



Membership Policy

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Introduction

As a Registered Social Landlord whose overall strategy and direction is set by voluntary Board members ('Management Committee'), the Association wishes to ensure that it has a strong and active membership base and an effective Management Committee with the appropriate and necessary skills. The Association believes that it will operate more effectively if a large number of residents are aware of and actively participate in the affairs of the Association. Consequently, it wishes to maintain a pro-active membership policy. Furthermore, it wishes to have a policy document detailing the criteria by which individuals may become members of the Management Committee, in accordance with Association Rules and requirements.

The Management Committee will monitor the administration of this policy in accordance with its governance responsibilities.

Policy Objectives

This policy aims to articulate clearly how local residents and other potential members will be encouraged to join the Association and the benefits of membership, all with a view to furthering the aims, objectives and ambitions of the Association in line with the Association's ethos, responsibilities and regulatory and legal obligations. It also aims to articulate the criteria by which Management Committee members will be sought and recruited. In doing so, the following should be achieved:

- Compliance with the Association's formal constitution: SFHA Charitable Model Rules (Scotland) 2020
- Appropriate representation from the organisation's customer base;
- Promotion and implementation of the Association's commitment to local control and accountability
- Compliance with the Scottish Housing Regulator's Constitutional Requirements for Registered Social Landlords
- Mitigation of risks including having a Governing Body without local residents, approval of membership applications that are not in the Association's best interests or a membership that is not community-based.

Constitutional Requirements

The Association is registered with the following regulatory bodies:

Scottish Housing Regulator	10263
Financial Conduct Authority	2302RS
Scottish Government Register of Factors	PF000220
Office of Scottish Charities Regulator	SC040346

Since September 2020, the Association has operated within the provisions of the **SFHA Charitable Model Rules (Scotland) 2020**. Compliance with these Rules is a statutory requirement. This policy reflects these legal obligations and where appropriate, notes specific references to the Rules.

A copy of the Rules will be provided to any person on request within two working days. Normally such copies will be free of charge unless a copy has been provided within a six-month period prior to the request. In these circumstances, a charge of £1 will be levied to cover copying costs.

PART 1: MEMBERSHIP

Corporate Fit

This Policy should be read in conjunction with the Association's Rules, a copy of which will be made available to each membership applicant. In particular, attention should be drawn to Rules 6-12 of the Association's Rules relating to membership, applying for membership, ending memberships and representing an organisation.

For those who become Association members and thereafter wish to join the Management Committee, attention should be drawn in particular to Rules 37.1-44.8. These Rules detail the Committee's composition, election and co-option procedures, eligibility criteria and conditions which would result in Committee membership ceasing.

The Association's Area of Operation

The Association's area of operation is not restricted by the current Rule model, thus providing scope for an extension of the organisation's business activities in the future.

For the purposes of this policy, local membership will be drawn from the former Yorkhill Local Plan Area. As a guide, the undernoted boundaries will be used:

- Partick Bridge
- Finnieston Cross
- River Clyde
- Argyle Street /Sauchiehall Street

Membership and Eligibility

All membership applications will be considered for approval by the Association's Management Committee (**provided for in Rules 7.1, 7.2 and 7.3**)

The members of the Association shall be those people or organisations who hold a share in the Association and whose names and designations are entered in the Associations' Register of members. The Association requires to maintain a register of shareholders which will comprise the organisation's membership. The names of all members are available to the public through the Association's office.

Rules 7.1 – 7.1.4 stipulate that the following persons are eligible to apply for membership of the Association:

- Tenants of the Association;
- Service users of the Association;
- Other persons who support the objects of the Association;
- Organisations sympathetic to the objects of the Association.

- Applicants for membership must be at least 16 years old (**Rule 8**).
- No member can hold more than one share in the Association (**Rule 9**); shares cannot be held jointly, however joint tenants may each become individual members (**Rule 13**).

The majority of local residents whose permanent home is within the Yorkhill area of operation (defined in this policy) will receive automatic membership approval. However, this policy also sets out circumstances where applications from local residents may not be approved (see 'Cancellations and Ending Memberships'). If there are exceptional circumstances prevailing which prevent such approval, a full explanation will be provided in writing to the applicant and recorded in the minute of the meeting.

