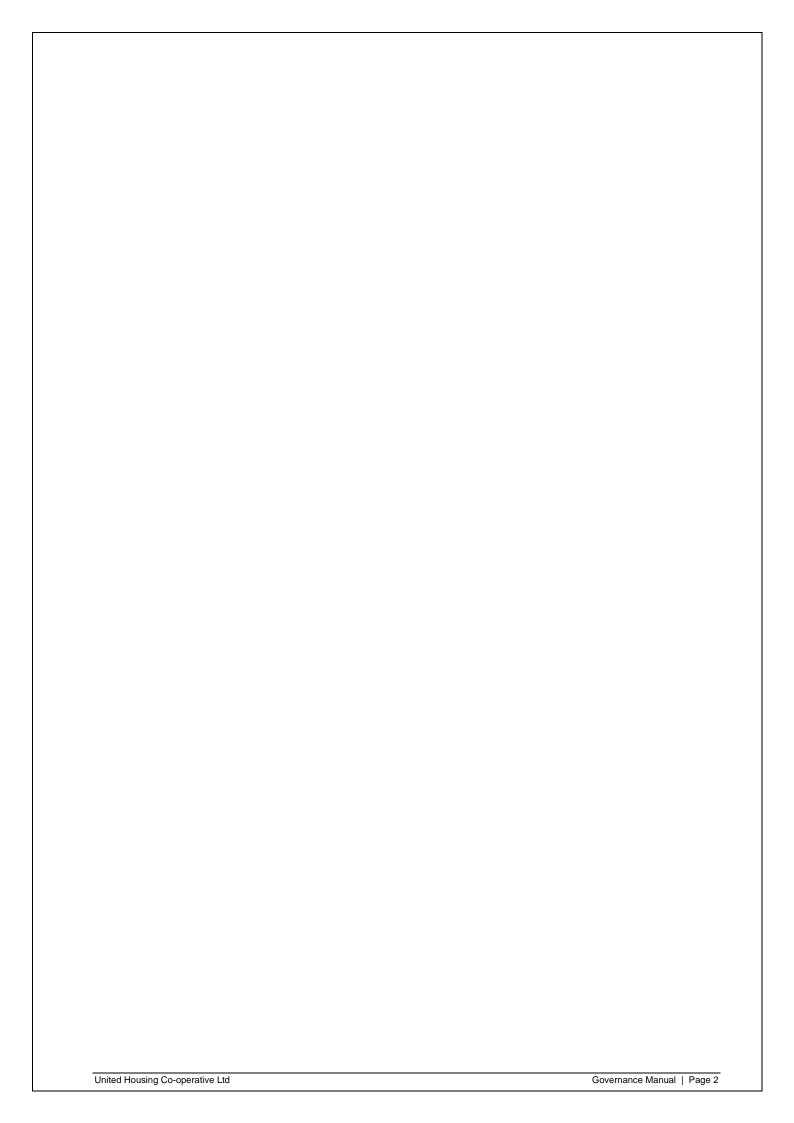


Governance Manual POLICIES & PROCEDURES

(Revised Edition Approved 23/6/2016)

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1. A Guide to this Manual

1.1 Introduction

The United Housing Co-operative's (UHC) Governance Manual sets the framework for the governance and management of the United Housing Co-operative. The Governance Manual is central to the maintenance of sound and effective management practices and acts as a vehicle for defining and evaluating performance of UHC, as well as enabling the UHC to achieve its goals.

The UHC has undergone significant structural change over recent years in part due to changes to Government legislation as well as new leasing and funding agreements which necessitated a review of many aspects of the Co-operative. This represented major change to governance and operational arrangements for member based co-operatives. The governance responsibilities now imposed on the Board of Directors has increased considerably and relationships between Board of Directors, members and staff have had to adapt to these changes.

The process for reviewing the organisational structure and developing policies which set the framework for the governance of the Co-operative is very important and is viewed as dynamic in nature.

The Governance Manual is consistent with and underpins the UHC Constitution (2015) and reflects the undertakings contained in the General Lease with Department of Health & Human Services (DHHS) and the accountability requirements with the Housing Registrar.

The Governance Manual together with the Constitution, the Tenancy Management Manual, Property Management and Maintenance Manual, Operations Manual and Member Services Manual complete the set of policy documents which provide the comprehensive framework for the operation of the United Housing Co-operative.

This Manual is divided into the following three sections:

- Governance Framework (Section 2).
- Board Governance (Section 3);
- Organisational Governance (Section 4).

1.2 Governance Manual Historical Notes

Date	Revisions	Reviewer
Dec. 2008	First Edition	Manager/Consultant & Board
15 Oct. – Dec 2010	Review of the Manual	Policy Committee & Chairperson
Feb. 2012	Review and restructure	Independent Director – Legal and Business Manager
Dec. 2015 – May. 2016	Alignment with new Constitution and Lease	Chairperson, General Manager and Policy Committee, in consultation other members & staff.

2. Governance Framework

2.1 Governance Statement

The United Housing Co-operative (UHC) endorses the *International Co-operative Principles* and adopts these principles as the framework for its governance policy and procedures, (refer Schedule 1). The Co-operative will also endeavour to uphold the values and principles of the *Australian Community Sector Code of Governance Principles* at all times (refer Schedule 2).

The Co-operative is committed to effective governance to ensure that it:

- enhances organisational performance;
- understands and manages risk;
- enhances the Co-operative's reputation through improved transparency and accountability;
- demonstrates how the Co-operative is discharging its legal, shareholder and ethical obligations;
- provides a mechanism for benchmarking accountability; and
- assists in the prevention and detection of fraudulent, dishonest and/or unethical behaviour.

2.2 Legislative Framework

Co-operatives are governed by two main pieces of legislation:

- Housing Act 1983 (Vic); esp. Part VIII to the Housing Act 1983 Housing Registrar.
- Co-operatives National Law Application Act 2013 (Vic).

Housing Act 1983 (Vic)

The Co-operative's business of housing is governed by the Housing Act. The objects of the Housing Act include:

- to ensure that every person in Victoria has adequate and appropriate housing at a price within his or her means by encouraging the provision of well-maintained public housing of suitable quality and location. This includes the participation of non-profit bodies in the provision of well maintained, affordable rental housing of suitable quality and location;
- to expand and develop the role of the public sector in the provision of housing;
- to provide a regulatory framework to encourage the development of rental housing agencies serving the housing needs of low-income tenants by providing for the registration of those rental housing agencies and the regulation and monitoring of registered agencies; and
- to promote security and variety of tenure.

Co-operatives National Law Application Act 2013 (Vic).

The Co-operatives Act aims to:

- enable the formation, registration and operation of co-operatives;
- promote co-operative philosophy, principles, practices and objectives;
- protect the interests of co-operatives, their members and the public in the operations and activities of co-operatives;
- ensure that the directors of co-operatives are accountable for their actions and decisions to the members of co-operatives;
- encourage and facilitate self-management by co-operatives at all levels; and
- encourage the development, integration and strengthening of co-operatives at local, regional, national and international levels by supporting and fostering State and national peak organisations and co-operative instrumentalities.

Other important legislation which directs Co-operatives include:

- Residential Tenancies Act (1997) which details the rights and duties of landlords and tenants of rented premises in Victoria.
- Australian Charities and Not for Profit Commission Act 2012
- Disability Act 1992 (Vic);
- Equal Opportunity Act 2010 (Vic);
- Privacy and Data Protection Act 2014 (Vic);
- Occupational Health and Safety Act 2004 (Vic);
- Protected Disclosure Act 2012 (Vic);
- Child Wellbeing and Safety Amendment (Child Safe Standards) Act 2015 (Vic).

2.3 Constitution of the United Housing Co-operative

UHC's Constitution (2015) is the foundation document governing the Co-operative. The rules contained within the Constitution are based on and compliant with the Co-operatives National Law Application Act 2013 (Vic). The original Constitution was revised in 2014/2015 to accommodate changes in national legislation and approved by the membership at a General Meeting in August 2015.

2.4 Lease Agreement with Department of Health & Human Services

The General Lease Agreement between United Housing Co-operative Ltd. and the Department of Health and Human Services was officially signed off on the 7/9/2015.

The term of the lease is 5 years extending from 1st July 2015 to 30th June 2020.

The General Lease Agreement pertains to the lease arrangements for the properties owned by DHHS and sublet to UHC, who assumes responsibility for all aspects of property and tenancy management.

2.5 Role and Functions of the Co-operative

The United Housing Co-operative (UHC) is a not-for-profit housing co-operative, whose primary purpose is the management of secure, affordable and appropriate housing for tenant members in the western and north western regions of metropolitan Melbourne.

Mission: To be a sustainable housing co-operative that provides secure and affordable

rental housing in the western and north-western regions of Melbourne.

Vision: To be an active and sustainably growing housing co-operative, that

provides opportunities for self-achievement and community connectedness

within a co-operative environment.

Values:

Empowerment through participation and co-operation

Diversity and Social Justice

Physical, Emotional and Financial Security

Environmental sustainability.

Strategic Objectives

The Strategic Objectives of the Co-operative are to:

- effectively manage all properties under lease or owned by the Co-operative;
- successfully maintain registration as a Registered Housing Provider through effective governance and financial management;
- promote transparent and effective communication with all stakeholders;
- improve the Co-operative's financial viability through sustainable growth and partnership with other co-operatives and community housing groups; and
- maintain an effective Board of Directors through the development of the board's governance capabilities.

Membership of a Rental Housing Co-operative

UHC is a rental housing co-operative and part of the Victorian social and community housing sector. Like other forms of social housing, rental housing co-operatives' primary purpose is to provide affordable, secure, good quality, rental housing for low income households; however Co-operatives have a number of other unique features. Most importantly once a person joins a Co-operative they become **both a tenant and a member** of that Co-operative.

