

EAST MIDLANDS HOUSING GROUP AND SUBSIDIARIES

CODE OF CONDUCT

1 Why do we need a code of conduct?

- 1.1 The board of management has responsibility for all actions carried out by staff and board members. This responsibility includes responsibility for large sums of public and private money and the housing responsibility of large numbers of people. Therefore, the board is determined that the conduct of board members should give our tenants, other customers and funders confidence; that, as representatives of the Association, we all show integrity; that our actions are transparent and therefore at all times our professionalism allows us to avoid any suggestion of influence by improper motives.
- 1.2 The board believes that staff and board members, as well as residents and funders, want to be associated with an organisation that publicises and upholds its values. Therefore this 'code of conduct' includes legal requirements, the NHF Code of Conduct, the findings of the Nolan Committee on "Standards in Public Life", and goes beyond these. High standards of conduct imply disclosure of matters that might conceivably be seen as giving rise to a duality of interest, and require board members to uphold the spirit, as well as the wording, of this code of conduct.
- 1.3 The term 'we' has been used throughout to show that the code of conduct applies to all board members.

2 A summary of the code of conduct

- 2.1 We will not get improper personal benefits from the Association's activities. Each board member will receive a copy of the code.
- 2.2 We must be especially careful of relationships with residents, and never allow any personal relationship with a resident to conflict with their best interests.
- 2.3 Giving and receiving gifts creates a relationship that can be seen to influence our judgement. Therefore, we should always avoid gifts except in the very limited circumstances set out in the Group Probity Policy.
- 2.4 We should also avoid hospitality except in the limited circumstances set out in the Group Probity Policy.

- 2.5 We must not receive housing or other benefits from the Association except in accordance with the Group's Probity Policy and other relevant policies such as the allocations policy and employment policy.
- 2.6 Our work involves confidential information about our customers and the Association's business, and we must respect that confidentiality.
- 2.7 Our work and reputation relies upon us all upholding and promoting the Association's aims and values.
- 2.8 Our work can take the Association into the political arena but we must ensure that we demonstrate its non-political nature and keep our personal political activities totally separate from the Association's work.
- 2.9 We must avoid suspicion of preferential treatment of suppliers by separating our private purchasing from the Association's wherever possible.

3 Findings of the Nolan Committee

- 3.1 The seven principles of public life identified by the Nolan Committee in its first report guide the content of the Association's code of conduct.
- **Selflessness:** take decisions solely in terms of the Association's values and mission. We should not do so in order to gain financial or other material benefits for ourselves, our family and friends.
 - **Integrity:** not place ourselves under any financial or other obligation to outside individuals or organisations that might influence us in the performance of our duties.
 - **Objectivity:** ensure that in the delivery of services, the appointment of staff or the awarding of contracts, we ensure impartiality and that choices are made on merit alone.
 - **Accountability:** accept accountability for our decisions and actions to our residents, the providers of public funds and other stakeholders, and submit ourselves to whatever scrutiny is appropriate.
 - **Openness:** be as open as possible about all decisions and actions that we take. We should give reasons for our decisions and restrict information only when individual or commercial confidentiality clearly so demand.
 - **Honesty:** declare any private interests relating to our duties and take steps to resolve any conflicts arising in a way that is lawful, and protects the Association's reputation, values and mission.
 - **Leadership:** promote and support these principles by leadership and example.

4 Disclosure of interest

- 4.1 This covers any circumstances where an individual or his/her close relative could in theory receive a personal or business benefit (other than salary and expenses)

as a consequence of any Association activity.

There are two main examples where a benefit could occur:

- 4.1.1 A duality of interest. This is where the circumstances could potentially bring about some personal or business gain;
- 4.1.2 A conflict of interest. This is where both an Association interest and a personal/business interest do actually occur.
- 4.2 Both types of interest must be disclosed. It will be the responsibility of the secretary annually to require all board members to complete a declarations of interest on a prescribed form. Declarations of interest will be held in a register that accurately reflects the details provided in the declaration and this register will be open to public scrutiny.
- 4.3 Such interest could include the following:
 - 4.3.1 An interest in any property being purchased by the Association,
 - 4.3.2 An interest in any company selling or being agent for any property being purchased by the Association,
 - 4.3.3 A business relationship with any person or firm earning fees from work placed by the Association,
 - 4.3.4 A business relationship with any person or firm entering into a contract to carry out work for the Association.