The Management Committee is also aware that, on occasion, the Association may benefit from skills, expertise or knowledge of individuals who are not local residents or service users. Applicants within this category will require to provide appropriate references and may be required to attend an interview with Office Bearers and/or the Chief Executive as decided by the Management Committee. All other categories of membership will be considered in accordance with the Association's business needs and objectives. All relevant information exchanged in the decision making process will be recorded in the minute of the meeting and applicants will be notified of the Management Committee's decision in writing within fourteen working days.

The Management Committee will agree on appropriate criteria to be considered and will approve a recruitment procedure.

The Chief Executive has delegated authority to make recommendations to the governing body in respect of such applications.

Applying for Membership

- To apply for membership, a completed application form and one pound Sterling (£1) must be returned to the Association's office. The £1 fee will be returned to you if the membership application is not approved (**Rule 7.2**). Forms can be obtained from the office during business hours, and are also available on the website.
- A copy of the membership application form is attached in Appendix 1 of this document.
- The Board will consider applications at its next appropriate meeting or as soon as possible after that in accordance with this Policy and the Association's Rules.
- Please note that applications for membership will not be considered by the Board within the 14 day period occurring before the date of a General Meeting (**Rule 7.3**).
- The Management Committee has absolute discretion to decide applications for membership. Decisions on approval or refusal are made within the parameters of this policy and are final. While the

Association encourages membership, there are situations where membership will be refused, for example:

- Where membership would be contrary to the Association's Rules or policies (**Rule 7.2.1**);
- A conflict of interest exists which, even allowing for a disclosure of such an interest, may adversely affect the Association's work (**Rule 7.2.2**);
- Accepting the application would not be in the Association's best interests (**Rule 7.2.3**);
- Within the previous five years, the applicant has acted contrary to the Association's interests or in such a way as to demonstrate that they do not share the aspirations and ethos of the Association.

Once An Applicant Is A Member

- If the Management Committee approve your application, you will immediately become a Member and your name and other necessary particulars will be included in the Register of Members within seven working days. You will then be issued one share in the Association (**Rule 7.4**).
- Membership of the Association is valid for the lifetime of the member within the provisions of the rules as long as the person resides within the prescribed locality or is a serving member of the governing body. Absences from home for work or holiday purposes are disregarded.
- All approved applicants will be issued with a certificate of their share, which is non-transferable.
- Members must advise the Association's Secretary at our registered office of a change of address within three months. This does not apply to Association tenants who have moved home by transferring their tenancy to another property owned or managed by the Association, as staff will ensure that our records are updated (**Rule 10**).

Transferring Shares

- Shares shall carry no right to interest, dividend or bonus and shall not be held jointly (**Rule 14**).
- Each member's share value is for £1. The share value remains the property of the Association even after cancellation or withdrawal of membership unless you have provided us with a nomination request to have your £1 share transferred in the event of your death. The nominated person to succeed your membership must also be eligible for membership in line with this policy and the Rules (**Rules 16, 17.1 and 17.2**).

Representing an Organisation

- A member organisation appoints a person as its representative, who will exercise all of the organisation's rights and powers at Association general meetings (**Rule 12.1**).
- To confirm their representative, the organisation must send the Association a copy of the authorisation or appointment of the individual as a representative (**Rule 12.2**).
- An organisation can change their representative at any time, by confirming a new representative and withdrawing the authority of the original representative (**Rule 12.3**).
- If a person already holds membership as an individual when they start to represent an organisation, their individual membership will be suspended until they are no longer a representative of such an organisation (**Rule 12.4**).

Cancellations and Ending Memberships

- Members wishing to end their membership must give the Secretary, at our registered office, 7 days' notice in writing (**Rule 11.1.1**).
- In addition, the Association will also end a membership and cancel a share if any of the following criteria are met:
 - The Management Committee reasonably believes that you have failed to tell the Association of a change of address (**Rule 11.1.2**);
 - A member fails to attend 5 consecutive Annual General Meetings, nominate a proxy to vote on your behalf or submit apologies (**Rule 11.1.3**);
 - A member dies
 - A member moves away from the Yorkhill area and is no longer involved with the Association
 - A non-resident member ceases to serve on the Management Committee, if such was the reason for their membership
- Cancellations will be reported to the Management Committee and recorded in the minutes of the meeting prior to the appropriate adjustment to the share registers.
- Following cancellation of a membership, the share remains the property of the Association. Share certificates physically remain within the register but are inactive. Details of the cancellation are clearly recorded on the manual and electronic registers.