Being a tenant member of a housing co-operative has a number of responsibilities and also a number of benefits that other social housing tenants do not have.

- The responsibilities of tenants are outlined in the Residential Tenancies Act (1997) and relate to paying rent on time and maintaining the rental property in good condition, matters which are covered in the lease agreement with the Co-operative.
- The responsibilities of membership are outlined in the UHC's Constitution which is based on the *Co-operatives National Law Applications Act 2013 (Vic)*.

Members of a co-operative as a collective group share responsibility for the governance of the co-operative. This means collectively they are responsible for providing a governing structure to oversee the business of the Co-operative. Without active member participation, UHC would not meet its regulatory requirements and would cease to exist.

- Each year members select other members to become Directors on the Board.
- Members also participate in forming and reviewing the rules and the policies that direct the Co-operative.
- Members may also be involved in Committees, Sub Committees and Working Groups.

3. Board Governance

3.1 Board Structure and Composition

The Constitution allows for not less than six directors and not more than 12 as determined by a Special Resolution of the members. Under the Constitution (2015), there is a sliding scale of the number of member directors to non-member directors as follows: 6 members to 2 non-member or independents, 7:2, 8:3 or 9:3 (refer Rule 44).

As of May 2016, the membership confirmed that the Board be composed of:

- a Chairperson (a member director);
- five other member directors; and
- two non-member or independent directors.
- The Chairperson of the Board is elected by the Board of Directors, at the next Board Meeting following the Annual General Meeting.

Rotation of Member Director Positions.

Member are elected to the position of Director for a two year term.

To ensure an even rotation of Directors and the retention of experience, three member directors will resign in the first year and three in the second year; this pattern of rotation will continue thereafter.

Non Member or Independent Directors

Member directors have the right to appoint, re-appoint or dismiss independent directors at their discretion through an ordinary resolution of the Board.

The recruitment of independent directors is the responsibility of a Recruitment Committee convened by the Chairperson when required. The committee should comprise at least three persons including the Chairperson, another director and the General Manager.

A vacancy for the position of independent director may be advertised.

Independent directors must demonstrate a commitment to co-operative values, support the Co-operative's mission and demonstrate a willingness to work alongside the Co-operative's members as equal partners in undertaking the responsibility of governance.

The two independent directors are not eligible to be selected as the Chairperson of the Board.

An independent director's position is reviewed annually on the anniversary of their appointment.

Board Meetings

Meetings of the Co-operative's Board should be held as often as may be necessary for the proper conduct of the business of the Co-operative, however must at a minimum be held once every three months. General practice is to call a Board Meeting each month of any given year, except for the month of January.

Board Committees

The Board may delegate responsibility to committees, sub-committees and working groups **(Committees)** to consider specific matters or undertake projects in accordance with the Co-operative's policies.

The lifecycle of Committees and Sub-committees is subject to review and change. (See Schedule 7: Committees of the Board as of 1/6/2016)

Observers/Members in training

- Members are invited to attend Board Meetings, and staff are welcome upon invitation.
- Members undergoing a probationary period are expected to attend up to two Board meetings during their probationary period.
- Members interested in taking on Directorship are encouraged to attend Board Meetings prior to their nomination.

The schedules at the back of this Manual contain the Co-operative's policies in relation to other Board matters including:

- Schedule 3 Agenda Setting and Attendance;
- Schedule 4 Conduct, Professional Development & Decision Making at Board meetings;
- Schedule 5 –Board Minutes;
- Schedule 6 Board performance.

3.2 Board of Directors' Roles and Responsibilities

The Board of Directors (The Board) is responsible for the governance of the Cooperative and to develop and direct overall policy and strategy. It has the ultimate responsibility of assuring its stakeholders that the Co-operative's finances are sound, its operations are legal and consistent with funding guidelines, and its procedures work.

The Board is responsible for:

- Ensuring member's views and opinions are represented when undertaking Board responsibilities.
- promoting and encouraging the principles of cooperation;
- upholding the principles of transparency and honesty when making decisions;
- communicating with the membership and other stakeholders; and
- ensuring that the mission of the Co-operative is adhered to;
- monitoring the management operations of the Co-operative;
- taking ultimate responsibility for all legal matters;

- taking ultimate responsibility for compliance with regulatory requirements including annual general meetings, annual returns and audits;
- evaluating its own performance and supporting the performance of individual directors;
- overseeing the development of policies and procedures for the Co-operative;
- chairing committees of the Board;
- approving yearly objectives;
- approving budgets and allocating funds;
- receiving reports from management;
- setting long-term goals;
- evaluating the General Manager's performance;
- appointing independent board members and canvassing new member directors;
- maintaining and building the Co-operative's public profile;

3.3 Role of the Chairperson

The primary role of the Chairperson is to provide leadership to the Board thereby ensuring that it functions effectively, meets its obligations and responsibilities and fulfils all of its legislative requirements. The Chairperson is also responsible for:

- chairing meetings of the Board and members in line with the policies and procedures of the Co-operative;
- encouraging the Board's role in strategic planning and review;
- serving as an ex-officio member of committees and attending their meetings when invited; or deemed necessary.
- maintaining regular and open communication with the General Manager on operational matters including human resource management;
- maintaining effective and open communication with other Board members;
- guiding and mediating Board actions with respect to organisational priorities and governance concerns;
- evaluating the performance of directors;
- arranging the distribution of Director portfolios; and
- acting as a point of contact for external stakeholders.
- undertaking the performance review of the General Manager with one other Director.

3.4 Director Roles and Responsibilities

Individual directors are required to:

- attend 75% of Board meetings, and all other meetings as requested by the chairperson;
- abide by the Board's Code of conduct, Confidentiality, meeting procedures and decision making policies;
- be an active participant in the Board's evaluation and planning meetings;
- attend training programs and workshops that are relevant to Board positions;
- make a serious commitment to actively participate in the work of the Board;
- stay informed and up to date on Board matters;
- prepare monthly reports for Board meetings;
- review and comment on Board minutes and reports;
- maintain a positive working relationship with staff in accordance with the industrial relations legislations and accepted work practices;
- work co-operatively and communicate effectively with other directors;
- participate in policy setting for the Co-operative;
- ensure all compliance requirements are met and governance is conducted professionally;
- nominate their interest in and preference for positions of responsibility on the Board as outlined below; and
- Assume a facilitation role in their Directorship responsibility.

Positions of Responsibility

Positions of responsibility on the Board are appointed by the Chairperson in consultation with individual directors. All positions are open to all directors including independent directors except the position of Chairperson which must be filled by a member as elected by the general membership of the Co-operative at the Annual General Meeting.

The Chairperson shall appoint directors to positions of responsibility at the next Board meetings after the AGM. Changes to positions of responsibility shall be the subject of consultation with the relevant director(s) and be reported to the Board at its next meeting.

The positions of responsibility are:

- Finance (Independent);
- Deputy Finance (Member);
- Legal;
- Member Services;
- Policy;
- Property Management and Maintenance;
- Tenancy; and

Director - Finance (Independent)

The Director – Finance has responsibility for advising the Board on financial management assisting the Board to review financial policy, determine priorities in the allocation of financial resources and formal oversight of the Co-operative's finances in consultation with Board and the General Manager.

Responsible for chairing and convening the Finance and Audit Committee meetings with the General Manager.

Director – Deputy Finance (Member)

The Director - Deputy Finance assist in day to day financial management of the Cooperative including maintaining an active interest in all Financial affairs of the Cooperative, including scrutinizing all financial reports prepared by the Finance Administration Coordinator.

Deputy Finance Director is also responsible to authorise all invoices for payment with one other authorised person.

Director – Legal (Independent)

The Director – Legal is responsible for advising the Board on legal, compliance risk aversion and governance issues. The Director – Legal is also the Public Officer for the Co-operative and in this capacity executes legal documents on behalf of the Co-operative.

Responsible for chairing the Compliance and Risk Committee meetings with the General Manager.

Director - Member Services

The Director – Member Services is responsible for the formulation of member services and activities that provide support to members as well as encouraging member participation that aims to engender greater co-operative spirit and foster a sense of ownership, involvement, community engagement and personal development.

Responsible for chairing the Member Services Committee meetings and Members Action Group or by delegation.

Director – Policy

The Director – Policy has responsibility for ensuring that the Co-operative's policies and procedures reflect its current governance needs and facilitate the smooth operation of the organisation. The Director – Policy is also responsible for ensuring policies comply with the Constitution and DHHS lease requirements and for chairing the Policy Committee and or Member Forums. Also when required to draft, review and/or amend policies of the Co-operative subject to the approval of the Board of Directors.

Director – Property Management and Maintenance

The Director – Property Management and Maintenance ensures the timely development and review of property maintenance policies and procedures by the Board particularly with reference to compliance and statutory requirements. Also responsible for reviewing and inputting to annual maintenance budgets and asset planning.

Responsible for chairing the Property Management and Maintenance Committee meetings with the Property Manager.

Director - Tenancy

The Director – Tenancy has responsibility for oversight of all tenancy matters in consultation with the relevant Co-operative staff member(s) so as to ensure appropriate tenant selection processes and management.

Responsible for chairing and convening the Tenancy Committee and the Member Selection Committee meetings with the Tenancy and Property Maintenance Coordinator.

Director responsible for Property Development

The Director who accepts responsibility for oversight of Property Development portfolio must ensure timely development and review of policies and procedures and have direct involvement to property development strategies in consultation with the Property Manager and General Manager.

Responsible for chairing the Property Development Committee meetings in consultation with the Property Manager.

