a Tenants and Residents Federations. Contact TIS for advice about suitable Federation constitutions.)

Section 7

The committee

The committee is elected by the members of the tenants and or residents group to carry out the work of the group. The committee organises committee meetings to suit the needs of the group, general meetings of all its members, and the group's Annual General Meeting. The committee must carry out the decisions made at these meetings.

The committee has delegated authority to make decisions on behalf of the group, It is important that these decisions are reported back to the full membership. This can be done in a variety of ways including newsletters, members' meetings, and public meetings.

There is no set way of organising a committee but there are ways of working that are more common and useful than others. Try to make sure that the committee represents all the people in your community e.g. men, women, elderly people, young people, people of ethnic minority, white people, people with disabilities. Committee members should be nominated because they are committed to the aims of the group and have the time and interest to devote to the committee.

Working together

In order to work effectively together, you need to be clear who is responsible for what. Some jobs on the committee can be taken by one person or can be shared.

Teamwork is essential - Together

Everyone

Achieves

More

Purpose of a committee meeting

- To decide what action to take
- To come to a decision which is acceptable to the group
- To benefit from the ideas, skills, knowledge, and opinions of all members
- To conduct business efficiently in accordance with the constitution

Keeping everyone involved

Every tenants and residents group has to work hard at keeping people involved. If your organisation is to be strong you must make constant efforts to keep your membership informed and to get wider involvement.

Committee members

A committee member may not have any special title or task, but their presence on a committee is just as important as that of the office bearers.

Some duties of the ordinary committee members are as follows:

- Attend meetings regularly / ensure they start on time
- Stick to the agenda

- Support the group/work as a team
- Take action on tasks identified from the previous minute
- Vote on issues
- Discourage domination by one or a few
- Assist with projects, fund raising etc.
- Support and encourage quieter members to take part in discussions
- Abide by the decisions of the group
- Encourage membership
- Listen to each other
- Feedback to the committee
- Aim towards constructive discussion and decisions
- Help with advertising, distributing pamphlets etc.
- Elect office bearers
- Put forward ideas
- Make suggestions
- Accept the authority of the Chairperson.

A good committee member should always have:

- A diary
- Necessary paperwork for the meeting, agenda, minutes, reports
- Notepad / pen
- Folder to keep all your paperwork.

The Chairperson

Success (or otherwise) of a meeting can depend upon how it is chaired. The Chairperson or Convenor is the person who makes sure things get done; not the person who does everything.

There are two basic jobs the Chairperson or Convenor should do:

- a) Guide the group to achieve its aims;
- b) Chair the meetings of the group

Some of the duties of the Chairperson or Convenor are as follows:

- Know the constitution;
- Liaise with the secretary on the agenda and meeting arrangements;
- Welcome members and introduce guests;
- Ensure fair discussion;
- Stop anyone taking over, dominating discussions;
- Sum up problems, points, decisions;
- Keep order/ensure a chance for all to have their say;

- Get through the agenda on time;
- Help prepare agendas;
- Ensure decisions are carried out.

A Chairperson should always have:

- A diary
- Necessary paperwork for the meeting, agenda, minutes, reports
- Notepad / pen
- Folder to keep all your paperwork
- Chairperson's hammer (to keep order if everybody is talking at once)
- Watch (to ensure meeting keeps to time).

The Secretary

A good Secretary must be reliable and efficient. He/she will pay strict attention to matters of detail and ensure incoming letters receive prompt replies.

It is important that the Secretary's name, address and telephone number are well publicised to landlords and organisations that want to make contact with the committee.