Cancellation of Memberships Following A Complaint

- The Association may end an individual's membership if it receives a complaint about a member's behaviour and two-thirds of the members voting at a Special General Meeting agree to this (**Rule 11.1.4**). The following conditions apply to this procedure, where the complaint relates to Member A:

- i) The complaint must be in writing and must relate to behaviour of Member A which could harm the interests of the Association;
 - ii) The Secretary must notify Member A of the complaint in writing not less than one calendar month before the meeting takes place;
 - iii) Notice for the Special General Meeting will give details of the business for which the meeting is being called;
 - iv) Member A will be called to answer the complaint at the meeting. The members present will consider the evidence supporting the complaint and any evidence that Member A decides to introduce;
 - v) The members can vote in person or through a representative by proxy;
 - vi) On receipt of the proper notice, should Member A not attend the meeting without providing a good reason, the meeting may go ahead in their absence.
- Should a membership be ended by the decision of a Special General Meeting, any further application for membership by the individual concerned must be approved by two-thirds of the members voting at a General Meeting (**Rule 11.2**).

Benefits of Membership

Upon approval of an application for Association membership, individuals will have access to the following benefits:

- A share certificate to evidence Association membership;
- A copy of the Association's annual Landlord Report;
- The right to attend the Association's Annual General Meeting and any additional Special General Meetings;
- The right to nominate, or be nominated, for places on the Management Committee;
- The right to participate in the election of members to the Management Committee

Obligations of Membership

- As a member of the Association, an individual and any representative of an organisation has rights – when exercising those rights a member (or representative) must act with regard to the best interests of the Association and cannot act in their own interests or in the interests of an organisation that appoints them.
- A member must share the aspirations and ethos of the Association. If, after becoming a member, circumstances change and the member no longer shares that ethos then the member should step down.
- If there is a conflict of interest between a member's interests (or the interests of the organisation they represent) and the interests of the Association, then they must declare that conflict and not participate in decision making in regard to the matter in question. If the conflict of

interest is such that it may adversely affect the Association's work, then the member should step down.

- If another member is aware of such a conflict of interest, then if the member in question forgets to declare their conflict, then it is appropriate that the other member reminds them of the issue, so that it may be managed correctly and in line with this policy.

Promoting Membership

The Association will promote membership by:

- advising new tenants at pre-tenancy stage and existing tenants via customer engagement of the option and benefits of membership through promotion by housing staff;
- liaising with tenants, residents and focus groups, where the Association has an interest, to encourage membership;
- publishing information concerning membership in our Newsletters and on our Website.

Members will also be reminded annually, prior to each Annual General Meeting, of the opportunity for nomination and election to the Board.

Equal Opportunities

The Association is committed to ensuring that all sections of the community are represented within the membership, and that a fair cross section of the membership is represented on the Management Committee and other representative bodies. The Association is committed to equality of opportunity for all people irrespective of their gender, marital status, family circumstances, disability, race, ethnic or national origins, age, religion, political or sexual orientation.

From time to time, the Association may be required to provide information of this nature to external bodies. Any such information is supplied in statistical format and is not linked in any way to an individual. All personal information retained by the Association is highly confidential and will not be divulged to any third party without the express consent of the individual concerned.

Data Protection

Information about membership is treated with respect by the organisation and in accordance with the provisions of current data protection legislation. The Association's Membership Privacy Statement describes how, why and when members' personal information is used and stored.

Names of members must be accessible to the public in accordance with the Scottish Housing Regulator's Constitutional Requirements for Registered Social Landlords.

PART 2: MANAGEMENT COMMITTEE

MEMBERSHIP

This section of the Policy should be read in conjunction with the Association's Code of Conduct for Governing Body Members, which is distributed to all Management Committee members for signing on an annual basis. The Code is also available on the Association's website. This Code must be signed before a member can partake in Committee affairs (**Rule 37.5**). The key functions and responsibilities of the Management Committee can be found within Appendix 2.

