



# Family Housing Association



(Birkenhead & Wirral) Ltd

## Code of Conduct

<b>Prepared By</b>	Chief Executive
<b>Date Approved</b>	15 <sup>th</sup> June 2021
<b>Review Frequency</b>	3 Years

### 1) Summary

Members of the Board will direct the affairs of the Association with integrity and propriety, delegating the implementation of their policies and the management of the Association to Association Employees.

Board Members and Employees will comply with the Law, the Association's Rules and the Regulator's procedures to avoid conflicts of interest and inappropriate payment or benefits.

The Association will provide a Statement of Terms and Conditions of Employment for Employees to be read in conjunction with the Code of Conduct and Whistle-blowing Policy. This Code of Conduct applies equally to Board Members and Employees.

### 2) Disclosure of Interest

Board Members and Employees are required to sign and maintain a Register of Interest. This covers any circumstances where the individual or a close relative could potentially receive a personal or business benefit (other than salary or expenses) as a consequence of any Family Housing Association activity. The Register of Interest should be updated annually.

At the start of Board or Committee meetings, Employees and Board Members are required to declare any personal or business interest in any items on the Agenda. Where an interest has been declared they should offer to withdraw for that part of the meeting.

In the event of the Board discussing a matter that specifically affects a Board Member, their family or an organisation with which he or she is involved, the Board Member must declare an interest and withdraw from that part of the meeting.

If during the course of their duties any Employee believes that they may have a conflict of interest, they should declare it to the Chief Executive or Chairman of the Board without delay.

### 3) Gifts & Hospitality

Gifts or Hospitality should only be accepted in accordance with the Association's Probity and Anti-Corruption, Bribery & Fraud Policies.

#### **4) The Housing and Regeneration Act 2008 (effective from 1<sup>st</sup> April 2010)**

Housing Associations must ensure that governance arrangements: -

- adhere to all relevant legislation
- comply with their governing documents and all regulatory requirements
- are accountable to tenants, the regulator and relevant stakeholders
- safeguard tax payers interests and the reputation of the sector
- comply with a code of Governance such as the NHF “Excellence in Standards of Conduct – Code for Members”, especially in relation to any non-contractual payments and benefits
- maintain standards of probity – Housing Associations should self monitor non-contractual payments and benefits to employees, Board Members and their close relatives and adopt appropriate mechanisms for their approval, ensuring transparency in decision-making.

#### **5) Employee Confidentiality**

Employees may not during or after the termination of their employment with the Association use or disclose to anyone other than in the proper course of their employment any information of a confidential nature relating to the Association, its business, customers or its clients. Such information will include any information which is commercially sensitive or which may not be readily available to others engaged in a similar service to that of the Association or to the general public. Employees are required to use their best endeavours to prevent the disclosure of any information of a confidential nature during their employment. Serious breach of this clause will be considered to constitute gross misconduct, which may lead to dismissal without notice or payment in lieu of notice.

#### **6) Use of Association Contractors or Consultants**

Association Board Members and Employees should not seek to use their position to gain advantage when using the services of the Association’s Contractors or Consultants. Whenever the Association’s Contractors or Consultants services are used by a Board Member or Employee, the details must be provided to the Chief Executive or Chairman of the Board prior to the transaction taking place. Details must be recorded in the Register of Interest.

#### **7) Whistle-blowing**

Board Members and Employees should be free to raise concerns regarding their compliance with this Code of Conduct or the compliance of their colleagues, without fear of reprisal. The Association's Whistle-blowing Policy provides protection for any Board Member or Employee who raises genuine concerns.

#### **8) Other Employment**

Employees are not to take any additional outside paid employment unless they can demonstrate that the work would not conflict with, or impact on, their work for the Association. Employees must obtain written consent from the Chief Executive before taking any outside paid employment.

## **9) Equal Opportunities**

Board Members and Employees should ensure that they are aware of the Association's Race, Equality and Diversity Policy. They should be aware that unless the approved procedures are followed, there is a risk that the Association could be accused of discrimination, particularly in respect of granting of tenancies, contracts of employment, contracts for goods or services and dealing with Anti-Social Behaviour.

## **10) Conduct at Committee Meetings**

All meetings should be polite and business like. At all meetings the Chairman will preside over the proceedings. Swear words, racist or sexist remarks or disruptive behaviour must never be used. Abuse of Employees or Board Members will not be tolerated.

## **11) Board Member Conduct**

Board Members carry special duties of accountability and, as a consequence, their conduct and personal integrity must always be beyond reproach. For this reason, any member who:

- a) Becomes subject to legal proceedings brought against them by the Association; or
- b) Brings legal proceedings against the Association; or
- c) Becomes subject to any criminal or civil proceedings, the nature of which could compromise their position as a member;

shall immediately become suspended from membership of the Board and Committees which they serve. Upon conclusion of any such proceedings, the Board will decide whether to reinstate or seek removal of the Member in accordance with the Association's Rules.

## **12) Corruption and Fraud**

Employees are expected to follow the internal procedures that have been put in place to minimise the opportunity for fraud. It is the responsibility of all Board Members and Employees to report immediately any act of attempted or detected fraud. Employees must report the matter to the Chief Executive or Chairman of the Board if more appropriate.

All incidents will be recorded in the Fraud Register by the Chief Executive or Chairman of the Board. The Register will be open to inspection at any time by the Regulator or the Association's Auditors. The Fraud Register will contain both attempted and detected frauds and the action taken.

The Association must report any instances of attempted or detected fraud exceeding £1000 to the Regulator. The Chief Executive or Chairman of the Board will report the matter to the Association's Internal Auditors immediately. The Police and External Auditors will be informed once there is clear evidence of fraud.

The Association will take appropriate action against Board Members or Employees who perpetrate fraud or any person who allows fraud to be committed. The Association will take action to recover any money that has been lost.

Contractors will be made aware of the Association's Contractors Code of Conduct and their responsibilities to report fraud.

**13) General**

All Board Members and Employees should carry out their responsibilities in accordance with the Association’s Policies and Procedures. All Board Members and Employees are expected to dress and conduct themselves appropriately for the duty or function that they are carrying out or attending.

**14) Failure to follow Code of Conduct**

Employees and Board Members should be aware that failure to follow this Code of Conduct may damage the Association and its work and so will normally be viewed as a disciplinary matter. For Employees, such matters will be dealt with under the normal disciplinary procedures. For Board Members, action will be taken in accordance with the Association’s Rules.

It is vital to the smooth running and good reputation of the Association that this Code of Conduct is followed at all times and in all circumstances.

If any member of staff or Board Member is unsure whether they are, or could be, in breach of this Code of Conduct they must formally raise the issue to allow the appropriate person(s) within the Association to make a decision.

**15) Declaration**

By signing below, Board Members and Employees declare that they will meet their obligations to the Board and to the Association, and that they understand their obligations in relation to this Code of Conduct.

Signed: \_\_\_\_\_

Print Name: \_\_\_\_\_

Position: \_\_\_\_\_

Date: \_\_\_\_\_