Before the meeting:

- Arrangements and an agenda for the meeting should be prepared in consultation with the Chairperson
- A suitable venue for the meeting should be organised and a speaker arranged if necessary
- A notice of the meeting and agenda should be sent to all committee members so that they will receive them at least a week before the meeting is arranged. Agendas should be sent out for all meetings even if they are held at the same time and place each week or month
- The Secretary must keep a complete, approved and signed up to date set of minutes
- Ensure that all correspondence has been dealt with, and when necessary, obtain replies for the next meeting
- Keep an accurate filing system which includes copies of all minutes of meetings and relevant paper work

At the meeting:

- Keep a record of everyone attending the meeting or collect their signatures in an attendance book. Apologies for absences should also be recorded
- Ensure that a quorum is present before any business is done
- Read the minutes of the previous meeting (unless already sent out) and obtain the Chairperson's signature for the official copy
- Read out all correspondence received and report any action taken since last meeting
- Ensure that the Chairperson is supplied with all the necessary papers and information relevant to the meeting

The Secretary should have:

- A diary
- Necessary paperwork for the meeting, agenda, minutes, reports

- Notebook / pen
- Folder to keep all your paperwork
- Headed notepaper
- Stamps / envelopes
- Access to a computer or typewriter.

Minute Secretary

To lighten the duties of the Secretary some groups consider dividing the duties and having a Minute Secretary.

The Minute Secretary should:

- Compile minutes of meetings, recording decisions and action to be taken and by whom.
- Ensure minutes are available to all committee members prior to or at committee meetings
- Retain copies of all minutes in adequate file for future reference.

The Minute Secretary should also have:

- A diary
- Necessary paperwork for the meeting, agenda, minutes, reports
- Notebook / pen
- Folder to keep all your paperwork
- Access to a computer or typewriter.

The Treasurer

Every tenants and residents group should make sure a Treasurer is appointed to handle the money coming in and going out of the group.

- The Treasurer should keep a clear and accurate book-keeping system and should be able to handle figures
- The Treasurer is responsible for the proper handling of the finance of the organisation, but not the actual raising of money
- The Treasurer will be one of three officers of the committee authorised to draw out money. Normally two out of three of these signatures are required when money is withdrawn.

Before the meeting:

- The Treasurer should prepare a financial report before each meeting
- The Treasurer should check members have paid their subscription (if applicable) and ensure all approved bills are paid

At the meeting:

- The Treasurer should present a report of money paid into the account
- The Treasurer should bring all the account books to the meeting so that he/she can answer any questions
- The Treasurer should advise on the amount of money available for the group's work and warn of excess expenditure
- The Treasurer should collect any subscription (if appropriate)

continued over

At the Annual General Meeting:

- The Treasurer should prepare a statement for audit prior to the AGM
- The Treasurer should present the balance sheet and financial statement at the AGM after they have received the audited accounts

A Treasurer should have:

- A diary
- Money box
- Cheque book
- Accounts book
- Folder for receipts
- Receipt book
- Bank book
- Petty cash book
- Note pad
- Paperwork for meetings

Useful Tips !

The Treasurer should purchase diaries for all committee members at the beginning of the year. Then there will be no excuses for not knowing when meetings are planned.

Set dates for regular meetings several months in advance – reduces the chance of double booking yourself.

Find out the public holiday dates in order that you can arrange meetings around them to avoid the need for last minute cancellations.

Be aware of the school holidays – you may need to arrange childcare at these times or avoid meetings if this will restrict involvement.

Be aware of the social / meeting calendar of the community. Avoid having meetings that clash with big local events or when members may be involved with other groups/ committees.

Book your venue for several months ahead – to avoid overbooking in a busy community hall.

Make your publicity materials as interesting and eye-catching as possible. You want your poster to stand out on the notice board and your leaflets to be the ones people don't throw away before reading them!

Make sure that your wider membership knows who you are and how to contact you.

Make your meeting as interesting and enjoyable as possible – HAVE FUN!

Make sure you publicise your successes.

Section 8

The agenda

The agenda is a list of things to be done at the meeting. It is a plan that helps the meeting to run smoothly and outlines issues to be discussed. If possible it should be circulated in advance of the meeting so the committee members can come prepared to talk about the items at the meeting.

Tips

- It is a good idea for the Chairperson or Convenor to ask for any items of any other business at the start of the meeting in order that they can be programmed into the meeting.
- Two hours is long enough for any committee meeting
- Have a tea break
- The first five items and the last two items should always be on the agenda as “Standard items”. If a topic is already on the agenda, it should be dealt with in its right place and not as a matter arising or in correspondence.
- Make sure that agendas are not too long. Three or four items, apart from the “Standard items” are plenty.
- Any other business (This should only be points of information, the smooth running of a meeting depends on planning).