Context

- The Association must have a Management Committee consisting of a minimum of 7 members, and a maximum of 15 (including co-optees) (**Rule 37.1**).
- A person must be aged 16 or over and an Association member to join the Committee (**Rule 37.3**).
- Under **Rule 37.4**, A person who is an employee of the Association cannot be a Management Committee member, nor can a close relative of an Association employee – as defined by **Rule 89.4** to be a spouse, civil partner, cohabitant, (step)parent/grandparent, (step)child/grandchild or sibling.
- If something occurs whereby an existing Management Committee member is no longer eligible to sit on the Committee in accordance with the Rules and the content of the policy document, they should notify the Committee immediately and will be deemed to have vacated office.

Skills and Experience

The Association aims to ensure that Committee Members collectively possess the appropriate mix of skills and knowledge required to take important decisions and monitor the Association's performance.

Existing Committee members shall annually undergo an assessment of training needs to ensure an appropriate level of competence, and will provide appropriate induction and ongoing training to ensure that Committee members' contributions are effective both individually and collectively.

The Association will welcome expressions of interest from potential Board Members with any or all of the following non-exhaustive list of skills and experience:

- general business skills, including the management of staff and of property;
- finance, accountancy and banking;
- development and building;
- legal matters;
- local housing needs;

- residents' issues and concerns;
- community engagement;
- working with local authorities and other public/statutory bodies.

The Association aims to ensure that future Management Committee members with appropriate skills can be identified and recruited on a regular and continual basis to avoid major changes in Committee Membership at infrequent intervals. The Committee will undergo an annual evaluation process to ensure its continued effectiveness.

Reasonable steps will be taken to ensure promotion opportunities for Committee membership by, for example by:

- publicising and promoting widely its aims and objectives;
- considering advertising to increase prospects of having a wide choice of candidates;
- disseminating information through its newsletters and website;
- including nomination forms and promotional materials in amongst the papers sent to all members ahead of the Annual General Meeting.

Election of Management Committee Members

At every Annual General Meeting, one third of incumbent Management Committee members must retire. While retirees may be decided on a voluntary basis, or based on which members are the longest-serving, they may immediately re-stand for election without requiring to be nominated (**Rules 39.1 – 39.4**).

Incumbent Management Committee members who intend to retire and re-stand for election with 9 or more years' service must receive assurance from the rest of the Committee that they continue to be effective in their role before re-standing for election (**Rule 37.6**)

An Association member who wishes to join the Management Committee must be nominated by another member, in writing on the form issued by the Association ahead of the meeting. The form must be returned to the Association's office at least 7 days prior to the meeting, and contains a statement to be signed by the nominee confirming their eligibility for Committee (see Appendix 3) and a willingness to be elected. Members cannot nominate themselves (**Rule 40.2**).

If at the meeting, the number of election candidates is less than or equal to the number of vacancies on the Committee (with reference to the fact that there can be no more than 15 Committee members), then candidates will be declared elected without the requirement for a vote to take place. However, if there are more candidates than vacant spaces, a vote by poll will be required. All Association members present (or their nominated proxy representative) may cast one vote for each available space on the Committee (**Rule 40.1**).

Rejection of Management Committee Nominations

A nomination for election to the Committee can be rejected by a decision by not fewer than three quarters of the Committee Members on one or more of the following grounds:

- where election to the Committee would be contrary to the Association's Rules or policies;
- where a conflict of interest may exist which, even allowing for the disclosure of such an interest may adversely affect the work of the Association;
- where there is clear evidence of relevant circumstances from which it is concluded that election to the Board would not be in the best interests of the Association (**Rules 40.3 – 40.3.3**).

Co-Optees and Casual Vacancies

There is a recognition that circumstances may require Management Committee members to vacate office throughout the year, and that suitably skilled and experienced individuals may become available between Annual General Meetings whom the Committee may wish to onboard.

If a member vacates from the Committee between Annual General Meetings, this creates a casual vacancy and the Committee can appoint a Member to take their place on the Committee until the next annual general meeting (**Rule 41**)

The Committee can co-opt to the Committee or to a Sub-committee anyone it considers is suitable to become a Committee Member or member of a sub-committee. Co-optees do not need to be Members, but they can only serve as co-optees on the Committee or sub-committee until the next Annual General Meeting or until removed by the Committee. A person co-opted to the Committee can also serve on any Sub-committees.