3.5 Conflicts of Interest

Directors must take reasonable steps to avoid any real, perceived or potential conflicts of interest in connection with their position. These include:

- not take improper advantage of the position as director to gain, directly or indirectly, a personal advantage or an advantage for any family or associated member or person;
- not make improper use of inside information;
- must not allow their personal interests and those of associated persons including family members to take precedence over the interests of the Co-operative;
- fully disclose any conflict whether real, perceived or potential, to the Board as soon as possible. Where an actual or potential conflict does arise, a director must as a minimum refrain from participating in the debate and/or voting on the matter at the Board meeting and may choose to remove themselves from the Board meeting room during the debate and the voting. Any declaration of a conflict of interest must be recorded in the minutes of the meeting including the Board's decision in relation to how to deal with the conflict;
- not knowingly or recklessly distribute confidential, false or misleading information;
 and
- not engage in conduct likely to bring discredit upon the Co-operative.

4. Organisational Governance

4.1 Compliance and Risk

The Co-operative holds a 5 year lease Agreement with the Department Health & Human Services and is accountable to the Registrar of Housing under the Housing Act (1983) both of which have a number of reporting compliance requirements attached.

Similarly the Co-operative has reporting compliance responsibilities with the Department of Justice, Australian Taxation Office (ATO) and Australian Charities and Non Profit Commission (ACNC).

The Board and the Manager are jointly responsible for ensuring all Compliance requirements are met within established timelines, (see Schedule 8: Compliance & Operations Plan).

Compliance and Risk Committee

The Board has established a Compliance and Risk Committee tasked with responsibility for overseeing all compliance matters of the Co-operative including oversight of legal and compliance matters and assessment and evaluation of risk on behalf of the Co-operative and reporting to the Board.

Risk Management

Risk management involves identifying and assessing internal and external factors that could negatively impact on the Co-operative's ability to fulfil its objectives or deliver services, with potentially major consequences. The Co-operative is committed to managing its risks in a strategic and systematic manner.

Risk Assessment should be explicitly performed and documented in all major decision making and proposals. All such proposals must identify and evaluate the risks for all options and the recommended course of action, and must state the Risk Management Strategy to be adopted.

The Co-operative's key risk management processes are:

- undertaking a formal Risk Assessment on an annual basis; and
- integration of risk assessment into major decision-making.

Risk assessment will be conducted prior to completion of the Business Plan for the coming financial year. It will consider:

- the risks that could impact on the successful execution of the Business Plan;
- the treatment or response strategies with respect to each of those risks;
- how each risk and associated treatment or response will be monitored and reviewed throughout the year; and
- associated responsibilities.

4.2 Financial Management (Adopted 18/2/16)

The Board is responsible for ensuring that the Co-operative operates in a financially sound and accountable manner. In particular, the directors need to satisfy themselves that the Co-operative is solvent and that proper financial governance procedures are in place to protect the resources of the Co-operative.

The Board needs to:

- ensure that realistic budgets are developed and that the assumptions underlying the annual budget items are understood and agreed;
- ensure that it receives regular finance reports, income statements and balance sheets and that Board members understand the statements so that the Board may take any necessary action if required; and
- use other additional financial reporting mechanisms to assist with the Cooperative's strategic planning that enable a review of the Co-operative's efficiency and effectiveness.

Delegation of Authority

The Co-operative's Board of Directors delegates authority for financial management to the General Manager, who is responsible for ensuring adherence to relevant legislation, annual budget estimates and compliance requirements.

The Director of Finance is responsible for overseeing the financial activities of the organisation including financial governance, budgets, monthly reporting and conduct of the audit.

The General Manager through the Finance & Administration Co-ordinator is responsible for day to day financial management activities, including bank reconciliations, data entry, producing financial reports and payment of accounts.

Monthly financial reporting to the Board of Directors must consist of an Income Statement (with variance analysis against budget), a Balance Sheet and Monthly Cash Flow.

The General Manager must ensure all reconciliations are completed by the Finance & Administration Co-ordinator at the end of each month.

Procurement

- The UHC Constitution [Rule 64(3)] requires payments made on behalf of the Cooperative, including the signing of cheques and the operation of electronic accounts, be approved by two authorised signatures. This provides additional protection against mis-management or fraud.
- 2. Signatories to be any two of the following: Chairperson, two or three other Directors appointed by the Board and the General Manager.
- 3. Where a purchase item is budgeted for, the Manager has authority to commit payments to the budgeted amount. Where the amount exceeds the amount budgeted by 5% or more the General Manager must seek approval of the Director Finance and/or the Chairperson. Unexpected expenditure over the value of \$10,000.00 is subject to Board approval.
- 4. Where property maintenance works or large purchases are to be made in excess of

\$3,000.00 the Property Manager is required to obtain a second quotation unless there is no alternative supplier or recent second quotations indicate price is reasonable. Both quotations are attached to the invoice for payment

- 5. The Co-operative is required to obtain DHHS approval for property maintenance works on DHHS properties which are in excess of a total value of \$10,000.00 or more.
- Directors or employees must not use their position to obtain a private benefit for themselves or someone else. Decisions must not be improperly influenced by family or other personal relationships.
- 7. If Directors or employees wish to contract UHC contractors for private works <u>over the value of \$1,000.00 they</u> must declare this to the Board <u>within a month of the completion</u> of the works.

Payments

Any two signatories are required to sign all Supplier invoices before and after payments. In normal circumstances, it is preferred that the General Manager and one Director would authorise payment of invoices every Friday.

Petty Cash

Petty cash float of \$500 for day to day expenses is reconciled monthly and reimbursed through cheque.

Employee Expenses

Employees are authorised to use personal credit cards for business expenses and to submit invoices for reimbursement.

Finance and Audit Committee

The Finance and Audit Committee is tasked with responsibility for overseeing financial matters of the Co-operative including financial accounting and reporting, and reviewing the financial position of the Co-operative at the end of each quarter. (Refer Terms of Reference for more detail).

4.3 Property Asset Management Planning

Policies and Procedures

As U.H.C. has responsibility for all structural maintenance works of the 94 properties it owns and manages, U.H.C. assigns a high priority to a planned and strategic approach to asset management, utilising the planning framework outlined below.

The Co-operative reviews its annual asset plan as part of the annual budget process between April and May of each year. The Property Manager and General Manager also conduct a mid-year review of property maintenance spending and identified structural work requirements.

The asset plan will identify property maintenance priorities, including structural work requirements, property development and re-development options. Co-operative assets, not related to dwellings, including replacement of major capital items such as office equipment or vehicles, will be included as separate budget items.

U.H.C. maintains comprehensive property records and files, has developed systems for planning and undertaking maintenance works and established policies to guide property maintenance practices. (Refer UHC Property Management & Maintenance Manual)

UHC will complete generalised asset maintenance forecasts for the term of the lease, while allowing flexibility to respond to unexpected structural issues or <u>crisis or other matters</u>, allowing flexibility to respond to works of the highest priority.

The Property Manager in consultation with the Director of Property Management and Maintenance is responsible for drafting the annual asset management plan and maintenance budget, utilising all available information which is submitted to the General Manager and then to the Board for formal approval as part of the Annual Budget process.

Asset valuation – UHC will obtain an appraisal of owned properties on a 3 yearly basis, using Local Government 'Capital Improved Value' valuations if current and local Real Estate sales figures to determine current value of owned properties. Alternatively a private valuation may be obtained.

Asset Planning Framework

- Review of previous Asset Management Plan.
- Compilation and assessment of property information from a range of sources, including internal and DHHS property inspections, historical information, member tenant requests etc..
- Identification of Structural, Upgrade and Planned Maintenance priorities
- Estimation of budget allocation for Structural, Upgrade, Cyclical and Planned Maintenance
- Development of a Structural, Upgrade, Cyclical and Planned Maintenance works Program for coming financial year as part of the annual budget process and estimates for other maintenance matters.
- Program for the annual inspection of all properties to ensure that documentation of property condition is completed in accordance with the RTA Act (1996). Specialised Property Inspections – In addition to annual house inspections, UHC will contract qualified people to conduct a more thorough inspection of property assets as required, for example inspections on the structural integrity of properties.

4.4 Property Development Policy (Adopted Oct. 2015)

This policy sets the broad policy framework for its Property Development Strategy and sets a framework to guide project development, redevelopment of existing properties and housing acquisitions.

Housing Growth

UHC supports the expansion of the public, social and affordable housing sectors in the inner western and north western metropolitan areas to meet the growing demand and will actively work towards the expansion of the supply of housing for low and middle income groups.

While UHC believes responsibility for the expansion of affordable housing primarily lies with Federal and State Governments it will seek to use its own resources for property development.

UHC will work towards appropriate property re-development as a strategy for increasing the supply of affordable housing, consulting with and obtaining approval of relevant stakeholders and housing regulators such as DHHS.

UHC will investigate options to develop and / or purchase properties through Government capital funding programs, joint venture arrangements, partnerships or private sector capital programs as a means of increasing its leverage for further growth and development and improving the financial viability of its housing development strategies.

Property Acquisition and Development

Any property acquisition or development activity must comply with the relevant legislation in place and all necessary approvals must be sought and obtained.

UHC will enlist professional assistance with property purchase and redevelopment where necessary.

This may include a contractual arrangement with a Housing Association or like organisation for the purpose of undertaking property development and/ or redevelopment. However, it is anticipated that staff, with relevant Board or external advisor support, will be able to undertake property acquisition work and oversight of project development and property redevelopment.

Re-Housing Existing Tenant Members

UHC will commit to re-housing any displaced members who are impacted by property development strategy.

4.5 Environmental Policy

The Co-operative is committed to a shared concern for the deteriorating world environmental situation and the need for the Co-operative movement to respond to this situation with pro-active strategies.

The Co-operative recognises the global impact of environmental degradation and believes individuals can make a difference to the environment by taking immediate and decisive action. The Co-operative supports all forms of re-cycling and sustainability.

The Co-operative has a commitment to sustainable living and the reduction of energy and water costs; and will actively work towards the provision of sustainable housing utilising renewable energy sources.