Example: Agenda for a committee meeting

Agenda

Anytown Tenants and Residents Association committee meeting to be held on Tuesday 12th November 1998 at 7.00pm in the Community Centre.

(Standard items)

1. Present
2. Apologies
3. Minute of the previous meeting
4. Matters Arising from the Minutes
5. Correspondence
6. Financial Report

(Topic for meeting)

7. Survey of the estate – Progress Report
8. Preparation for meeting with Housing Manager
9. Report Back from Federation Meeting

(Standard items)

10. Any Other Business
11. Date /Time /Place of Next meeting

Section 9

The minutes

The minutes are an essential report of the meeting. A method is needed to ensure the minute is a correct record. A group's record is its memory. Minutes can avoid going over the same ground twice, they can be used to settle many disputes; guard against people leaving with everything stored up in their heads; and they should be an important aid to introducing new members to the group's work. Minutes should be circulated to all members before the meeting.

What things should the minutes actually record:

- Who was present, when and where
- Minutes should follow the agenda items
- Be short, clear, easy to read and understand
- Include all decisions made and if necessary record the arguments leading to that decision
- Record monthly financial reports and any financial decisions made at the meetings
- Details of incoming correspondence and decisions about replies

Tips

- It is a good idea to highlight either in bold or by an action column stating who is responsible for carrying out decisions made.
- Write up minutes, as soon after meetings as possible while your memory is still fresh about what happened at the meeting
- Share the task. Have a correspondence secretary and a minute secretary
- Ensure that a copy is filed by the secretary for further reference
- Should the secretary resign, ensure that the minutes get handed over to the new secretary

Example: Minutes of a meeting

MINUTES OF THE ANYTOWN TENANTS GROUP MEETING HELD ON
WEDNESDAY 10th DECEMBER 2005 AT 7.00 PM IN CENTRAL HALLS, ANYTOWN

1. Present

Joan Smith (chair) Sam Bell (minutes) Tony Jones, Patricia Thomson,
Jean Millar, Ray Hamilton, John Smith, Susan Ramsay

2. Apologies

Ted Ray, Alicia Kemp

3. Minutes of previous meeting

The minutes of the meeting on 9th November 1998 were agreed as accurate.

4. Matters arising

Sam asked for an update on the letting initiative.
This will be discussed under item 7 of the agenda.

5. Correspondence

1) Letter received from Housing Department inviting group to annual rent setting meeting

Agreed Joan will attend meeting.

2) Letter received from Community Council. No action required.

6. Treasurer's Report

Patricia tabled the financial statement for the month ending 30 November 1998. The group has £265.00 in the bank account.

The meeting agreed train fares for the Chairperson and Secretary to attend the TIS Annual General Meeting. Receipts to be forwarded to the Treasurer.

7. Lettings Initiative

Tony reported on the outcome of the meeting with the housing manager and the local councillor on the development of a local lettings initiative for our area. A draft of the procedures was circulated to all committee members for discussion at the next meeting. A further meeting will be arranged with the Council when committee members have discussed the proposals. Proposals circulated to all members.

ACTION: All

8. Training

John reported that the dates for the next committee skills training had been fixed for the weekend 13/14 February. Tony, John and Susan will attend the training.

Patricia reminded the meeting that a budget of £100 has been fixed for this training course and that this must not be exceeded given the current financial situation. John offered to produce a costing for this training course for the next meeting to see if any costs could be cut.

ACTION: JOHN

9. Any other business

Jean informed the meeting of the dates for next Gala Week, which has now been fixed for 6-12 March 1999. The committee agreed to have a stall at the gala day to get publicity for the work of the tenants association.

ACTION ALL

10. Date of next meeting

The next meeting will be held at 7.00 p.m. on Wednesday 11 January 2006 in Central Halls, Anytown.