A person appointed as a co-optee shall undertake the role of Committee Member or member of a Sub-committee and accordingly will be subject to the duties and responsibilities of a Committee Member. Co-optees can take part in discussions at the Committee or any sub-committees and vote at Committee and sub-committee meetings on all matters except those which directly affect the Rules, the membership of the Association or the election of the Association's Office Bearers. Co-optees may not stand for election, nor be elected as one of the Office Bearers of the Committee.

Committee Members co-opted in this way must not make up more than one-third of the total number of the Committee or sub-committee members at any one time, and will not be counted when determining whether a meeting is quorate (**Rules 42.1 – 42.3**).

When a co-opted Committee member must cease serving due to the advent of the next Annual General Meeting, they can apply for membership in line with this policy in order to be eligible to be nominated for fully elected status of the Committee (membership applications must be reviewed by Committee more than 14 days before the General meeting). If elected, they will then no longer be subject to the aforementioned restrictions on co-opted Committee members outlined in Rules 42.1 – 42.3.

Policy Review

This policy will be reviewed every 3 years, however reviews may also be made sooner if there are changes to legislation, regulatory requirements or best practice guidance.

Appendix 1

Application Form for Membership of Yorkhill Housing Association Ltd.

Name	
Address	
Telephone Number	
Email Address	

Reason for wishing to become a member of the Association	
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Please tick the statements below which apply to you (✓)	
I am a tenant of the Association	
I am a service user of the Association	
Other – person or organisation who supports the objects of the Association	
I would be interested in joining the voluntary Management Committee	

Date	
Signature	

Signing this form confirms you have read and understood the Membership Data Transparency Statement accompanying this form.

Thank you for completing this form. Please return it to the Association's office at 1271 Argyle Street, Glasgow, G3 8TH along a £1 membership fee.

Equalities

The Association aims to ensure that access to membership is open to all sections of the community we serve, and we are committed to equality of opportunity for all people irrespective of their gender, marital status, family circumstances, disability, race, ethnic or national origins, age, religion, political or sexual orientation.

In order to continually monitor equality of access to becoming a member it would be helpful if you could answer the following questions in the attached Equality Monitoring Form. Your answers are optional, will be treated in confidence and will not in any way affect your application for membership.

Appendix 2

MANAGEMENT COMMITTEE KEY FUNCTIONS AND OBLIGATIONS

The role of the Management Committee includes the following functions (which are indicative and not exhaustive):

- monitoring and ensuring compliance with legal, constitutional and regulatory obligations;
- to define and ensure compliance with the Association's strategic direction, and take key decisions affecting this;
- to have final approval on policy reviews and policy decisions;
- monitor the Association's performance in relation to plans, strategies and budgets;
- to establish a business plan to achieve key objectives;
- approve each year's budget and annual accounts;
- to establish and oversee an appropriate framework of delegation and systems of control;
- appoint and, if necessary, dismiss the Chief Executive;
- manage the Association's reputation and maintain accountability to all stakeholders

The obligations of a Management Committee member include (but are not limited to):

- to act at all times in the Association's best interests;
- commitment to the Association's values and objectives (these are primarily concerned with the provision of affordable housing);
- commitment and adherence to key policies including a Governing Body Members' Code of Conduct;
- to contribute to, and be collectively responsible for, Committee decisions;
- to read meeting papers and ensure adequate meeting preparation;
- attend meetings, training sessions and other events;
- to declare any relevant interests or conflicts thereof which could jeopardise the integrity of your service on the Committee;
- maintain a high level of confidentiality about the information you receive.

Appendix 3

Yorkhill Housing Association – Statement of Management Committee Eligibility as prescribed under the Association’s Rules 43.1 – 44.8