The Co-operative supports energy efficient housing design and construction, and will actively work towards improving the energy efficiency of its properties and the installation of appliances which will reduce greenhouse gas emissions and reduce the cost of utilities for members wherever possible.

The Co-operative will actively work towards the introduction of energy efficiency measures and strategies e.g. effective roof insulation, water efficient appliances, dual flush toilets and water tanks subject to budget constraints.

4.6 Crisis Management Policy

The Co-operative recognises that certain events involving fire, flood, electricity, office and home invasion and environmental degradation do occur and as a responsible housing provider, UHC must be able to assist in responding to any unexpected crisis.

The Co-operative will be proactive in reducing the likelihood of crisis through education programs, fire prevention programs, security systems and other initiatives as required.

The Department of Health and Human Services and local emergency response numbers are to be provided to members, along with the Co-operative's emergency maintenance telephone number.

In the event of a crisis, the person contacted will firstly telephone relevant emergency service(s) to respond to immediate threat and to arrange an immediate response <u>to ensure the personal safety of all people impacted by the crisis.</u>

Secondly, contact will be made with the General Manager and the Chairperson (and other staff and board members if necessary) to arrange any other required response e.g. authorisation for emergency accommodation for victims of fire or home invasion and to instigate a response plan that ensures the integrity of all personal information and financial.

All properties and the office are to be fitted with security doors, as well as with smoke alarms, a fire blanket and members are to be encouraged to have a fire evacuation plan.

Office security system subject to off-site monitoring.

Office computer systems are backed up with a copy kept off site and all passwords are held by the General Manager and maintained in a secure location shared with one Director of the Co-operative. Where a crisis does occur and members, staff, independent directors and/or suppliers' personal details are compromised, all efforts will be made to protect individuals from exposure and the affected individuals will be informed of the security breach.

4.7 Communication Policy

Directors Reporting to the Board

Subject to privacy considerations and matters of confidentiality, individual Directors and the Manager are responsible for reporting all relevant and important information to Board of Director meetings in a manner as agreed by the Board.

Manager to the Board

The manager is responsible for reporting all compliance requirements to Board Meetings.

Board to the Membership

The Directors are required to provide the following reports to members:

- Annual Audited Financial Statements Annual General Meeting
- Annual Report to Members from Directors Annual General Meeting.
- Quarterly Report to Members from Directors General Meetings.
- Financial Reports A summarised quarterly financial reports available at the time of the General Meetings
- Maintenance Report A summarised quarterly Report on maintenance spending for all properties.

Director responding to Members Requests

Directors will endeavour to respond to member written requests acknowledging the request within 48 hours and endeavour to provide all information within 14 days. Requests made in person responded to based on a case by case basis.

4.8 Human Resource Management

The Co-operative employs staff to undertake its key operational and management functions and delegates human resource management responsibilities to the General Manager.

The Board of Directors will review and adjust the staffing structure as necessary in consultation with the General Manager with respect to organisational priorities and strategic planning considerations.

The Co-operative's human resource management aims to:

- ensure that the management and administrative functions of the Co-operative are undertaken in a professional and effective manner;
- maintain a positive and supportive working relationship with staff;
- provide a safe and effective work environment;
- present a delineation between governance and management responsibilities, while acknowledging the inter-connection;
- encourage a sense of shared responsibility and communication so that the Board and staff work together for the betterment of the Co-operative;
- establish fair and just process for dealing with staff conflict and disciplinary matters.

- Ensure employment arrangements comply with industry based employment standards and legal obligations, including OH&S.
- Involve staff in strategic policy, review and planning processes.

CONDITIONS OF EMPLOYMENT & RESPONSIBILITIES

Employment agreements and contracts are based on the Social Community, Homecare & Disability Services (SCHADS) award.

Employee's performance will be reviewed against established performance criteria as part of the annual Staff Appraisal.

All employment positions are subject to meeting conditions detailed in Employee Code of Conduct, and the UHC's Conflict of Interest, Confidentiality and Privacy policies.

DISCIPLINARY POLICY

Where staff performance is not considered up to expectations or lacking in a particular area, the General Manager in consultation with the Chairperson would arrange a clear process based on procedures outlined in the Operations Manual for responding to the matter as a matter of priority.

Where concerns arise about the General Manager's performance, the Chairperson would consult with the Board to develop a process to respond to the matter as a matter of priority. (Refer to Operations Manual).

4.9 Role of the General Manager

The Board formulates and monitors the Co-operative's policies and procedures. It delegates the responsibility for implementing and giving effect to the policies, procedures and decisions of the Board to the General Manager.

The Board is responsible for developing appropriate policies and procedures for the Co-operative that provide clear instructions to the General Manager to achieve required outcomes. The Board has also developed a list of responsibilities and limitations outlined below within which the General Manager is expected to work.

The General Manager is responsible for the staff of the Co-operative and delegation of tasks to staff should be made through the General Manager.

Governance and Management

While the functions of the Board and the General Manager should operate in partnership, it is essential for the successful operation of the Co-operative that a clear demarcation between governance and operational / management responsibilities exists. To ensure compliance with government legislation and regulation, the functions of governance and management must be understood and clearly delineated. Established work practices should reflect a separation of these functions.

Responsibilities

General Manager's responsibilities include:

Compliance and Organisational

 Overall responsibility for ensuring the Co-operative meets all compliance obligations and the management of organisational risk with the Board.

Planning

 Identifying aims, objectives, strategies, responsibilities, timelines and the resources required to achieve the Co-operative's objectives.

Service delivery

Overseeing the delivery and quality of services.

Resource management

- Developing and implementing a financial plan including annual budgets in accordance with the Co-operative's policies and strategic plan.
- Managing the Co-operative's resources within budgetary guidelines and in accordance with the law.
- Managing paid and volunteer staff in accordance with approved policies and procedures.
- Reviewing staff workloads and performance and making recommendations to the Board about developing and improving staffing structure and employment policies.

Representing the Co-operative

 Presenting the Co-operative, its objectives and services in strong, positive images to relevant stakeholders and the general public.

Setting standards

 Setting a good example in relation to ethical behaviour, professionalism and commitment.

Reporting to the Board of Directors

- Report all matters of importance related to the governance of the organisation to Board of Director Meetings and/or urgent matters directly to the Chairperson of the Board.
- Consult directly with the Board on all strategic, financial, asset planning.
- Present clear and logical recommendations for action with sufficient notice to allow time for clarification and proper consideration.

Limitations

The General Manager has authority to conduct day to day operational matters and will exercise judgement on whether a particular issue should be brought to the Board's attention. However, the General Manager must consult with the Board or its delegates before:

- committing any unbudgeted expenditure over \$10,000;
- committing to capital expenditure where the amount exceeds the amount budgeted by 5% or more;
- altering any previously endorsed strategic or business plans;

- disposing of any property under the Co-operative's management;
- accepting any new properties from the Department of Human Services or other provider;
- recruiting staff and altering staff pay and conditions other than provided for through the annual budget process; and
- undertaking formal disciplinary action against a staff member.

General Manager Performance

The Board will undertake a formal review of the General Manager's performance and salary package arrangements annually, coordinated by the Chairperson. All reviews must be based on the objectives set out in the General Manager's Position Description and Performance Plan.

4.10 Privacy Policy – Members' Personal Information

The Co-operative is committed to protecting the privacy of personal information it collects, holds and administers. It recognises the essential right of individuals to have their information administered in ways which they would reasonably expect, protected on one hand and made accessible to them on the other.

The Co-operative is bound by the *Privacy and Data Protection Act 2014* (Vic) which imposes specific obligations in relation to handling personal information. The Co-operative previously adopted the ten Privacy Principles contained in the *Information Privacy Act 2000* (Vic) as minimum standards in relation to handling personal information.

In broad terms, this means that the Co-operative:

- Collect only information which the Co-operative requires for its primary functions;
- Ensure that stakeholders are informed as to why the Co-operative collects the information and how it administers the information gathered;
- Use and disclose personal information only for the Co-operative's primary functions, a directly related purpose or for another purpose with the consent of the owner of the personal information;
- Store personal information securely protecting it from unauthorised access; and
- Provide stakeholders with access to their own personal information and the right to seek its correction.

Use and Disclosure

The Co-operative will:

- only use or disclose information for the primary purpose for which it was collected or a directly related secondary purpose; and
- for other uses that the Co-operative will obtain written consent from the affected person.

Data Quality

The Co-operative will take reasonable steps to ensure that the information the Co-operative collects is accurate, complete, up-to-date and relevant to the functions that the Co-operative performs.

Data Security and Retention

The Co-operative will safeguard the information that the Co-operative collects and store against misuse, loss, unauthorised access and modification.

Openness

The Co-operative will:

- ensure that stakeholders are aware of the Co-operative's Privacy Policy and its purposes; and
- make this information freely available in relevant publications and on the Co-operative's website.

Access and Correction

The Co-operative will ensure that individuals have a right to seek access to information held about them and to correct it if it is inaccurate, incomplete, misleading or not up-to-date.

Anonymity

The Co-operative will give stakeholders the option of not identifying themselves when completing evaluation forms or opinion surveys.

Making information available to other service providers

The Co-operative will only release personal information:

- about a person with that person's expressed written permission;
- after the person concerned has signed a release form; and
- to third parties where it is requested by the person concerned in writing.

Responsibility

On a day to day basis, the Co-operative's staff, members and board members are responsible for ensuring that the personal information they collect is only disseminated or distributed pursuant to the above guidelines.

External access to Co-operative Information

Information collected and held by the Co-operative may benefit third parties such as other housing co-operatives and community organisations.