Section 10

How to make a good decision

At the best of times discussions in tenants and residents groups may wander off the point. It's not easy to stick to the point, but it is necessary if you want to arrive at clear decisions.

Here is a checklist of steps to go through to help you to reach decisions systematically.

D – DEFINE

Define the problem. Try to keep this clear and simple.

E – EXPLORE

Bring together the hard facts. If you're not too sure whether something is correct, don't bank on it being correct. Check it out.

C – CLARIFY

See that everyone in the group has and understands the information.

I – IDEAS

Think as widely as possible about the different ways to crack the problem. To do this well, you must be quite clear what you want to achieve.

D – DECIDE

Having generated alternative ways to proceed, you must select the one to go for. For each option you considered, you should think through what might result if you adopted it. Is it the result you wanted?

You may decide to have a vote on alternatives. In small groups this is not usually the best way to proceed. It is better to talk it through trying to reach a consensus about what to do.

E – ENACT

Who will carry out the decision? Decide and do it! Has it produced the result you wanted? What is the next move going to be?

Notice that these steps spell out **D – E – C – I – D – E**

What makes a good decision ?

There are four main features of a good decision. Good decisions are

Clear - Understood - Supported - Implementable

You can remember this easily if you think of **C-U-S-I**

Clear

Often the decision made in the Committee arises from discussing options. It's a good idea for the chair of the meeting to check at the end of a discussion –

“So what we've just agreed is ...”

Understood

The Committee should understand why the decision reached has been taken. This is true whether everyone agrees with it or not. Everyone at the meeting should be able to explain the decision and the reasons for it to someone not at the meeting. If you have not understood a decision at a meeting, you should ask for it to be explained.

Supported

If your decision has been arrived at democratically, it will be supported by the Committee members. Or will it? Once a decision is made, even Committee members, who disagreed with it, should go along with the majority view.

It is often worth going over the merits of different possible decisions until a consensus is reached on the best decision. This might not be what you ideally felt would be best, but at least it would be supported by Committee members.

Implementable

A decision will normally require one or more people to do something to implement it. Are they willing to do it? Are they able to do it? Will doing it mean progress for the Association?



Section 11

Organising an Annual General Meeting (AGM)

Holding a successful Annual General Meeting is a demonstration to your members that your group is well organised. (It can also prevent any disruption taking place at the meeting.) Here are some key steps to holding a successful Annual General Meeting.

1. The committee meeting

- Hold a committee meeting / open meeting to discuss your AGM.
- Make sure the planning meeting has a clear agenda and make sure the meeting sticks to that agenda.
- Identify how you are going to run your AGM.
- Think about making your AGM fully accessible, welcoming and interesting for people.
- Have a discussion about the possible solutions to any problems you think might come up.
- Share out who should be responsible for what action.
- Decide when the action should be completed by

2. Planning the AGM

- Decide on a date and a meeting place and check out the options
- Decide on the agenda
- Invite guest speakers
- You may want to organise light snacks
- You may want to hold a raffle
- Check to see if there are any amendments you need to make to your constitution
- Decide who will chair the meeting
- Decide who will take minutes
- Invite guest chairperson
- Write an annual report that includes your groups' achievements in the last year and the audited accounts
- Get the accounts audited

3. Publicity

- Set up a publicity sub group
- You may want to organise every house in your area to be door knocked informing people of the meeting
- Design invitation cards to put through people's doors informing them of the meeting

- Design posters
- Put up posters
- Write to the newspapers
- Inform the local radio station
- Are there any other ways you could advertise?
- Proper Planning Prevents Poor Performance
- Think too about how much time you will need to do all of these steps and be sure to start planning early enough.