5. **Relationships with residents**

- 5.1 We must be especially careful of relationships with residents, and never allow any personal relationship with a resident to conflict with their best interest by bringing undue pressure to bear in matters concerning their rights as a resident.
- 5.2 You must therefore never allow yourselves to be compromised by, nor take advantage of, your relationships with residents. The relationship of trust must never be abused.
- 5.3 You must not invite or influence a resident to make a will or trust under which a board member is named as executor, trustee or beneficiary. If handling a resident's money, they must take extreme care including receipting every transaction.

6. **Gifts and Hospitality**

- 6.1 Giving and receiving gifts creates a relationship that could be seen to influence our judgement therefore we should always avoid gifts except in very limited circumstances. Please see the Gifts and Hospitality section of the Group's Probity Policy.

- 6.2 The purpose of our Gifts and Hospitality procedures is to avoid any question that the Group or any of its Board Members is giving or receiving preferential treatment.
- 6.3 It outlines what limits are acceptable; it also covers the giving of hospitality by the Group, both internally and to external bodies.
- 6.4 Giving and receiving hospitality and gifts must always be recorded in the register held at head office by the Company Secretary.

7 **EMH Group Probity Policy (replacing Schedule 1 of the Housing Act 1996)**

- 7.1 Until 1 April 2010, EMH Group was legally obliged to comply with Part 1 of Schedule 1 of the Housing Act 1996 which prohibited the payment or granting of non-contractual benefits to Board Members and employees (including former board members and employees in the preceding twelve months), their close relatives and any companies of which one of those persons was a principal proprietor. EMH Group Probity Policy replaces Schedule 1 and affects you, your close relations, and any business trading for profit with which you are connected.
- 7.2 The Association shall not make a payment or grant a benefit to:
- (i) A board member (including a co-opted board member), officer or employee of the Association,
 - (ii) A person who at any time within the preceding twelve months has been a person within paragraph 7.2(i), or
 - (iii) A close relative of a person within paragraphs (i) or (ii), or
 - (iv) A business trading for profit where a person falling within paragraphs 8.2(i) to 8.2(iii) above is a principal proprietor or where such a person is directly concerned in the management of the business

except as permitted by the Group Probity Policy.

- 7.3 For detailed guidance on probity requirements and probity procedures you should refer to the Group's Probity Policy.
- 7.4 Where a contract, payment or benefit is made in breach of the Group Probity Policy, the Group will normally be expected to recover any sums paid and contractual matters resolved.

8 **Permitted payments**

- 8.1 The permitted payments include the following:
- 8.1.1 Payments made or benefits granted to an employee under a contract of employment with the Association are permitted.
 - 8.1.2 For designated car users the rate of payment for work travel by private car will be that fixed by national or local conditions of employment applicable to their post and will require a claim to be made on the appropriate form.
 - 8.1.3 Legitimate expenses and subsistence will be reimbursed in line with Board Members' Expenses Policy.

8.2 Payment of expenses to board members (including a co-opted board member) or to service providers who does not have a contract of employment with the Association is permitted.

9 **Provision of housing and other benefits**

9.1 The provision of housing and other benefits are set out in the Group's Probity Policy.

10 **Financial grants and loans**

- 10.1
- a. You may not receive any payment, grant or loan from any funds associated with the Association except under the conditions of employment or reimbursement of expenses under current procedures and rates.
 - b. You may not receive loans from residents, and may not give loans from their personal money to staff, board members or residents. This issue will normally relate to 'care' situations.
 - c. You may not in any way involve your personal money with Association funds except in an emergency. In such cases, the Company Secretary should be notified at the earliest possible occasion.

11 **Confidentiality**

11.1 Our work involves confidential information about our customers and the Association's business and we must respect that confidentiality.