The Board and staff members of the Co-operative must comply with the following procedure when they receive information requests from third parties other than the Housing Registrar and Consumer Affairs Victoria:

- 1. Information requests are directed to the Manager who will then consult with the Chairperson regarding the appropriateness of the information request;
- 2. After consultation with the Chairperson, the Manager may refer any information requests to the Board if considered necessary; and
- 3. If the Manager, the Chairperson and/or the Board consider that the release of the requested information is appropriate, the third party may be required to sign a confidentiality agreement with the Co-operative prior to the release of the requested information.
- 4. Personal information will not be disclosed without consent of the named individuals.

4.11 Occupational Health & Safety

The Co-operative is committed to ensuring the health, safety and welfare of the working environment for staff, volunteers, contractors and visitors. Staff members are to regard accident prevention and working safety as a collective and individual responsibility.

This policy applies to all work activities and extends to the protection of persons such as members, visitors, contractors and members of the public. (Refer: Occupational Health and Safety Act 2004).

The health and safety of all employees within day to day operations is the responsibility of management. In fulfilling this responsibility, management has a duty to provide and maintain so far as is practicable a working environment that is safe and without risks to workers' health.

The Co-operative shall take practical steps to:

- ensure employees are safe at work
- identify all hazards in the place of work
- eliminate or minimise employees' exposure to health hazards

The Co-operative will:

- Provide appropriate facilities, ensure equipment is safe to use and work methods do not harm employees, and develop emergency procedures.
- Keep a register of accidents, critical incidents and cases of serious harm that occur at work. In the case of an accident causing serious harm, follow the procedures in accordance with the Act.
- Ensure that staff receive adequate information, instruction, training and supervision in health and safety issues.
- Ensure that employees report any symptoms of illness or injury related to work to the designated person with authority for OH&S.

The General Manager and the Board accept overall responsibility for the effective management of workplace health, safety and welfare.

4.12 Complaints and Disputes Policy

The Co-operative supports the principle of providing a fair and formal process for lodging and responding to disputes, grievances, and complaints and will inform members, staff and stakeholders of the appropriate process to be followed.

The following procedure will be followed:

- Disputes or grievances arising from constitutional matters, which include membership matters, will be managed through the Dispute Resolution Procedure outlined in Rule 13 of the UHC Constitution. (See Schedule 9)
- Complaints beyond the scope of the Disputes Resolution Procedure which relate to the operation and provision of housing services will be managed through the Complaints Procedure.
- 3. Tenancy issues will be responded to according to the provisions of the Residential Tenancies Act.

Directors, members and staff of the Co-operative are expected to comply with the Dispute Resolution Procedure and Complaints procedure and to act in the best interests of the Co-operative as a whole and to respect the rights and acknowledge responsibilities of all parties.

Privacy – The co-operative will observe confidentiality at all times. Any personal information arising from the complaint will not be disclosed to any third parties not involved in the complaint process, without the permission of complainant. The Mediator and/or Complaints Officer must follow a formal process of conciliation, investigation and inquiry with the aim of involving the parties in resolving disputes or resolving complaints.

In keeping with the provisions of the Equal Opportunity Act 2010, the Co-operative will provide every assistance to enable people of all abilities to participate in the Disputes and Complaints Procedure. Where required, people requiring assistance should contact UHC staff to arrange a third party or advocate to support them through the process. All complaints and disputes will be recorded in the Complaints and Disputes Register.

Review Date: The Complaints and Grievance Policy and Procedure will be subject to 6 monthly review on the 1st October 2016.

(See Schedule 9: Complaints Procedure)

4.13 Policy Review Process

The Co-operative's policies and procedures including those outlined in this Manual must be viewed as dynamic in nature and consequently must be subject to on-going review and development.

The Board is responsible for all policy formulation including drafting and reviewing the Co-operative's policies.

The Board should monitor all policies on an on-going basis and establish a timeline to review all Policy Manuals on a regular basis, setting a review date of not more than 2 years.

In relation to the development of new policies, the Board usually delegates this responsibility to the Policy Committee. This Committee is expected to 'workshop' all new policies during their development stage to ensure that there has been sufficient opportunity for discussion, analysis and amendment prior to their finalisation.

Once drafted, those directly affected should be consulted about any proposed policy changes and the implications of such changes.

The conversion of policy to procedures is a responsibility of the General Manager and should occur through direct involvement of those responsible for operational matters. All staff should be thoroughly briefed on new policy initiatives and provided with support to make any required operational changes.

The Board must check that their actions reflect policy.

The Chairperson and the General Manager both have a responsibility to the Board to raise issues that may conflict with new policy initiatives.

Schedule 1 – Australian Community Sector Code of Governance Principles

A. BOARD MEMBERSHIP

- 1. The Board may not place barriers on the free choice of its members, but in elections to the Board, it should institute procedures and policies that recruit persons whose skills or experience would benefit the operations of the Board.
- 2. The Board should seek advance commitment from Board members to any specific policies concerning the expectations of the Board regarding such matters as attendance requirements, investment of time, support for the organisation, conflict of interest policy and practice, collective decision making and acceptance of responsibility.
- 3. The Board should establish policies dealing with the number of consecutive terms a Board member or officeholder may serve.

B. COLLECTIVE COMMITMENT

- The Board should be independent not susceptible to outside direction or outside interests.
- 5. The Board should develop a culture that enables collective decision making.
- 6. The Board should ensure that while each member has the right to argue for their own point of view and vote as their conscience dictates, they should, once a decision has been taken, not speak or work against the decision outside the Board.
- 7. The Board should take ultimate responsibility for ensuring that effective mechanisms are in place for dealing with and managing conflicts.
- 8. The Board should ensure that policies are in place to ensure that Board members treat each other frankly and honestly but with respect.
- 9. Any members of the Board who are elected by or appointed from particular sections of the community (users, for example, or staff) cannot be bound to follow the instructions of those sectional interests but must be free to govern in the best interests of the organisation.

C. DEMOCRATIC GOVERNANCE

- 10. The Board should ensure that its procedures allow for all Board members to bring issues before the Board, to be informed on these issues, to discuss these issues productively, and to take informed decisions.
- 11. The Board should develop standing orders that are flexible, efficient, simple, and allow motions of dissent to be put before the Board without obstruction.
- 12. The Board should meet at least six times a year.
- 13. The Board should support the Chair to fulfil its functions.
- 14. The Board should develop a culture that enables members to dissent from the Chair's rulings or assessment of collective decisions.

D. MANAGEMENT OF THE BOARD

- 15. The Board should provide induction, instruction, and continuing support to provide all Board members with the skills needed to carry out their functions.
- 16. The Board should ensure that clear policies and procedures are in place to remove from the Board members who are, in the opinion of the Board, unable to properly fulfil their legal, ethical or social responsibilities.
- 17. The Board should have in place clear policies to ensure that all potential conflicts of interest are dealt with in accordance with ethical codes and applicable legislation through appropriate disclosure or recusal.

E. DIRECTION

- 18. The Board has the ultimate responsibility and therefore control of the organisation. No major policy should be put into effect without analysis and approval by the Board.
- 19. The Board is responsible for approving the organisation's mission and strategic direction, its budget and major financial affairs, and its policies on governance, management, and program implementation.
- 20. The Board should in practice concern itself primarily with the strategic direction of the organisation, and should delegate operational (day-to-day management) issues to its staff (paid or unpaid).
- 21. The nature and extent of any delegation by the Board should be clearly documented in every case.
- 22. The Board remains legally responsible for the performance of delegated duties, and should institute effective monitoring and evaluation procedures.
- 23. Where the organisation employs staff, General Manager should be responsible for the operational management of the organisation. The Manager may delegate tasks to other staff, but the Manager remains accountable to the Board for their performance.
- 24. Liaison between Board members and the organisation's staff should normally go through the Manager.

F. RISK MANAGEMENT

- 25. The Board should ensure that robust risk management policy and procedures are in effect to minimise any risk to its mission, its assets, its programs, its reputation, its staff, and its users.
- 26. The Board should continuously test, review and refresh risk management policy and procedures.
- 27. The Board should ensure that the health and safety of its employees is of equal priority with the performance of the mission of the organisation.

G. ACCOUNTABILITY

- 28. The Board is ultimately accountable for the entire operations and the impacts of the organisation.
- 29. Whilst the Board may be directly accountable either to its members or to the Minister or governmental agency that appointed it, it is also accountable to those served by its mission.

30. In order to make this accountability meaningful, the Board should ensure that clear procedures are developed to provide a transparent framework for conducting its meetings, recording its decisions, communicating those decisions, and receiving feedback from its users.

H. TRANSPARENCY

- 31. The Board should withhold from public scrutiny as little information on its operations as is possible. All board deliberations should be open to the stakeholders and the broader community except where the board passes a motion to make any specific portion confidential.
- 32. The Board should establish and implement "whistleblower" policies and procedures that enable individuals to come forward with information on illegal practices (or violations of Board approved policies) without fear of retaliation.

I. COMMUNITY RESPONSIBILITY

- 33. The Board should do its part to reduce systemic social disadvantage in Australia.
- 34. The Board should work to encourage social diversity, access and inclusion, community participation, and consumer (member) participation.
- 35. The Board should take into account in its decision making not only the mission and maintenance of the organisation but also:
 - the rights and interests of the organisation's users;
 - the rights and interests of the organisation's members;
 - the rights, interests, health, safety and wellbeing of the Organisation's workforce;
 - the interests of the community sector as a whole;
 - the interests of the general public; and
 - human rights locally and globally;

and should be prepared to justify its actions to all these constituencies.

J. ENVIRONMENTAL RESPONSIBILITY

36. The Board should ensure that the organisation actively works to preserve the environmental sustainability of the planet in its own practice, as a participant in a community of practice, and as a participant in the Australian social discourse.