- 43.1 A person will not be eligible to be a Committee Member and cannot be appointed or elected as such if:-
- 43.1.1 he/she is an undischarged bankrupt, has granted a trust deed which has not been discharged or is in a current Debt Payment Plan under the Debt Arrangement Scheme; or
 - 43.1.2 he/she has been convicted of an offence involving dishonesty which is not spent by virtue of the Rehabilitation of Offenders Act 1974 or an offence under the Charities and Trustee Investment (Scotland) Act 2005; or
 - 43.1.3 he/she is a party to any legal proceedings in any Court of Law by or against the Association; or
 - 43.1.4 he/she is or will be unable to attend the Committee Meetings for a period of 12 months; or
 - 43.1.5 he/she has been removed from the Committee of another registered social landlord within the previous five years; or
 - 43.1.6 he/she has resigned from the Committee in the previous five years in circumstances where the resignation was submitted after the date of his/her receipt of notice of a special committee meeting convened to consider a resolution for his/her removal from the Committee in terms of Rule 44.5; or
 - 43.1.7 he/she has been removed from the Committee in terms of Rules 44.4 or 44.5 within the previous five years; or
 - 43.1.8 he/she has been removed, disqualified or suspended from a position of management or control of a charity under the provisions of the Law Reform (Miscellaneous Provisions) (Scotland) Act 1990 or the Charities and Trustee Investment (Scotland) Act 2005; or
 - 43.1.9 he/she has been removed from the office of charity trustee or trustee for a charity by an order made by the Charity Commissioners for England and Wales or by Her Majesty’s High Court of Justice in England on the grounds of any misconduct in the administration of the charity for which he/she were responsible or to which he/she were privy, or which his/her conduct contributed to or facilitated; or
 - 43.1.10 a disqualification order or disqualification undertaking has been made against that person under the Company Directors Disqualification Act 1986 or the Company Directors Disqualification (Northern Ireland) Order 2002 (which relate to the power of a Court to prevent someone from being a director, liquidator or administrator of a company or a receiver or manager of company property or being involved in the promotion, formation or management of a company); or
 - 43.1.11 his/her nomination for election to the Committee has been rejected in accordance with Rule 40.3 during the period between the return of the completed nomination form and the commencement of the relevant Annual General Meeting.
- 43.2 A person cannot be re-elected as a Committee Member if the Committee is not satisfied under Rule 37.6 of the individual’s continued effectiveness as a Committee Member. In these circumstances the Committee must not allow the individual to stand for re-election
- 44 A Committee Member will cease to be a Committee Member if:

- 44.1 he/she resigns his/her position as a Committee Member in writing; or
- 44.2 he/she ceases to be a Member unless he/she is a co-optee in terms of Rule 42.1 or an appointee of The Scottish Housing Regulator; or
- 44.3 he/she misses four Management Committee meetings in a row without special leave of absence previously being granted by the Committee either at his/her request or by exercise of the Committee's discretion; or
- 44.4 the majority of Members voting at a general meeting decide this. (The Members at the meeting may then elect someone to take his/her place. If a replacement is not elected at the meeting, the Committee may appoint a Committee Member in terms of Rule 41); or.
- 44.5 the majority of those remaining Committee Members present and voting at a special meeting of the Committee convened for the purpose decide to remove him/her as a Committee Member. The resolution to remove him/her as a Committee Member must relate to one of the following issues:
 - 44.5.1 failure to perform to the published standards laid down by the Scottish Federation of Housing Associations and/or The Scottish Housing Regulator adopted and operated by the Association;
 - 44.5.2 failure to sign or failure to comply with the Association's Code of Conduct for Committee Members; or
 - 44.5.3 a breach of the Association's Rules, standing orders or other policy requirements;
- 44.6 he/she becomes ineligible as a Committee Member in terms of Rule 43; or
- 44.7 he/she is a co-optee or was appointed to fill a casual vacancy and whose period of office is ended in accordance with Rules 39.1 or 42.1; or
- 44.8 he/she is a Committee Member retiring in accordance with Rule 39.1.

|

Committee Member Confirmation

I confirm I have read these Association Rules.

I confirm that none of the above caveats apply to me, and do not affect my eligibility to be a Management Committee member.

Date: _____

Print Name: _____

Signature: _____

Appendix 4

Age

Please tick the band for your age:	16–24	☐	25–34	☐
	35–44	☐	45–54	☐
	55–65	☐	65+	☐
Prefer not to say		☐		

Belief or religion

Please tick the box which best describes your belief or religion from the list below:

Buddhism:	☐
Christianity	☐
Hinduism:	☐
Islam:	☐
Judaism:	☐
Sikhism:	☐
Other religion (please state what this is):	☐
No specific belief in religion (for example, atheism or agnosticism):	☐
Other belief (for example, humanism):	☐
Prefer not to say	☐

Disability

Are you a disabled person?	Yes	☐	No	☐
Prefer not to say				☐

If yes and you want to, please tick the box with the category you would use from the following list:

Autoimmune: (for example, multiple sclerosis, HIV, Crohn's/ulcerative colitis)	☐
Learning difficulties: (for example, Down's Syndrome)	☐
Mental health issue: (for example, depression, bi-polar)	☐
Neuro-divergent condition: (for example, autistic spectrum, Dyslexia, dyspraxia)	☐
Physical impairment: (for example, wheelchair-user, cerebral palsy)	☐
Sensory impairment – hearing impairment	☐
Sensory impairment – visual impairment	☐
Other: If none of the categories above apply to you, please specify the nature of your impairment.	☐

Ethnicity

Please tick the box that best describes your particular ethnic group:

African

African, African Scottish or African British:	
Other African background (please specify):	

Asian, Scottish Asian or British

Bangladeshi, Bangladeshi Scottish or Bangladeshi British:	
Indian, Indian Scottish or Indian British:	
Pakistani, Pakistani Scottish or Pakistani British:	
Chinese, Chinese Scottish or Chinese British:	
Other Asian background (please specify):	

Black or Caribbean

Caribbean, Caribbean Scottish or Caribbean British	
Black, Black Scottish or Black British	
Other Caribbean or Black background (please specify)	

Mixed groups

Mixed or multiple ethnic group (please specify)	
---	--

White

English	
Gypsy Traveller	
Irish	
Polish	
Roma	
Scottish	
Welsh	
Other British	
Other group (please specify your ethnic group)	

Prefer not to say	
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Marriage and civil partnership

Are you presently in a civil partnership?	Yes		No	
Are you presently married?	Yes		No	
Prefer not to say				

Pregnancy and maternity

Are you pregnant?	Yes		No	
Have you taken maternity or paternity leave in the past year?	Yes		No	
Prefer not to say				

Sex

What is your sex?	Female		Male		Intersex	
Prefer not to say						

Gender re-assignment (trans/transgender)

Do you consider yourself to be a trans person?	Yes		No	
Prefer not to say				

Sexual orientation

What is your sexual orientation?

Bisexual	
Gay man	
Heterosexual/straight	
Lesbian/ gay woman	
Other	
Prefer not to say	

Appendix 5

YORKHILL HOUSING ASSOCIATION

HOW WE USE YOUR PERSONAL INFORMATION (MEMBER)

We, Yorkhill Housing Association, are the controller of the personal information that we hold about you. This means that we are legally responsible for how we hold and use personal information about you. It also means that we are required to comply with data protection laws when holding and using your personal information. This includes providing you with the details contained within this statement of how we hold and use your personal information, who we may share it with and your rights in relation to your personal information.

We have appointed a Data Protection Officer (DPO), Daradjeet Jagpal, who ensures we comply with data protection laws. If you have any questions about this statement or how we hold or use your personal information, please contact the DPO by: e-mail at daradjeet@infolawsolutions.co.uk; telephone on 07852 905 779; or writing to: Data Protection Officer, Yorkhill Housing Association, 1271 Argyle Street, Glasgow, G3 8TH.

You can also contact us by: e-mail at administration@yorkhillha.org; telephone on 0141 285 7910; or writing to: Yorkhill Housing Association, 1271 Argyle Street, Glasgow, G3 8TH.

Your attention is particularly drawn to section 3 of this statement, which confirms that you consent to your personal information and special category personal information being held and used by us as described in section 2 of this statement.

1. What personal information do we hold and use about you?

As part of your membership, we hold and use the personal information that you provide to us and / or other personal information that we may obtain about you from you on an ongoing basis. This includes your:

- name;
- address;
- gender;
- date of birth;
- emergency contact / next of kin information;
- tenure;
- reason(s) for becoming a member;
- relevant skills and experience;
- attendance at annual general meetings; and
- special category personal information about your racial or ethnic origin, sexual orientation, physical and / or mental health and religious or other similar beliefs (where you choose to share this with us).

If you are a tenant or service user, then we will also hold and use your personal information in accordance with the transparency statements issued to our tenants and service users.

If you do not provide us with the above personal information, you may not continue to be a member.

2. Why do we hold and use this personal information about you?

We use such personal information to:

- manage and administer your membership;
- comply with regulatory requirements and our legal duties and obligations, including undertaking membership skills assessments;
- promote equality of opportunity; and
- protect and defend our legal rights in the case of a dispute between us.

3. What is our legal basis for holding and using your personal information?

Data protection laws require us to have a legal reason for holding and using your personal information. Our legal reasons for holding and using your personal information include:

- compliance with the laws which apply to us as a registered social landlord in Scotland; and
- protection of our legitimate interests – in the highly unlikely event that we do not have another legal reason, we may consider that we have a legitimate interest in handling and using your personal information. In those circumstances, we will always consider your legitimate interests in the protection of your personal information, and will balance those against our own legitimate interests in handling and using your personal information for the purposes described in section 2 of this statement.

In very limited circumstances, we may rely on your consent as the legal reason. By providing us with your personal information and special category personal information (including your racial or ethnic origin, sexual orientation, your physical and / or mental health, and religious or other similar beliefs) and the personal information and special category personal information of other individuals (for example, your emergency contact / next of kin or dependents), you:

- consent to it being used by us as described in section 2 of this statement; and
- confirm that you have informed the other individuals if they are of 12 years old and above of the content of this statement and they have provided their consent to their personal information and special category personal information being used by us as described in section 2 of this statement.

You and the individuals have the right to withdraw your consent to us holding and using your and their personal information and special category personal information by contacting us. Once you / they have withdrawn your / their consent, we will no longer use your / their personal information and special category personal information for the purpose(s) set out in section 2 of this statement, which you originally agreed to, unless we have another legal reason for doing so.

4. Who do we share your personal information with?

We may share your personal information with the following organisations for the purposes described in section 2 of this statement:

- Scottish Housing Regulator;
- our financial advisers, consultants, solicitors and IT service providers;
- the Police (in the case of actual or suspected criminal activity);
- If you attend any Annual General Meetings or Special General Meetings, your name will be included in the minutes of the meeting, which we make publicly available on our website.

5. Where is your personal information transferred to?

Some of the organisations we share your personal information with (listed in section 4 of this statement) may be based or may make use of data storage facilities that are located outside the United Kingdom. Their handling and use of your personal information will involve us and / or them transferring it outside the United Kingdom. When we and / or they do this, we will ensure similar protection is afforded to it by:

- only transferring it or permitting its transfer to countries that have been deemed to provide an adequate level of protection for personal information under data protection laws; or
- using specific contracts with such organisations, which are approved for use in the United Kingdom, and which give your personal information the same protection it has in the United Kingdom after it is transferred.

Please contact our DPO for further information on the specific mechanism used by us when transferring your personal information outside the United Kingdom.

6. How long do we keep your personal information?

We will only keep your personal information for as long as we need to for the purposes described in section 2 of this statement, including to meet any legal, accounting, reporting or regulatory requirements. **In the case of share memberships, your details will remain on our membership register permanently, even if your membership comes to an end at a later date.** More information is contained in our data retention policy, which is available by contacting our DPO.

7. What rights do you have in relation to your personal information that we hold and use?

It is important that the personal information that we hold about you is accurate and current. Please keep us informed of any changes. Under certain circumstances, the law gives you the right to request:

- A copy of your personal information and to check that we are holding and using it in accordance with legal requirements.
- Correction of any incomplete or inaccurate personal information that we hold about you.
- Deletion of your personal information where there is no reason for us continuing to hold and use it. You also have the right to ask us to do this where you object to us holding and using your personal information (details below).
- Temporarily suspend the use of your personal information, for example, if you want us to check that it is correct or the reason for processing it or to stop us from using your personal information altogether if we have committed a breach of data protection laws.
- The transfer of your personal information to another organisation.

You can also object to us holding and using your personal information where our legal reason is a legitimate interest (either our legitimate interests or those of a third party).

Please contact our DPO if you wish to make any of the above requests. When you make a request, we may ask you for specific information to help us confirm your identity for security reasons. You will not need to pay a fee when you make any of the above requests, but we may charge a reasonable fee or refuse to comply if your request for access is clearly unfounded or excessive.

8. Feedback and complaints

We welcome your feedback on how we hold and use your personal information, and this can be sent to our DPO.

You have the right to make a complaint to the Information Commissioner, the UK regulator for data protection, about how we hold and use your personal information. The ICO's contact details are as follows:

Telephone: 0303 123 1113

Website: <https://ico.org.uk/concerns/>

If you would like to receive this statement in alternative format, for example, audio, large print or braille, please contact us.

9. Updates to this statement

We may update this statement at any time, and we will provide you with an updated version when required to do so by law.

Last updated: July 2024