4. The AGM

- Be there early to make sure the hall is set up the way you want it to be
- Have enough seats at the top table
- Have refreshments ready for people
- Have a signing in sheet for people as they enter
- Make everyone welcome
- Make extra copies of minutes, agendas and any other paperwork for the meeting in case extra people turn up.
- Be prepared. This includes making sure that everyone on the committee knows exactly how the AGM will run.
- **Have fun**

Example of an AGM Agenda

Anytown Tenants and Residents Association
Annual General Meeting
Anytown Community Centre
1st September 2005

1. Welcome and introductions
2. Minutes of the Previous meeting
3. Matters Arising
4. Guest speakers
5. Question Time
6. Committee report
7. Appointment of auditors
8. Changes to the constitution
9. Election of new committee members
10. Any Other Business

Section 12

Where to get help and advice

All groups need help and support to keep going. The following will help you identify sources where you can get help, both financially and practically, and how to make contact with other groups and organisations.

Why you need it?

- **Practical help**

Financial help, premises, places to meet, access to computing equipment, telephone, photocopying, transport, childcare, translation facilities, money.

- **Ideas and information**

You may want information about housing issues, council structures, useful contacts for press, politicians, helpful experts etc.

- **Support**

Other local groups may be able to offer you support and can come to your meetings, lobby people on your behalf, and generally make you feel less isolated.

Who can provide it?

- **Your Landlord**

It is reasonable to presume that your landlord should be in a position to fund your association from the general fund or a housing revenue account. You should also make demands on your landlord for practical help with premises, funding and resources for producing written information. Get in touch with your local housing offices and ask for details of funding for tenants groups.

- It is very likely they will wish to see your constitution and a record of your financial accounts (if appropriate)

- **In – kind services**

Some Local Authorities and Housing Associations may be able to provide practical assistance such as help with administration, photocopying and use of premises.

- **Dedicated staff**

Some Local Authorities and Housing Associations may have staff members, such as Community Development Workers or Tenant Participation Officers, who are able to offer support and assistance to groups. Check with your Landlord.

- **Local Tenants Federation**

Check if there is a tenants federation in your area as this will be a valuable source of support, information and advice and they may be able to offer practical help.

- **Scottish Tenants Organisation**

The STO is the national organisation of tenants groups. You can affiliate to them and receive information on housing issues at a national level. You can also get help, ideas, contacts and support from them which may help you take forward local issues. The address of the STO is listed below:

Scottish Tenants Organisation

Secretary: Jenny Marrow
13/4 Pennywell Court, Edinburgh, EH4 4TZ.
Tel: 0131-476- 2359

- **National Lottery Charities Board – Small Grants**

Your group need not be a charity to apply for a small grant award, however it does need to have charitable intent. There are detailed criteria for applying and they will usually fund things like equipment and computers, training courses, start-up costs.

Full details are enclosed in their booklet. Available from “HOTLINE” 0845 600 2040
For information on applications contacts:

Awards for All, Norlock House, 36 King’s Stable Road, Edinburgh EH1 2EJ
Tel: 0131-221 7100

- **Registered Tenant Organisation Grant**

The Registered Tenant Organisation group scheme supports projects which focus on new and innovative ways to involve tenants in decisions about their homes and communities. Grants are available from the Communities Scotland Tenants Participation Development Team. (Contact details see below)

- **Advice and Information Organisations**

There are a variety of advice and information agencies that provide independent help and support to tenants groups of which Tenants Information Service is one.

Tenants Information Service

Suite 124 -128 Baltic Chambers, 50 Wellington Street, Glasgow G2 6HJ
Tel: 0141 248 1242 Email: info@tis.org.uk Website: www.tis.org.uk

Tenants Participatory Advisory Service

74-78 Saltmarket, Glasgow, G1 5LD
Tel: 0141-552 3633, E mail: enquiries@tpasscotland.org.uk,
Website: www.tpasscotland.org.uk

Communities Scotland Tenant Participation Development Team

Anne Cook, Team Co-ordinator, Thistle House, 91 Haymarket Terrace, Edinburgh, EH12 5HE
Tel: 0131 479 5317, Email: anne.cook@communitiesscotland.gsi.gov.uk,
Website: www.communitiesscotland.gsi.gov.uk

Scottish Council for Voluntary Organisations (SCVO)

18/19 Claremont Crescent, Edinburgh, EH7 4RD
Tel: 0131-556 3882, E mail: enquiries@scvo.org.uk, Website: www.scvo.org.uk