K. DIVERSITY AND EMPOWERMENT

- 37. The Board should ensure that its membership profile largely reflects the composition of the Australian community. There should be tangible efforts to increase the representation of women, minority ethnic groups, underrepresented age groups, people with disabilities, and indigenous Australians.
- 38. Where services are provided by the community organisation, the Board should ensure that these should respond to and reflect the reality of Australia's diverse community.
- 39. Where an organisation is responsible for the delivery of services or provides opportunities to participate, the Board should respond to the needs of its own users for representation on the organisation's Board. Where it is desirable to avoid conflicts of interest this representation should be by proxy through consumer or rights-oriented groups.

- 40. The Board should ensure that all members are given adequate support, mentoring, expenses, and respect. In order to avoid intense pressure and isolation the Board should seek to include more than one member is from a disadvantaged or minority group.
- 41. The Board should ensure that the whole organisation in all of its systems, operations and activities upholds and promotes the imperatives of empowerment. The Board should ensure that the principles of equal opportunity and diversity are practically applied to all areas of the organisation's work, including its planning, its marketing, its employment practices, and its management.

L. ETHICAL FUNDRAISING

- 42. The Board should ensure that all materials used in fundraising are accurate and truthful.
- 43. The Board should respect the privacy of its donors and should not make their names available to any other person for any other purpose except where mandated by law.
- 44. The Board should adopt policies and procedures for dealing with the circumstances in which the organisation should refuse a donation that might compromise its ethics, its finances, or its mission.

M. EFFECTIVENESS

- 45. The Board should periodically review its own effectiveness, and take any necessary steps to ensure it works well.
- 46. The Board should regularly review and evaluate the performance of the Organisation's Manager.
- 47. The Board should ensure that the organisation as a whole and its programs are regularly reviewed in line with principles, outputs and outcomes.

Schedule 2 – International Co-operative Principles

Values and principles

A co-operative is an autonomous association of persons united voluntarily to meet their common economic, social and cultural needs and aspirations through a jointly-owned and democratically-controlled enterprise.

Co-operatives are unique businesses that are based on explicit values and principles articulated in the International Co-operative Alliance's Statement on the Co-operative Identity adopted in 1985.

Values

A co-operative is based on the values of self-help, self-responsibility, democracy, equality, equity and solidarity. In the tradition of their founders, co-operative members believe in the ethical values of honesty, openness, social responsibility and caring for others.

Principles

Principle 1: Voluntary and Open Membership

Co-operatives are voluntary organisations, open to all persons able to use their services and willing to accept the responsibilities of membership, without gender, social, racial, political or religious discrimination.

Principle 2: Democratic Member Control

Co-operatives are democratic organisations controlled by their members, who actively participate in setting their policies and making decisions. Men and women serving as elected representatives are accountable to the membership. In primary cooperatives members have equal voting rights (one member, one vote) and cooperatives at other levels are also organised in a democratic manner.

Principle 3: Member Economic Participation

Members contribute equitably to, and democratically control, the capital of their cooperative. At least part of that capital is usually the common property of the cooperative. Members usually receive limited compensation, if any, on capital subscribed as a condition of membership. Members allocate surpluses for any or all of the following purposes: developing their cooperative, possibly by setting up reserves, part of which at least would be indivisible; benefiting members in proportion to their transactions with the cooperative; and supporting other activities approved by the membership.

Principle 4: Autonomy and Independence

Co-operatives are autonomous, self-help organisations controlled by their members. If they enter into agreements with other organisations, including governments, or raise capital from external sources, they do so on terms that ensure democratic control by their members and maintain their cooperative autonomy.

Principle 5: Education, Training and Information

Co-operatives provide education and training for their members, elected representatives, managers and employees so they can contribute effectively to the development of their cooperatives. They inform the general public – particularly young people and opinion leaders – about the nature and benefits of cooperation.

Principle 6: Co-operation among Co-operatives

Co-operatives serve their members most effectively and strengthen the cooperative movement by working together through local, national, regional and international structures.

Principle 7: Concern for Community

Co-operatives work for the sustainable development of their communities through policies approved by their members.

Schedule 3 – Agenda Setting & Attendance at Board Meetings

Agenda Setting

The Chairperson, in consultation with General Manager, is responsible for preparing the agenda for Board meetings and circulated to all directors at least seven days prior to scheduled meetings where possible.

The first item on the agenda is the agenda itself. The Chairperson should ask directors whether there are any further items to be added to the agenda. The Board may decide to re-order agenda items to enable important and urgent matters to be considered early in the meeting. If desired, the Chairperson may allocate time to each agenda item to ensure that all items are covered during the Board meeting.

When the agenda is completed, it is then adopted by the Board and no further agenda items are permitted during the meeting unless they are approved by the Chairperson.

Any items or issues that arise during the meeting which are not included in the agenda must be either delegated to a committee, board member or the General Manager, or noted for inclusion in the next Board meeting agenda.

2. Reports to the Board Meetings

Each Director who holds a portfolio and the General Manager should prepare a report for Board Meetings and circulate to other Board members via the General Manager up to 7 days in advance.

3. Attendance at Board Meetings

Regular attendance at the Co-operative's meetings is essential for the ongoing successful management and governance of the Co-operative.

Policy

Board members are expected to demonstrate their commitment to the Co-operative by regularly attending Board meetings and participating in the various operations of the Board. Board members must attend at least 75% of Board meetings in a twelve month period.

Failure to attend

Any director who does not attend 75% of Board meetings or three consecutive Board meetings in a twelve month period without prior notice to the Board shall surrender their right to be a director.

Where a director fails to meet the attendance requirement but wishes to remain on the Board, the director will be invited to submit their case to the Board at the next Board meeting. The director will be entitled to speak to this item, but will not be entitled to vote on it. The Board will decide what action to take regarding that director's future position as a director.

If the Board decides that termination is justified, the Board may suspend that director's membership of the Board. Where the director, having been suspended from the Board, wishes to contest their suspension, they should utilise the disputes procedure as outlined in Rule 10 of the Co-operative's Constitution.

A director whose membership has been terminated shall retain the right to stand again at the next Annual General Meeting.

The Board may also remove any person from any committee or sub-committee of the Board for any reason, including but not limited to non-attendance.

When any person has been removed from the Board or from any committee under this provision, the Board or committee will promptly initiate a process to recruit a new director and/or committee member.

Procedure

The General Manager is responsible for notifying members of forthcoming Board meetings no later than ten working days before the date set for the Board meeting where possible.

The Chairperson is responsible for monitoring the attendance of each Board member and to issue a warning when appropriate.

4. Director Reimbursements

Directors are entitled to claim all legitimate expenses related to their directorship responsibilities, including travel, telephone, internet expenses and childcare.

Director reimbursements will be paid upon presentation of receipts on a bi-monthly basis. Any exceptional claims for additional reimbursements to be submitted individually.

Schedule 4 – Conduct, Professional Development & Decision Making at Board Meetings

Code of conduct

The Co-operative has formally adopted a code of conduct which promotes ethical and responsible decision making by directors and a separate code of conduct relevant to the day to day conduct of employees.

The code of conduct for directors reflects the high standards of honesty, integrity, fairness and equity expected of all Co-operative directors.

Every member of the Board is expected to comply with the code of conduct and act in the best interests of the Co-operative as a whole.

Code of conduct for directors

A director of the Co-operative must:

- endeavour to ensure that the Board fulfils its key purpose of safeguarding the interests of the Co-operative;
- seek to understand the expectations of members and other important stakeholders and endeavour to fulfil them when deciding upon the best interests of the Co-operative;
- seek to ensure that all members are treated fairly according to their rights;
- aim to attend all Board meetings;
- be prepared to accept collective responsibility and implement the decisions of the Board as a loyal member of the Board;
- use care and diligence in fulfilling the functions of office and exercising the powers attached to that office;
- comply with relevant laws, regulations and codes of practice and should endeavour to ensure that the Co-operative complies with the laws governing its operations;
- honour obligations and commitments;
- pay particular attention to the environment, occupational health and safety, workplace relations and equal opportunity in evaluating the interests of the Co-operative.
- Accept the General Manager's role in managing the operational affairs of the Cooperative.

Conduct at Board Meeting

Directors must act in a professional and courteous manner during Board meetings which includes the following:

- All remarks and comments from directors must be addressed through the Chairperson;
- Directors must not speak to each other whilst somebody else is addressing the Board meeting;
- Directors may only leave a Board meeting when absolutely necessary or when there is a scheduled break; and

- Raised voices or aggressive behaviour will not be accepted by the Board and should this behaviour occur, the Chairperson may take appropriate measures including any of the following:
- Ask the particular director to stop the behaviour;
- Ask the particular director to leave the Board meeting; or
- Call a break and/or stop or adjourn the Board meeting.

Professional development

The Co-operative makes every effort to recruit directors whose skills and experiences will benefit the operations of the Board and the Co-operative as a whole.

The Co-operative aims to provide directors with the required resources and support to enable directors to fulfil their roles to the best of their ability.

Directors must regularly appraise their individual skills, knowledge and expertise and make a commitment to professional development in their role.

Induction

Following the appointment of a new director to the Board, the Chairperson and General Manager is responsible for arranging an induction process for the new director.

Training and Support

Directors are encouraged to attend training programs which enhance their skills as directors and in particular training on governance, finance and legislation relevant to the Co-operative. Directors should discuss their need for any general support and training with the Chairperson and/or the General Manager.

The costs of training and support programs will be borne by the Co-operative.

Decision Making At Board meetings

Directors are expected to develop an informed opinion of all matters on the agenda for discussion at Board meetings. At Board meetings, the Board will endeavour to reach a decision on various issues through discussion and consensus.

The Chairperson will ask one director to submit a recommendation in relation to a specific item of business and seek to achieve consensus on the matter and request all Directors to endorse the recommendation.

