

The role of the management committee member



A guide and refresher to your duties and responsibilities

Your personal input is truly valued as without a Management Committee the co-op cannot function. Along with your fellow MC members, your role is to make sure that your co-op complies with its legal requirements, its constitution and the law. You will help to define goals and standards and uphold your co-op's vision, purpose and organisational reputation. All MC members share the responsibility of putting the co-operatives' interests before your own.

Management Committee Core Duties
<ul style="list-style-type: none">• Make sure the MC manages the co-op's business in line with its Rules.• Act in the best interest of the whole co-op and uphold your co-ops values, objectives and core policies.• Contribute and share responsibility for decision making.• Attend meetings, trainings and/or other relevant events.
Management Committee Additional Duties
<ul style="list-style-type: none">• Approve each year's budget and accounts before they're published.• Contribute to establishing and maintaining a framework of delegations and systems of control.• Oversee Co-op Homes' contract and KPIs designed to ensure the co-op is managing effectively.• Agree policies and make decisions on all significant financial or other risk areas.• Monitor your co-ops performance.
Management Committee Responsibilities
<ul style="list-style-type: none">• Attend meetings.• Represent the co-op on occasion.• Attend training and/or other relevant events.• Identify and challenge all forms of discrimination.• Respect confidentiality and GDPR guidelines• Respect your neighbours.• Abide by the conditions of your own tenancy agreement.• Be ready to support others and the co-op.• Declare any conflict of interest and ensure this is minuted when appropriate.• Communicate respectfully.• Be happy to take responsibility to work with others to help resolve issues.• Quickly and calmly resolve conflicts.• Be patient, non-judgemental and sensitive to others' needs.• Be cautious about accepting hospitality or gifts when engaging in the co-op related affairs.• Participate fully in discussions.• Read the agenda and MC papers and prepare for the meeting beforehand.• Follow the MC code of conduct at all times
Role & Responsibilities of Chair
<ul style="list-style-type: none">• Ensure all officers are carrying out their duties.• Manage meetings of the co-op (both MC and general meetings) ensuring they run smoothly and in accordance with the co-ops code of conduct.• Approve invoices on behalf of the co-op

- Approve and sign the co-op's annual accounts and AR30
- Have a casting vote at MC and GM meetings

Role & Responsibilities of Vice Chair

- Fulfill all duties of the Chair in the Chair's absence.

Role & Responsibilities of Secretary

- Receive applications for admissions to the Co-operative and shall hand over to the treasurer any monies received
- Keep a regularly updated register of members (in conjunction with the managing agent)
- Record the names of individuals present at all Management Committee and General Meetings.
- Take minutes of all meetings unless the co-op agrees to appoint a minute taker to undertake these duties
- Act as a point of contact for CHS (with other officers)
- Approve and sign the co-op's annual accounts and AR30
- Work with Chair to facilitate effective communication between MC and members
- Act as primary point of contact for advice and guidance for members

Role & Responsibilities of Treasurer

- Act as a point of contact for CHS (with other officers)
- Supervise financial affairs of the co-op (in conjunction with the managing agent)
- Approve invoices on behalf of the co-op

Regulator of Social Housing

As a registered provider, the co-op will abide by the obligations placed upon it by the Regulator of Social Housing. This includes regulatory information (to be submitted to the RSH) and regulatory standards that contain specific expectations and the outcomes that providers are expected to achieve.

The regulator needs to collect and hold reliable information (both statistical data in data returns and other non-statistical information) so that it can undertake its functions. The table below sets out a summary of the co-op's

Data returns / regulatory documents	Deadlines	Which providers
Statistical data return (SDR)	31 ST May each year	All registered providers (shorter returns for providers owning fewer than 1,000 social housing units)
Annual accounts and AR30	No later than 6 months after the financial year end	All registered providers
Audit management letter	As above	All registered providers with audited accounts
Quarterly notification of disposal	3 weeks after each quarter end	All registered providers who have made relevant disposals that require notification

Financial Conduct Authority

All registered mutual societies must submit accounts to the Financial Conduct Authority (FCA) each year. Registered societies, working men's clubs, benevolent societies, and specially authorised societies must also submit an annual return form with their accounts.

The co-op is responsible for making sure that the documents are:

- submitted on time
- prepared by a competent person

Registered societies (including co-operative societies and community benefit societies) must send their accounts and annual returns within 7 months of the financial year-end.

Breaching Regulation and Guidelines

If the co-op fails to meet the obligations outlined above the following may apply:

- Offences committed against the Co-operative and Community Benefit Societies Act 2014 are outlined within the Act in section 10. This also outlines the prosecution of offences and includes punishment by fine. Further information can be found within the act: <https://www.legislation.gov.uk/ukpga/2014/14>

- The RSH can issue a regulatory judgement and / or a regulatory notice against a provider. These are made public on the RSH website. In some cases, as well as publishing a provider's grades against the standards, the RSH will also issue a narrative regulatory judgement report. This is usually completed when an assessment of that provider has changed, or there are new issues should be made public. Further information can be found here: <https://www.gov.uk/government/publications/regulatory-judgements-and-regulatory-notice>
- The RSH also has powers within the Housing and Regeneration Act 2008 to investigate, intervene, and enforce the standards and duties expected of registered providers. However, the RSH has a duty to minimise interference and exercise its functions in a way that is proportionate, consistent, transparent and accountable. Further information can be found here: <https://www.gov.uk/government/publications/guidance-on-the-regulators-approach-to-intervention-enforcement-and-use-of-powers>
- The FCA can cancel the society's registration (the society no longer exists as a legal entity and members lose their limited liability, though friendly societies registered under the 1974 Act do not have limited liability). The FCA can prosecute the society (if convicted, you may have to pay a fine of up to £1,000 per offence and costs). Further information can be found: <https://www.fca.org.uk/firms/annual-returns-accounts-mutual-societies>
- Common law duties also apply to Directors (or those entrusted with control over the society's assets e.g. management committee members or officers). The ultimate duty is to act in the best interests of the society. The Company Directors Disqualification Act 1986 (CDDA) applies to society directors. This means that directors can be disqualified, either by court order or by binding legal undertaking, from serving as a director of, or otherwise managing, a society, company or other corporate body. This disqualification is on top of the potential civil liability for breach of their duties, and possible prosecution for breaches of the Act's requirements. Further information can be found here: <https://www.fca.org.uk/publication/finalised-guidance/fg15-12.pdf>

Useful Links

- **Housing Ombudsman** - <https://www.housing-ombudsman.org.uk/>
- **Confederation of Housing Co-operatives** - <https://www.cch.coop/>
- **London Federation of Housing Co-operatives** - <https://www.lfhc.org.uk/>
- **NHF Code of Governance** - https://www.housing.org.uk/nhf_catalog/publications/code-of-governance-2020/