Legal Services Agency

2nd Floor, 134 Renfrew Street, Cowcaddens, Glasgow, G3 6ST
Tel: 0141-353 3354, E mail: lsa@btconnect.com, Website: www.lsa.org.uk

TIGHRA

Fairfax House, 64 Market Place, Inverurie, Aberdeenshire, AB51 3XN
Tel: 01467 672233, E-mail: info@tighra.org, Website: www.tighra.org

Shelter

4th Floor, Scotia Bank House, 6 South Chartlotte Street, Edinburgh, EH2 4AW
Tel: 0131-473 7170, E mail: shelterscot@shelter.org.uk, Website: www.shelter.org.uk

Positive Action in Housing

98 West George Street, Glasgow G2 1PJ
Tel: 0141-353 2220, E mail: home@paih.org, Website: www.paih.org

Chartered Institute of Housing in Scotland

6, Palmerston Place, Edinburgh, EH12 5AA
Tel: 0131-225 4544, E mail: scotland@cih.org, Website: www.cih.org

Community Councils

(Check your local directory)

Energy Savings Trust

112/2 Commercial Street, Leith, Edinburgh EH6 6NF
Tel: 0131-555 7900, Website: www.est.org.uk

Section 13

Charitable status

Is Charitable Status Essential?

If you are unlikely to benefit financially from the tax privileges and rates relief enjoyed by charities and if there is no intention to seek funding from sources which can give to charities it may not be worth your while to apply for recognition as a charity (some sources of funding are restricted to groups/organisations who have charitable status).

Becoming a charity

To become a charity your group must apply to the Inland Revenue for charitable status. It is important that your aims and objectives are seen as charitable in law. The four charitable categories are:

- Relief of poverty
- The advancement of education
- The advancement of religion
- Other purposes beneficial to the community. This includes the provisions of recreational and leisure facilities in the interests of social welfare

All charities must exist solely for the benefit of the public.

What cannot be recognised as a charity?

Here are some examples:

- Individual person
- Bodies which have political aims
- Members' clubs, including sports clubs, which benefit their own members rather than the general public

Applying for recognition as a Scottish charity

All charities must have formal documentation normally in the form of a constitution, which shows their purpose and how they are to be run.

A draft of these can be sent to the Inland Revenue, Charities Section, for comment. When the group is formally set up a copy of the constitution has to be sent to the Inland Revenue to obtain recognition as a charity.

The major advantages:

Fund Raising

The public will be immediately reassured if you are a registered charity. While you may not want to go out with collecting tins on street corners, you may well want to appeal to local traders for free goods, or professionals for free services. "We are a registered charity..." can be a very useful advantage.

If you are thinking of applying to organisations that finance voluntary bodies, most of these are charitable foundations and more often than not cut out all applicants, which are not registered as charities.

Rates Relief: Mandatory and Discretionary

Many groups need their own premises even in the early stages. As a registered charity you will automatically be entitled to 50% rates relief. In addition, your local authority has the discretion to waive any part of the remaining 50% for charities.

Tax Advantages

There are a range of tax advantages for charities. The taxation system is complex and your group would need to seek professional advice from your accountant regarding tax exemptions. You would normally be exempt from income tax, corporation tax and capital gains tax on most of your income and assets. Tax exemption is always subject to the condition that the income or assets are applied for charitable purposes only.

The major disadvantages:

The biggest drawbacks of registering as a charity are the limitations the law then places on certain forms of activity e.g. political and campaigning activity.

Complicated or what!

It is a complicated business obtaining recognition as a charity in Scotland. If you were thinking of going down this road you would need to seek expert advice. Here are some useful addresses:

Inland Revenue

F.I.O.C (Scotland), Trinity Park House, South Trinity Road, Edinburgh, EH6 3SD

Scottish Council for Voluntary Organisations

18/19 Claremont Crescent, Edinburgh, EH7 4QD
Tel: 0131-556 3882

Glasgow Council for Voluntary Services

11 Queens Crescent, Glasgow, G4 9AS
Tel: 0141-332 2444