Where opinions differ on a recommendation the chairperson may call for a formal motion, including a mover and seconder for the motion, and a majority vote from all directors through a show of hands. Each director has one vote. The Chairperson may only exercise his/her vote in the event of a tied vote.

A director may request that matters of a highly confidential nature be resolved through a ballot or silent vote.

Where a decision is made by the Board, the following questions should then be addressed if applicable:

- Specific action: What is to be done, why and with what expected result?
- By whom: Who is responsible?

- By when: When is the action to be undertaken?
- At what cost: Will the action cost money, and if so, what is the maximum that can be spent without further Board approval? This applies only where there is not a relevant and existing budget expenditure item.

Outside of Board meetings

In order to transact the business of the Co-operative more efficiently, the Board may make decisions outside of Board meetings. In such situations, the following procedure must be followed:

- A written recommendation will be circulated to all directors.
- Each director must indicate his or her acceptance or rejection of the recommendation by return email or in writing with a signature (an electronic signature is sufficient). Voting rights as per-the Constitution.
- A time frame will accompany each recommendation. The resolution is approved when the last director required for a majority responds in writing within the time frame.
- All circulated motions and votes must be recorded in the minutes of the Board meeting as soon as possible after circulation.
- Resolutions may be circulated using emails or letters.

Schedule 5 – Board Minutes

Board Minutes

Minutes provide a legal history of the Co-operative and its decision making processes. It is important to note that the official Minutes of meetings are legal documents and can be subpoenaed at any stage as legal evidence. They must therefore be true and correct.

Minutes of meetings should record issues raised or discussed, decisions considered and made, motions presented and moved, and actions agreed upon. All decisions on motions should be recorded whether they are accepted or rejected.

Minutes should be a factual and objective account of matters dealt with by the Board. Where any item is deemed to be confidential, the Board should ensure that confidentiality is not broken or compromised by inappropriate wording in the Minutes.

The commencement and closing times of the Board meeting should be recorded in the Minutes.

The General Manager must ensure that Minutes are authorised and maintained in a folder available for members or public viewing except in the case of confidential matters.

All Board members are responsible for checking that Minutes are a true and correct account of the meeting.

Minutes of the previous meeting

Minutes of the current meeting must record any amendments, additions or deletions that result from discussion on the Minutes of the previous meeting.

The Minutes of the previous meeting must be accepted and confirmed by the Board as a true and correct record of the previous meeting.

Where any amendments have been made to the Minutes as submitted, these amendments should be noted in the Minutes of the current meeting.

Authorisation of Minutes

The Chairperson should check the draft Minutes of the Board meeting within seven days of the meeting if possible.

The Chairperson is required to sign the Minutes of the previous meeting as a true and correct record of proceedings.

The Chairperson is responsible for the form of the Minutes, proper confirmation of their accuracy and completeness and must check that no unauthorised alterations have been made. Authorised alterations to the Minutes are those approved by formal motion at the following meeting prior to confirmation.

The Chairperson signs the official Minutes only after they have been confirmed by the Board at the subsequent meeting. They must not be signed before being confirmed by a proposer, seconder and carried by vote. After signing, they should then be inserted into the Minute folder.

Distribution of Minutes

Draft Minutes are to be distributed as soon as practicable after a Board meeting to ensure actions agreed upon are undertaken before the next meeting. Authorised minutes of the Board Meetings should be available to the broader membership via the Co-operative web page or via the post, upon request.

Matters arising from the Minutes

Matters arising from the Minutes of the previous Board meeting should be listed in the current meeting agenda and then be dealt with one by one.

If any matters arising from the Minutes of the previous Board meeting are major items for discussion, they should have been included in the agenda by the person(s) responsible for preparing the agenda prior to distribution to directors. If any matters are deferred to be dealt with under particular reports or general business, they should also be recorded in the Minutes. Any motions or decisions that result from discussion regarding matters arising from the Minutes of the previous Board meeting should be noted in the Minutes, together with the mover and seconder of the motion and the result of the subsequent vote.

Board reports

Reports to the Board should be attachments to the Minutes. It is important that the Board 'knows what it needs to know' and ensures that reports to the Board contain factual information together with interpretation and commentary that introduce validated and costed recommendations for Board decisions and actions.

Reports to the Board should focus on the governance role and function, and not management or operational detail.

Where a report to the Board is deemed to contain insufficient information to enable a considered Board decision, the matter should be returned to the source of the report with specific instructions from the Board as to the nature and extent of further information that is required to enable a considered decision. Such further information may relate to historical evidence or comparison, priorities, costing and rationale for recommendation.

Where at all possible, reports should be provided to directors seven days prior to the Board meeting.

General business

General business may include an item for reflection or informal discussion. General business items should be matters for Board attention or decisions and should not include management or operational matters unless necessary.

Where insufficient time is available for any item, the item should be deferred to the next Board meeting by inclusion in the agenda for the next meeting or referred to the Business Manager or relevant committee for exploration and inclusion in their report to the next Board meeting.

Next meeting

The date, time and venue of the next Board meeting is agreed upon and noted together with any particular items to be included in the agenda for the next meeting. The time of the closure of the Board meeting should be noted.

Schedule 6 – Board Performance

Board performance

On a biennial basis, the Board will conduct a self-evaluation to assess its own performance. In general, the Board's effectiveness will be measured against:

- Quality of meetings held;
- Conduct of individual directors;
- Progress in achieving the Co-operative's strategic objectives;
- Quality of policy making;
- Quality of decision making;
- Compliance with legal and statutory obligations; and
- Planning for the future.

Questions that the Board may consider in the process of self-reflection include:

Is the Board the right size?

As the Co-operative changes and grows, so too do the requirements of the Board.

How balanced is the Board?

Is there a good mix of skills and interests? Is there a gender balance?

How representative is the Board?

Does the Board include different voices? If the membership includes people from a variety of ages, family types, nationality and ethnic background, does the Board represent this diversity?

Does the Board have adequate skills?

Does the Board have a good range of skills to meet the demands of good governance and if not is it prepared to obtain these skills through careful selection of independent directors or advisors?

Director performance

A director's performance will be measured against:

An ability to work co-operatively

Although diversity of viewpoints should be actively encouraged, it is important to know how to work co-operatively and reach consensus on key issues. A director should be able to avert conflict by developing creative solutions that are inclusive of a range of viewpoints.

A personal commitment to the Co-operative's vision and values

Directors must be committed to the Co-operative's mission and are prepared to work to achieve its objectives.

An ability and willingness to donate

Directors must be able to provide their time, expertise, contacts and influence.

Fulfilling the director's responsibilities and duties

Directors must effectively fulfil their responsibilities and duties as agreed.

An effective Board requires all directors to know and understand the nature and extent of their authority and status in order to fulfil their duties and obligations.

Individual directors should conduct a self-evaluation of their ability and willingness to:

- understand;
- enquire;
- make judgements;
- listen to others;
- express opinions;
- put the interests of the Board before their own;
- question uncertainties;
- be cautious and conservative as well as at other times take calculated risks and be entrepreneurial;
- admit ignorance;
- remain in a governance role and not attempt to manage the Co-operative's operations;
- assess information; and
- arrive at a reasoned decision.

Schedule 7 - Committees of the Board

Committee	Core Membership
Finance and Audit Committee	Independent Director – Finance, Deputy Director Finance, Chairperson and General Manager and Finance and Administration Co-ordinator by invitation.
Compliance and Risk Committee	Independent Director – Legal, Independent Director – Finance, Deputy Director Finance, Chairperson and General Manager (Ex-officio)
Property Management and Maintenance Committee	Director – Property Management and Maintenance, Chairperson, Property Manager and General Manager.
Tenancy Committee	Director Tenancy, Director Member Services, Tenancy & Maintenance Coordinator and Members.
Tenant/Member Selection Sub-Committee	Director Tenancy, Tenancy & Maintenance Coordinator and Tenancy Committee members.
Policy Committee/ Forums	Director Policy, Chairperson, General Manager and Members.
Property Development Committee	Independent Director Finance, Director - Property Management and Maintenance, Chairperson, Property Manager, General Manager and members x 2.
Member Services Committee	Director Member Services, Member Services Officer and members.
Members Action Group Sub-Committee Members Works Committee	All members

Staff Recruitment Committee

In the event of a staff vacancy, a Staff Recruitment Committee consisting of the Chairperson General Manager and up to two other Directors would be established. The Board reserves the right to engage an employment consultant or Employment Agency.

Responsibilities

The Board shall clearly define the terms of reference for each Committee including their composition, roles, responsibilities and the boundaries of their authority.

The purpose of committees is to deal with specific activities or projects delegated to them by the Board. They may make recommendations to the Board.

Committees must follow the Co-operative's rules and policies. They may not change the Co-operative's policies or make decisions about the Co-operative's organisational structure.

Committees are expected to work closely with the General Manager and other staff, and are required to report back to the Board on all important matters.

Structure

All Committees shall include at least one director and in most instances one staff member.

In most situations, only members of the Co-operative, staff or independent directors should serve on a Committee. The Board may, from time to time, co-opt non-members to serve on a Committee in order to bring additional skills, experience or networks to the Co-operative.

The Board has control over the tenure and membership of all Committees.

Meetings and operations

A Director who is a member of a particular Committee would normally assume responsibility for chairing meetings and reporting to the Board.

Committees cannot exercise authority over staff and may only delegate tasks to staff member outside their normal Position Description and subject to General Manager's agreement.

Committee members are required to sign a declaration of confidentiality where the Board deems it necessary.

Decision making

A key role of any committee is to provide recommendations to the Board. Agreement on recommendations should be reached by consensus where possible. Decisions made by the Board override those of any Committee. The Co-operative should periodically review Committee reporting to the Board according to their terms of reference.

Review

All Committees shall review their terms of reference annually including their membership and the results of their work and provide a report to the Board.