11.2 You must treat as confidential:

11.2.1 information concerning people - residents, staff applicants etc,

11.2.2 those matters of the Association's business which are defined as confidential,

11.2.3 matters of funders' or referral agents' business.

11.3 Except when sharing information within the Association for the better performance of its business, the Association's confidentiality policy must be followed at all times.

11.4 Where it is essential that information is released, it must be with the express consent of the individual concerned, except in meeting overriding legal requirements. A board member must be consulted and agree.

12 **Aims and values**

12.1 Our work and reputation relies on us all upholding and promoting the Association's aims and values.

12.2 All parts of the Association should work to the same aims and uphold the same values. Therefore the board of management will publish these in its handbooks and newsletters and in other ways. You are required to incorporate these in their conduct in relation to the Association.

13 **Political activities**

13.1 The Association's work may take it into the political arena but we must ensure that we demonstrate its non-political nature and we must keep our personal political activities totally separate from the Association's work.

13.2 Board members may well be involved, in their private lives, in political activity. At the same time they must be aware that the Association is non-political. They must ensure that the Association itself cannot be brought into the political arena or its reputation or status damaged by their personal political activities. When making any political representation, the Association must clearly be seen as presenting a balanced case in support of the Association's key objectives - to provide good homes and quality housing services for people in need.

14 **Respect for Others**

14.1 We must treat others with respect at all times. The Association is committed to achieving equality of opportunity in every area of its work. Our aim is that everyone should be treated fairly.

14.2 You should be aware of the Association's equal opportunities policies. You must comply with the law and with the Association's policies and procedures relating to equality and diversity. You must not harass, bully or attempt to intimidate any person. You should also be aware of the scope for discrimination in the granting of tenancies, contracts of employment, and contracts for services. You must follow established procedures when involved with such issues, to prevent either direct or indirect discrimination from occurring.

14.3 The Association monitors the ethnic origin, gender, disability, age, sexual orientation and religion or belief profile of board members and staff, and of households seeking and receiving accommodation. You are encouraged to supply this information. The aim is to ensure that the Association reflects the communities it serves.

15 **Purchasing**

15.1 We must avoid suspicion of preferential treatment of suppliers by separating our private purchasing from the Association's.

15.2 In order to avoid any suspicion that a supplier may give or receive favourable treatment, board members must try to achieve a separation between their purchasing decisions as individuals and for the Association

15.3 You may not normally use for personal or private business any of the Association professional advisors, solicitors, architects, surveyors, consultants, builders, maintenance contractors or suppliers of bulk goods or services (except monopolies, or near monopolies such as utilities, eg gas, water). Where this is unavoidable, they must ensure and inform the secretary and confirm that no financial advantage will be secured as a result of their relationship with the Association.

16 **General**

- 16.1 In all cases where board members' personal conduct might be viewed as conflicting with their work, they are required to disclose details to the Company Secretary and enter details in the register held at head office. Advice on any matter in this code of conduct should be sought first from the Company Secretary.
- 16.2 In any case of uncertainty, board members should always make an entry in the disclosure of interest register.
- 16.3 All board members should carry out their responsibilities in accordance with the Association's policies and procedures.
- 16.4 All board members who represent the Association are expected to dress and conduct themselves appropriately for the duty or function that they are carrying out or attending.
- 16.5 All Board Member involvement in media news items or press statements concerning the Board's business must be authorised by either the Chair, Chief Executive Officer or Company Secretary.
- 16.6 Board and committee meetings must be conducted in a polite and business-like way.

17 **Failure to follow code of conduct**

- 17.1 You should recognise that failure to follow this code of conduct may damage the Association's reputation and its work and so will be viewed as a disciplinary matter.
- 17.2 In the event of an alleged breach of the code by a board member, any investigation or action will be initiated by the chair or vice chair of the board. Subsequent action will be considered in accordance with the Association's constitution.

A summary of the Association's code of conduct

1. To show that we do not get improper personal benefits from our association with the Association we must sign a "disclosure of interest".
2. We must be especially careful of relationships with residents, and never allow any personal relationship with a resident to conflict with their best interests.
3. Giving and receiving gifts creates a relationship that can be seen to influence the Association's judgements. Therefore, we should always avoid gifts except in the very limited circumstances set out in the Group Probity Policy.
4. We should also avoid hospitality except in the limited circumstances set out in the Group Probity Policy.
5. We must not receive housing or other benefits from the Association except as set out in the Group Probity Policy.
6. Keeping our personal monies totally separate from the Association's money and work will also avoid problems. Only normal remuneration (if applicable within the rules) and expenses can be paid by the Association.
7. Our work involves confidential information about our customers and the Association's business, and we must respect that confidentiality.
8. The Association's work and reputation relies on us all upholding and promoting its aims and values.
9. Decisions made, and actions taken should reflect the Association's commitment to achieve the most efficient use of resources and value for money.
10. We must ensure that we demonstrate the Association's non-political nature and keep our personal political activities totally separate from its work. We must declare outside paid work and we must all disclose membership of any secret societies of which we are members.
11. We must avoid suspicion of preferential treatment of suppliers by separating our private purchasing from the Association's wherever possible.
12. Board and committee meetings must be conducted in a polite and business-like way.
13. We must uphold the Association's commitment to equal opportunities.
14. Board members carry special responsibilities for accountability, and their conduct and integrity must always be beyond reproach.

Annex A

Declaration and Agreement

East Midlands Housing Group

Board member code of conduct

As a board member of East Midlands Housing Group, I acknowledge the contents of East Midlands Housing Group's code of conduct and agree:

1. To declare all my interests be they employment, positions of responsibility, membership of other registered social landlords, directorships and any financial interest that may relate to the work of East Midlands Housing Group.
2. Not to receive any financial remuneration whatsoever for my work other than any remuneration permitted within the rules of the Association or reasonable travelling and out of pocket expenses properly incurred in the business of East Midlands Housing Group.
3. To ensure that any private or personal financial interest will never influence my decisions and that I will never use my position as a board member of East Midlands Housing Group for personal gain of any kind.
4. To disclose any direct or indirect pecuniary interest or other non-pecuniary interest in any contracts of business to be considered by the board of East Midlands Housing Group which could influence my judgement, and if requested by the other board members, to withdraw from the meeting during consideration and discussion of the business.
5. To treat as confidential all information relating to the business, policy, organisation, management, future plans, clients, tenants and staffing of East Midlands Housing Group to which I have access. Furthermore, I undertake not to part with possession of or to reproduce any of East Midlands Housing Group's correspondence, documentation or internal memoranda for the benefit of the third parties without the express permission of the board.
6. Not to accept gifts, other than those of a trivial nature, nor to receive or offer in the name of East Midlands Housing Group's excessive or extravagant hospitality.
7. Not, without first raising the matter with the board, use the services of a consultant, contractor, personal advisor or other individual or firm who works for East Midlands Housing Group.
8. To ensure that at all times I adhere to the Group's Probity Policy relating to the receipt by board member of any payment or benefits in kind from East Midlands Housing Group.
9. To behave in a polite and business-like manner throughout my activities as a board member.
10. To treat others with respect at all times.

Signed Date

Print Name

Annex B

Disclosure of interests

East Midlands Housing Group (the Association)

You are required under the Association's code of conduct and its rules to ensure that the Association has at all times an up to date list of:

- 1 all bodies trading in which you have an interest as:
 - 1.1 a director or senior employee,
 - 1.2 a member of a firm (such as a partner or part owner of a business),
 - 1.3 the owner or controller of more than 2% of the issued share capital in a company,
- 2 all interests you have as an official or elected member of any statutory body,
- 3 all interests your have as the occupier of any property owned or managed by the Association,
- 4 any other significant or material interest.

This requirement also applies to your close relatives and any businesses in which they have a significant interest. Close relative includes your husband, wife, partner, parents, grandparents, children, grandchildren, brothers and sisters and includes similar relations by marriage (ie "in laws"). Please provide similar details for each close relative where they hold such a position.

A signed Declaration of Interest form will be required annually.

If you have any queries in relation to execution of this form please refer them to the Company Secretary.