Schedule 8 – Compliance & Operational Plan

REQUIREMENT	Auth.	Due Date	Responsibility	Status
6 Monthly Financial Summary & Statement	DHHS	14 th Jan.	Finance/Admin.	
Maintenance Report	DHHS	14 Jan.	Property Manager	
Annual Information Statement	ACNC	31 st Jan.	Finance/ Admin.& Manager	
BAS Return	ATO	29 th Feb.	Finance/Admin.	
Strategic Plan Review	Internal	March	Chairperson and General Manager (GM)	
Commence annual budget process	Internal	April	GM	
BAS Return	ATO	28 th Apr.	Finance/Admin.	
Review Asset Management Plan	Internal	April / May	GM & Prop. Manager	
Finalise Annual Budget	Internal	June	GM & Finance Com.	
6 Monthly Financial Summary & Statement	DHHS	14 th July	Finance/Admin.	
Maintenance Report	DHHS	14 th July	Property Manager	
Review Risk Management Plan	Internal	21 st July	Compliance & Risk Com.	
BAS Return & Group Certificates.	ATO	28 th July.	Finance/Admin.	
NAHA Report	DHHS	31 st July	Finance & Admin Coord & Manager	
Annual Staff Performance Appraisal	Internal	Aug.	GM	
Review of KPMs on operational matters for last financial year	H.R.	Aug.	Prop. Mg, Finance/Admin	
Self-Assessment Against Objectives & Targets against Business Plan	H.R.	Aug.	GM	
Summary of Complaints	H.R.	Aug.	GM	
Annual Business Plan	H.R.	Aug.	GM	
BAS Return	ATO	28 th Oct.	Finance/Admin.	
Performance Against Performance Standards	H.R.	Dec.	GM, Prop. Manager & Finance/Admin.	
Annual Report – Small Co-operatives - Final report	CAV	After AGM	GM & Finance/ Admin.	
Audited Financial Accounts	H.R.	After AGM	GM & Finance/ Admin.	

Financial Performance Report	H.R.	24 th Dec.	Finance & Admin. & GM	
Declarations	H.R.	24 th Dec.	GM	

OTHER

- Tenant Register Under the DHHS General Lease, the Co-operative is required to maintain a comprehensive Tenancy Registrar of all member personal and income information - Refer Annexure B for specific requirements
- The Co-operative is required to seek permission of DHHS prior to undertaking maintenance works in excess of \$10,000.00 spent on one property. DHHS have 60 days to respond.
- Residential Tenancies Act compliance at all times.

Abbreviations:

ACNC - Australian Charities & Not-for-profit Commission

ATO - Australian Taxation Office

CAV - Consumer Affairs Victoria

DHHS - Dept Health & Human Services

GM – General Manager

H.R. – Housing Registrar

Schedule 9 - Complaints and Disputes Procedure

Where a person living with a disability is unable to fully participate in the Disputes and Complaints Procedure, he/she may contact a UHC staff member to arrange a third party or advocate supporting them through the process.

	Step	Action
1.	A person (complainant) contacts Staff Member or Director to discuss an 'issue of concern'.	Staff Member enters into dialogue with the person to determine the nature of the 'issue.'
		Residential Tenancy matters are referred to the Maintenance & Tenancy Coordinator.
		The complainant is encouraged to resolve the matter themselves with the other party, as the first step.
2.	If after a period of 14 days of the first contact, further attempts to resolve the matter are unsuccessful, the complainant needs to decide whether they want to enter a formal process to resolve the matter.	If yes, go to Step 3. If no, the matter lapses
3A	Where the issue is a membership or constitutional matter, the complainant is advised to enter a formal Disputes Resolution Procedure , within a further 7 days.	The designated staff person initiates a formal Dispute Resolution process and sends a cover letter and copy of Rule 13 of the Constitution to the complainant and the second party.
		(Refer Attachment 1: Rule 13 UHC Constitution).
	OR	
3B	Where the issue is a Complaint in relation to the operation and/or provision of housing services, complainant is advised that they may choose to enter a formal Complaints	Designated Staff Member acknowledges the complaint in writing and requests complainant to complete 'Formal Complaint Lodgement Form' and return to the designated Complaints Officer within 14 days.
	Procedure within a further 7 days.	Refer Attachment 2: Complaint Lodgement Form & Privacy Statement)
4.	Complainant lodges an agreement to participate in Dispute Resolution Process OR	Designated staff member acknowledges receipt of dispute/complaint in writing within 7 days.
		Complaint is entered into the Co-operative's Complaints Register.
	Complaints Process.	
5.	GM and Board appoint a Mediator or Complaints Officer in consultation with the Complainant and other party.	Chairperson responsible for organising process of appointment.

6.	Mediator / Complaints Officer seek to obtain a resolution through negotiation, investigation, discussion and compromise within 14 days.	Mediator / Complaints Officer maintains a confidential record of investigations.
7.	Outcome of investigation completed. Complainant and second party advised of outcome/action and resolution of the matter within 14 days of investigation/mediation.	Mediator or Complaints Officer forwards Complaints Outcomes and Closure letter
8.	Complainant not satisfied with the resolution and requests to appeal the decision.	Alternative staff member or Director reviews the process followed in the process within a 14 day period.
9.	Advise complainant of outcome of appeal process	Forward standard letter to both parties.
10.	If after a period of 30 days of receipt of Appeal letter, the matter is not resolved it will be reported to the Housing Registrar	General Manager informs Registrar of Housing.
	And	Complainant responsibility to follow through with the matter
	Complainant referred to:	and
	Dispute Resolution Centre (DSC), Registrar of Co-operatives (CAV)	Co-operative responds as required
	Or	
	Other relevant body for resolution.	
11.	Directives delivered from the Housing Registrar to the Complainant and/or UHC.	The Co-operative may apply to the Victorian Civil and Administrative Tribunal to review a direction by the Registrar of Housing pursuant to section 100 of the <i>Housing Act 1983</i> (Vic) within a period of 28 days after the direction is given.

[1] DISPUTE RESOLUTION PROCEDURE

Rule 13 of UHC Constitution

- (1) The grievance procedure set out in this rule applies to disputes under these rules between:
 - (a) a member and another member; or
 - (b) a member (including a former member) and the co-operative. This subrule (a) will also apply to a dispute between a member and the co-operative, on behalf of the board of the co-operative, a director or an employee of the co-operative.
- (2) If a dispute arises, a party cannot commence any court or arbitration proceedings relating to the dispute unless it has complied with the provisions of this rule, except where a person seeks urgent interlocutory relief.
- (3) The parties to the dispute must meet and discuss the matter in dispute, and, if possible, resolve the dispute within 14 days of:
 - (a) the dispute coming to the attention of each party; or
 - (b) a party giving notice, to each of the other parties involved, of the dispute/grievance.
- (4) If the parties are unable to resolve the dispute at the meeting, or if a party fails to attend that meeting, the parties must, as soon as is practicable, hold a meeting in the presence of a mediator.
- (5) The mediator is, where possible, to be a person chosen by agreement between the parties, but in the absence of agreement between the parties:
 - (a) for a dispute between a member and another member, a person appointed by the board; or
 - (b) for a dispute between a member (including a former member) and the co-operative (including the board, a director or an employee of the co-operative), a person appointed or employed by the Dispute Settlement Centre of Victoria or other independent mediator.
- (6) The mediator may (but need not) be a member of the co-operative, unless the member is a party to the dispute.
- (7) The parties to the dispute must, in good faith, attempt to settle the dispute by mediation.
- (8) The mediator, in conducting the mediation, must:
 - (a) give the parties to the mediation process every opportunity to be heard; and
 - (b) allow due consideration by all parties of any written statement submitted by any party; and
 - (c) ensure that natural justice is accorded to the parties to the dispute throughout the mediation process.
- (9) The mediator cannot determine the dispute.
- (10) The mediation must be confidential and without prejudice.
- (11) The costs of the mediation are to be shared equally between the parties unless otherwise agreed.
- (12) Nothing in this rule applies to any dispute as to the construction or effect of any mortgage or contract contained in any document other than these rules.
- (13) Nothing in this rule applies to any dispute involving the expulsion of a member or the imposition of a fine.
- (14) If the mediation process does not result in the dispute being resolved, each party may seek to resolve the dispute in accordance with the Law or otherwise at law.
 - **Note.** Section 130 of the Law applies if mediation does not resolve the dispute.

[2] Formal Complaint Lodgement Form
PART A: YOUR PERSONAL DETAILS
Full Name:
Address:
Phone / Mobile:Email:
PART B: DETAILS ABOUT THE COMPLAINT
Are you a: (please tick appropriate
Tenant Member or Prospective Tenant Member (applying to be housed by UHC) A Neighbour of a UHC Tenant Member Another Agency Co-Op Director Advocate acting for:
What Is The Focus Of Your Complaint?
Service Information Policy or Procedure Tenant Application (Referral) Tenancy Management Property Maintenance Neighbourhood Disturbance Security/Personal Safety Community/Interagency Relations Dispute within Co-op Committee Bullying/Harassment/Discrimination Other:
How Have You Tried To Resolve This?
How would you like this to be resolved?
Details About Your Complaint / concern: (Continue over page if necessary)

PRIVACY STATEMENT AND DECLARATION

Privacy Statement: Your information will be kept on the UHC Complaints Register and handled according to the Information Privacy Act 2000. It may be accessed by UHC staff and shared with UHC Directors with the main purpose of investigating and resolving your complaint.

Data in Part B may be reported to State & Federal Government and stakeholders to demonstrate UHC's compliance. UHC will not use or share information for any other purpose without your consent unless legally required.

To view information held by UHC please phone our office.

Declaration: I declare that this information is true and correct to the best of my knowledge, and I understand and agree to the Privacy Statement.
Signed:
Date: