



TAI CANOLBARTH CYMRU
MID-WALES HOUSING

Yn barod **amdani** Equal to the challenge

Code of Conduct Policy for Board Members, Volunteers and Employees of the Mid-Wales Housing Group

Strategic Aim:	Strengthening Governance by completing the agreed Governance Development Plan, and maintaining the independent appraisal score of level 3 in 2012/1/22.
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Departments Affected:	MWH Group Board Members
Approved By/Date:	Organisational Development Committee: 9 th May 2018 MWAH Board of Management: 11 th July & 1st August 2018 CRP Board of Management: 11 th July 2018
Lead Officer:	Company Secretary/Governance Officer
Statutory Compliance:	Rules of the Association

A Message from the Chair

It is recognised good practice that housing associations should adopt a Code of Conduct to which Members are expected to adhere. Board Members should give residents, customers, and clients along with funders and the Regulator, the confidence that, as representatives of the Mid-Wales Housing Group, we all show integrity, our actions are transparent and at all times our professionalism allows us to avoid any suggestion of influence by improper motives.

A handwritten signature in black ink that reads "Peter Swanson". The signature is written in a cursive style with a long horizontal line underneath the name.

PETER SWANSON
Chair of Board of Management,
Mid-Wales Housing Group.

August 2018

NB: Where the term resident or tenant is used within the Code, this also refers to clients and customers, when relating to Care & Repair in Powys.

1. CODE OF CONDUCT AND DISCLOSURE OF INTEREST FOR BOARD MEMBERS

Primary Responsibility of the Board

The Boards of the Mid-Wales Housing Group have ultimate legal responsibility for the control and conduct of its affairs and for setting the culture to meet its aims and objectives.

Its objectives are to:

- ensure that the Mid-Wales Housing Group is managed efficiently, effectively and in line with the requirements of the law, the regulatory bodies and best practice;
- act only in the interests of the Mid-Wales Housing Group and not on behalf of any constituency or interest group;
- uphold the reputation of the Mid-Wales Housing Group and the aims, values, objectives and principles for which it stands.

2. POLICY STATEMENT

All persons involved in representing the Mid-Wales Housing Group are required to demonstrate the highest standards of conduct, disclosing any matter that could be seen as giving rise to a duality or conflict of interest, promote, and uphold the values of the Group.

Mid-Wales Housing Group is committed to maintaining the highest standards of probity, openness and accountability. This includes a zero tolerance on fraud (including cyber-crime) and bribery.

The Code of Conduct applies equally to all Board Members, volunteers and employees of the Mid-Wales Housing Group. They all have a responsibility to understand their duties and responsibilities under this policy and comply with the Code of Conduct.

3. INTRODUCTION

As Registered Social Landlords (RSLs) using large amounts of public funds, the Mid-Wales Housing Group, comprising Mid-Wales Housing Association and its subsidiaries, recognises the need to set and achieve high standards of conduct for its Board Members and employees.

This document sets down the Code of Conduct for the Mid-Wales Housing Group Board Members and employees. It covers the parent and all subsidiaries and all categories of

Board Member, including co-optees and any appointments to Committees and working groups that the Board may establish from time-to-time.

4. RELATED DOCUMENTS AND PRINCIPLES

4.1 CHC Code of Governance

Mid-Wales Housing Association subscribes to and applies Community Housing Cymru's (CHC) Code of Governance. This Code of Conduct seeks to support and complement that Code of Governance, the key principles of which are:

- **Organisational Purpose**
- **Leadership**
- **Integrity**
- **Decision-making, risk and control**
- **Board effectiveness**
- **Diversity**
- **Openness and accountability**

These principles are supplemented by taking into account the values of the Mid-Wales Housing Group.

4.2 Values

The Code of Conduct is also informed by the values within the Group:

(i) Mid-Wales Housing

- **Equality:** the conduct of Board Members and employees will always be mindful and respectful of how those actions affect others, especially those with differing views and background and should embrace diversity, thereby ensuring equality of treatment of colleagues and the Group's residents, tenants and clients;
- **Excellence:** the conduct of Board Members and employees will always be to uphold the highest standards of professional behaviour and ensure the actions taken are in the best interests of the Group's residents, tenants and clients;
- **Caring:** the conduct of Board Members and employees will be mindful and respectful of how those actions affect others and therefore demonstrate care for colleagues and the Group's residents, tenants and clients;
- **Community:** the conduct of Board Members and employees need to foster and reinforce the 'Team Mid-Wales' approach and ensure we act in the best possible way for the communities within which the Mid-Wales Housing Group provides service.

(ii) Values of Care & Repair in Powys:

- **Dignity & Respect:** we treat all of our customers as individuals, with dignity and respect, and empower people to retain control of their own lives;
- **Inclusivity:** we work collaboratively with key partners and local communities to deliver excellent sustainable services;
- **Person-centred:** we act in a way that is open, fair, accessible and equitable. We respect the views of our clients and colleagues. We put people first;
- **Quality:** we aim to provide the highest quality service and demonstrate honesty, integrity and transparency in all that we do;
- **Diversity:** we value and respect the different cultures and life experiences of all our clients.

4.3 Nolan Principles

In addition the seven principles of public life identified by the Nolan Committee also guide the content of this Code of Conduct. The principles are:

- **Selflessness:** we should take decisions solely in terms of the Mid-Wales Housing Group's values and mission. We should not do so in order to gain financial or other material benefits for ourselves, our family or friends.
- **Integrity:** we should 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:** we should 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:** we should 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:** we should be as open as possible about all the 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:** we should 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 Mid-Wales Housing Group's reputation, values and mission.
- **Leadership:** we should promote and support these principles by leadership and example.

5. COMPLIANCE WITH CODE OF CONDUCT

A statement of the responsibilities of the Mid-Wales Housing Group's Board Members is provided to every Board Member within the Board Members' Handbook and this forms part of this Code. Observers or other guests of the Group attending meetings on a regular basis will also be asked to agree to abide by this Code of Conduct.

Volunteers will also be asked to agree to abide by this Code of Conduct.

Employees of the Mid-Wales Housing Group are expected to adhere to the Code of Conduct guidelines as set out within the Employment Handbook; Conduct of Staff. The Group has a separate Code of Conduct for its contractors.

CODE OF CONDUCT GUIDANCE

The following sections all concern guidance about what behaviour supports the Code of Governance Policy Statement.

6. GENERAL DUTIES

In following the principles of the Code of Conduct Board Members, volunteers and employees should comply with the following;

- You must fulfil your duties and obligations responsibly, acting at all times in good faith and in the best interests of Mid-Wales Housing Group, its tenants, shared owners, leaseholders (collectively referred to as residents), customers, clients and other service users. Board Members are not delegates of any outside body and each Board Member owes a direct duty to Mid-Wales Housing Group.
- You must comply with the law, your terms of appointment and Mid-Wales Housing Group's policies and procedure relating to your role.
- You must not conduct yourself in a manner which could reasonably be regarded as bringing Mid-Wales Housing Group into disrepute. This includes membership of, or participation in, activities organised by groups or organisations whose values are inconsistent with Mid-Wales Housing Group, which could create reasonable doubt in your ability to comply with Mid-Wales Housing Group's values and this code.
- You must not bring Mid-Wales Housing Group's name into disrepute or affect its integrity by your actions or words, either within the organisation or outside. This includes the use of, or entries on, social networking sites such as Facebook, Twitter, YouTube and others. This includes making derogatory comments about Mid-Wales Housing Group, its residents, customers, clients or other service users, partners or services, either in person or in writing or via any web-based media such as a personal blog or other site. This also applies if you do not name Mid-Wales Housing Group but where its identity can reasonably be inferred or where you use a pseudonym but your identity can reasonably be inferred.
- You must not act in a way that unjustifiably favours or discriminates against particular individuals, groups or interests.
- You must respect the appropriate channels for handling tenancy and service provision issues. You must not act outside Mid-Wales Housing Group's established procedures in any matter concerning any resident, client, customer or other service user.
- You must not mis-use your position by using information acquired in the course of your duties for your private interests or those of others.

- You must respect the principle of collective decision-making and corporate responsibility. This means that once the Board has made a decision you must support that decision.
- You must not engage in any political or campaigning activity that might compromise the position of the Mid-Wales Housing Group. Board Members, volunteers or employees intending to stand for political office must discuss the matter with the Chair and/or Chief Executive.
- If you take up new employment or appointments during your term of office on the Board you must make any necessary declaration of interest. Any such work or position must not interfere with your role as a Board Member.

This Code applies to meetings; operational meetings within the Group, meetings of the Board and its subsidiaries and any Committee or working groups of the Board.

Where a Board Member, volunteer or employee is representing the Group or part of the organisation then that person must ensure they comply with the Code of Conduct. This is specifically important for Board Members participating in any Members' meeting or meeting with employees; and whenever a Board Member is dealing with a member of staff even if not doing so in the capacity of a Board Member.

On becoming a Board Member, volunteer or employee then that person is expected to accept the terms of this Code of Conduct and to sign accordingly.

The principal responsibility for ensuring compliance with this Code of Conduct rests with the Chair for Board Members and the Chief Executive for volunteers and employees. However, all Board Members, volunteers and employees should be prepared to raise issues with colleagues in the interests of the Group.

5. RELATIONSHIPS WITH RESIDENTS, CLIENTS, CUSTOMERS AND CONTRACTORS

Board Members, volunteers and employees must be especially careful of relationships with residents, client, customers or contractors. They must never allow any personal relationship with a resident, client, customer or contractor to conflict with their best interest by bringing undue pressure to bear in matters concerning their rights as a resident, client, customer or contractor.

Board Members, volunteers and employees must therefore never allow themselves to be compromised by, nor take advantage of, their relationships with residents, clients customers and contractors. The relationship of trust must never be abused.

Board Members, volunteers and employees must not invite or influence a resident, client, customer or contractor to make a will or trust under which a member of staff or Board Member is named as executor, trustee or beneficiary. If handling a resident's, client's, customer's or contractor's money, they must take extreme care including receipting every transaction.

6. HOUSING ACT 1996 PARAGRAPH 2 SCHEDULE 1

This relates to the provision of non-contractual payments and benefits to employees and Board Members (or their relatives).

Save as provided for in paragraphs below, Mid-Wales Housing Group shall not make a payment or grant a benefit to:

- A Board Member (including a co-opted Board Member), officer or member of staff of Mid-Wales Housing Group;
- A person who at any time within the preceding twelve months has been such a person;
- A close relative of such a person;
- A business trading for profit of which such a person is a principal proprietor or in the management of which such a person is directly concerned, except as permitted by Schedule 1 of the Housing Act 1996.

The permitted payments include the following:

- Payments made or benefits granted to a member of staff under a contract of employment;
- Legitimate expenses and subsistence will be reimbursed to staff on completion of the appropriate form and must be accompanied by receipts for the expenditure incurred;
- Payment of expenses to Board Members (including a Co-optee) or to service providers who do not have a contract of employment with the Group, this may include:
 - Board Members travelling by private car to meetings representing the Group will be reimbursed at the Inland Revenue Rate and this must be claimed on the appropriate form;
 - Legitimate subsistence costs for attending meetings representing the Group other than at scheduled meetings of the Board or any committee, will be reimbursed to Board Members on completion of the appropriate form and must be accompanied by receipts for the expenditure incurred;
 - Board Members using public transport on Mid-Wales Housing Group business will be reimbursed the actual cost of the journey on a claim being made on the appropriate form and on production of a receipt, or the value of a standard class rail or economy air travel ticket will be reimbursed, if the Member has personally paid for first class travel.

The exemptions provided by the Welsh Government under Paragraph 2 Schedule 1 of the Housing Act 1996 and procedures to record them are attached as Appendix 1.

Any decision to use the above exemptions will require a resolution of the Board and will be recorded in a register available for public inspection. In the event of any doubt on the applicability of an exemption, the Company Secretary will seek the guidance of the Welsh Government in writing and report the results of this to the Board.

Any Board Member who believes that he or she may be in breach of the law or this Code of Conduct should report this immediately to the Company Secretary who will investigate the position and raise this with the Regulator.

7. CONFLICTS AND DISCLOSURE OF INTEREST

Board Members, volunteers and employees will declare any circumstances by which either they, or a close relative, could, in theory, receive a personal or business benefit (other than salary and expenses) as a consequence of their association with Mid-Wales Housing Group or because of any of the Group's activities. There are two main examples where a benefit could occur:

- Duality of Interest: this is where the circumstances **could** potentially bring about some personal or business gain interest;
- Conflict of Interest: this is where both the interest of the Mid-Wales Housing Group and a personal/business interest do **actually** occur.

Both types of interest must be disclosed. It will be the responsibility of the Company Secretary to require all Board Members, volunteers and staff to complete a Disclosure of Interest form on an annual basis. Board Members will also be required to complete this disclosure when formally appointed to the Board. Disclosures of Interest will be held in a register that accurately reflects the details provided in the disclosure and this register will be open to public scrutiny and reported to the Audit & Scrutiny Committee.

Such interest could include the following (but the list is not exhaustive):

- an interest in any property being purchased by the Group;
- an interest in any company selling, or being agent for, any property being purchased by the Group;
- a business relationship with any person or firm earning fees from work placed by the Group; or
- a business relationship with any person or firm entering into a contract to carry out work for the Group.

A Board Member should declare an interest if an item of business being discussed at a Board meeting specifically concerns him or her or an organisation with which he or she is involved, whether profit making, public sector or voluntary sector. Mid-Wales Housing Group's Rules prevents it from paying Board Members anything other than reasonable expenses.

In the event of the Board discussing a matter which specifically affects a Board Member or an organisation with which he or she is involved, or has direct financial implications for the Board Member or his or her organisation, the Board Member must declare an interest and withdraw from that part of the meeting, unless they are asked to remain. They shall have no vote on the matter under discussion.

All those covered by this Code will follow the above requirements and furthermore, will ensure that they:

- never use their position with the Mid-Wales Housing Group for their own gain or that of family or associates;
- disclose any direct or indirect interest which could influence their judgement or give the impression any Board Member is acting for personal motives;
- withdraw from the meeting room if any matter arises where a potential conflict of interest occurs;
- resign as a Member of the Board if any such breach occurs in relation to their own position;
- never allow themselves to be mandated by any outside body or persons to support, resist or influence a decision of the Board or the exercise of delegated authority by any Board Member or employee;
- advise the Board if they consider another Member to have such an interest;
- never accept gifts or allow extravagance in any entertainment received or given in connection with the Mid-Wales Housing Group's business and always follow its policies on recording hospitality;
- do not seek any special advantage in the use of consultants, contractors, advisors etc. used by the Mid-Wales Housing Group; where such services are used, they would be declared to the Company Secretary before the transaction takes place.

8. GIFTS AND HOSPITALITY

Board Members must not accept from anyone gifts, hospitality (other than official hospitality, such as a reception or working lunch), material benefits or services for themselves or any other person which would, or might reasonably appear to, place them under an improper obligation. Any such offers of gifts, hospitality etc., offered and declined, must be recorded in the Gifts and Hospitality Register.

There are limited situations where gifts and hospitality can be accepted:

- Small gifts of a personal nature offered on a one-off basis to an individual for good service, when, in the individual's opinion, rejection may cause offence (e.g. box of chocolates, pot plant, etc.). However, the recipient must record the gift within the Gifts and Hospitality Register.
- Small gifts of stationery (calendars, diaries, pens, etc.) sent during the festive season, should be handed to the HR department to be included within the charity raffle at Christmas.

No gifts of money should ever be accepted.

9. MANAGEMENT FRAMEWORK

Mid-Wales Housing Group has a Business Plan, which sets down its objectives and targets with policies and procedures covering its main areas of activity. These provide a framework in which fair decisions can be made in all areas.

This approach to management practice, in itself, creates a framework for openness and accountability, which minimises the chance that the Mid-Wales Housing Group's Board Members or employees could be legitimately criticised.

It is therefore the responsibility of Board Members and employees to ensure that the Business Plan is implemented through the members of staff of the Group, and through the agreed policies and procedures, ensuring such are regularly reviewed and their operation reported upon.

10. CONFIDENTIALITY

Information on the work and decisions of the Board will be disseminated to employees and publicised to residents, customers and clients and the Mid-Wales Housing Group's other partners. Within the above policy of openness, however, the confidentiality of residents, customers, clients, employees and agencies with which the Mid-Wales Housing Group works will be respected. Issues that are either commercially sensitive or are personal to individuals and Board Members should be treated with a high degree of confidentiality and respect. These matters include:

- Information relating to our business, organisation, management and future plans;
- Information relating to residents, customers, clients, employees or other Board Members.

As a Board Member, volunteer or employee, you should:

- Handle information in accordance with the law and Mid-Wales Housing Group's policies and procedures;
- Comply with the provisions of the General Data Protection Regulations 2016 which governs the protection of personal data;
- Not disclose, without authority, any confidential business information. This duty continues to apply even after you cease to be a Board Member;
- Not pass or distribute, without permission, information or material relating to the Mid-Wales Housing Group to the press or media or to any other external recipient;
- Store and/or dispose of information about the Mid-Wales Housing Group securely. Papers can be passed to the Governance Officer for confidential shredding;
- Not, without prior authority, appear to represent the view or position of the Mid-Wales Housing Group; write letters to the press or other recipients; write media articles, blog posts or tweets, etc. about Mid-Wales Housing and its activities; make comments or statements to the media – if approached, you must pass the enquiry to the Chief Executive;

- Not prevent another person from gaining access to information to which they are entitled by law.

Board Members who believe these principles are being breached have a duty to draw this to the attention of the Chair, Vice Chair or Chair of the Audit & Scrutiny Committee.

Volunteers or employees who believe these principles are being breached have a duty to draw this to the attention of the Chief Executive, Company Secretary, Chair, Vice Chair or Chair of the Audit & Scrutiny Committee.

11. POLITICAL ACTIVITIES

Our work may take the Group into the political arena but Board Members, volunteers and employees must ensure that its non-political nature is demonstrated and must keep personal political activities totally separate from the work of the Group.

Board Members, volunteers and employees may well be involved, in their private lives, in political activity. At the same time they must be aware that the Mid-Wales Housing Group is, and must remain, a non-political organisation. As such, they must ensure that the Mid-Wales Housing Group itself cannot be brought into the political arena or its reputation or status damaged by their personal political activities.

When making any representations to the Welsh Government, governmental agencies or other relevant bodies, the Mid-Wales Housing Group must clearly be seen as presenting a balanced case in support of its key objectives - to make quality homes affordable to more people in Mid-Wales.

12. BOARD ATTENDANCE AND TRAINING

Any Board Member not attending any Board meetings for six months or at least 75% of meetings for twelve months, unless by agreement, will need to explain the reasons for the low attendance figure with the Chair of the Association or respective subsidiary.

Any attendance lower than 65% in a 12 month period between AGMs, without acceptable reasons, will be deemed to have resigned from the Board.

Where a Board Member is granted a “leave of absence”, this will be for a finite period, after which the leave of absence will be formally reviewed.

Board Members must participate in an individual appraisal and the Board appraisal as a whole.

Board Members must make every effort to attend any additional meetings and away days as organised throughout the year and actively participate in the identified and agreed training and development plan.

13. CONDUCT AT MEETINGS

- Board Members' conduct at meetings must show respect for all and comply with Mid-Wales Housing Group's standards.
- Board Members will have read all of the papers before the meeting and raised any detailed questions by email of the relevant officer if they are unable to attend the meeting.
- Board Members must be courteous to all other attendees and respect the position of the Chair.
- Board Members must not use threatening or aggressive behaviour or act in a disruptive way.
- Board Members must not attend meetings whilst intoxicated or under the influence of drugs.
- When reaching decisions, Board Members must:
 - a) Reach decisions on the basis of merits; and
 - b) Take account of advice from the Chief Executive and other officers and professional advisers where appropriate.
- Once a Board or Committee meeting has properly reached a decision, all Members must share responsibility for that decision, even if a Member did not personally support the decision. Board decisions cannot be revisited for at least six months, unless there is a material change or exceptional circumstances.

14. EQUALITY AND RESPECT

In accordance with the Mid-Wales Housing Group's Single Equality Scheme, the behaviour of Board Members, volunteers and employees will respect the contribution and rights of others, whether Board Members, volunteers, employees, residents, customer, clients and contractors or those with whom the Mid-Wales Housing Group works.

Board Members, volunteers and employees will:

- Comply with the law and carry out their responsibilities in accordance with the Mid-Wales Housing Group's policies and procedures relating to equality and diversity;
- not behave in a racist or sexist manner nor indulge in other unfair discrimination;
- neither encourage nor condone such behaviour in others;
- show respect and consideration for others including employees and volunteers of the Group and other Board Members; positively uphold and defend the Mid-Wales Housing Group's values.

Any Board Member breaching this aspect of the Code of Conduct will be subject to the disciplinary process as outlined in the Board Members' Procedure.

Any employee breaching this aspect of the Code of Conduct will be subject to the disciplinary process as outlined in the Employment Handbook.

15. USE OF RESOURCES

Board Members, volunteers and employees must comply with and not misuse, the Mid-Wales Housing Group's policies and procedures on funds or resources which include employees, information, telephone, computer and other IT facilities, equipment, stationery and transport.

Policies and procedures relating to the acceptable or unacceptable use of email, intranet and internet services when using equipment provided by Mid-Wales Housing Group must be complied with. Amongst other things, these prohibit access to pornographic and/or racist material and the use of unauthorised or unlicensed software.

Board Members, volunteers and employees must only claim reimbursement for expenditure that was properly and reasonably incurred in carrying out the Mid-Wales Housing Group's business. Any claim must be accurate and should comply with the Group's policies and procedures on claiming travel and subsistence expenses.

16. PURCHASING

Board Members, volunteers and employees may not normally use for personal or private business purposes any of the Group's professional advisors, solicitors, architects, surveyors, consultants, buildings maintenance contractors or suppliers of bulk goods or services (except monopolies, such as utilities, water, large supermarkets, etc.) Where this is unavoidable, they must ensure they inform the Company Secretary so it can be dealt with in accordance with the Group's procedures and confirm that no financial advantage will be secured as a result of their relationship with the organisation. The use of such firms must be recorded in the annual declaration of interest.

17. DATA PROTECTION

Board Members, volunteers and employees may be in receipt of personal data. Under the requirements of Data Protection (strengthened following the General Data Protection Requirements (GDPR) published in 2016), anyone receiving personal data needs to ensure they are entitled to receive such data, and ensure it is kept safe and secure and only kept for as long as needed.

If anyone receives personal data that they believe is not appropriate for them to receive, the Data Protection Officer (Company Secretary) should be notified.

The comprehensive requirements concerning data protection is outlined in a separate Guidance note.

18. WHISTLEBLOWING

Board Members, volunteers and employees have a number of ways in which they can raise genuine concerns. However, in the spirit of openness and transparency the Mid-Wales Housing Group has adopted a Whistleblowing Policy. If any Board Member, volunteer or employee, in good faith, believes someone within the organisation is not acting in the best interests of the Group and not following the Code of Conduct then this can be raised through the Whistleblowing procedure.

If a Board Member or volunteer has a concern this should be raised with an Executive Director, or Company Secretary. If they feel unable to do so, the concern should be raised with the Chair of the Board, Deputy Chair of the Board or the Chair of the Audit & Scrutiny Committee. Where there is a formal whistleblowing concern, this should be raised with the Chair of the Audit & Scrutiny Committee.

Where employees have a concern, this should be raised with their line manager, or if they feel unable to do so, raised with any Executive Director, Chair of the Board, Deputy Chair of the Board or the Chair of the Audit & Scrutiny Committee. Where there is a formal whistleblowing concern, this should be raised with the Chair of the Audit & Scrutiny Committee.

19. FAILURE TO FOLLOW THE CODE OF CONDUCT

Board Members, volunteers and employees should recognise that failure to follow this Code of Conduct may damage the Mid-Wales Housing Group's reputation and its work and so will be viewed as a disciplinary matter.

In the event of an alleged breach of the Code of Conduct by a Board Member or volunteer, 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 Mid-Wales Housing Group's Rules.

In the event of an alleged breach of the Code of Conduct by an employee, any investigation or action will be initiated by the Chief Executive or Company Secretary. Subsequent action will be considered in accordance with the Mid-Wales Housing Group's Employee Handbook.

Strategic Risk Factors	SR18GV/001 – Governance and Leadership SR18CR004 – Care & Repair Board of Governance	
Equality Impact Audit	How does/will this policy ensure needs are met fairly particularly with regard to race, gender, disability etc.?	It establishes a clear set of rules, to ensure their actions are, at all times, transparent and professional.
	Is it felt that this Policy might affect different groups adversely. If so what is the justification for this, and is it legally permissible?	This Policy applies equally to all those involved with the Group; Board Members, volunteers and employees. Therefore, it is not felt that any elements of this Policy will mean any individual with any protected characteristic will be disadvantaged by any element of the Policy.
	Have any representative groups in the locality been asked for their opinion and if so what was the outcome?	NO
Resident and Client Engagement	How does/will this policy ensure the needs of residents, customers and clients are met?	This Policy concerns the behaviour of all involved with Mid-Wales Housing Group. It is designed to support and encourage open and transparent behaviour and therefore support effective service delivery. In particular, the quality and effectiveness of the Board and governance generally, has a direct relationship on the operation of the Group. In addition, ensuring residents are represented upon the Board and Committees, by individuals of appropriate calibre, will ensure the interests of residents are reflected in the decision making.
	How is it felt this Policy will impact on the rights and obligations of residents, customers and clients?	It will not have any direct impact upon the rights or obligations of residents, customers and clients
	Have residents, customers and clients been consulted and were the outcomes of that consultation taken into account when considering the introduction of this Policy?	NO. This was not one of the Policies TaRF requested to review. However, given the Policy applies to volunteers it also encompasses TaRF Members.

Schedule 1 Requirements

The text of paragraph 2 of Schedule 1 to the Housing Act 1996, to which the regulations apply is as follows:

“A registered social landlord (RSL) which is an industrial and provident society or a company registered under the Companies Act 1985 shall not make a payment or grant a benefit to:

11. an officer or employee of the society or company;
12. a person who at any time within the preceding twelve months has been a person within paragraph (a),
13. a close relative of a person within paragraph (a) or (b), or
14. a business trading for profit of which a person falling within paragraph (a), (b) or (c) is a principal proprietor or in the management of which such a person is directly concerned;
15. Except as permitted by this paragraph.

The following are permitted:

- a) payments made or benefits granted to an officer or employee of the society or company under his contract of employment with the society or company;
- b) The payment of remuneration or expense to an officer of the society or company who does not have a contract of employment with the society or company;
- c) any such payments as may be made in accordance with paragraph 1 (2);
- d) the grant of renewal of a tenancy by a co-operative housing association;
- e) where a tenancy has been granted to, or to a close relative of, a person who later became an officer or employee, the grant to that tenant of a new tenancy, whether of the same or another house;
- f) Payments made or benefits granted in accordance with any determination made by the Corporation.”

The law is such that payments to officers and staff are prohibited unless expressly allowed by regulations. The only payments that can be received are those under terms of contract or approved expenses schemes and any tenancy arrangements must be under normal usual conditions.

The Determination does not define a ‘close relative’. The guidance from solicitors Trowers and Hamblins is this term ‘should continue to be interpreted in its widest sense to include cohabitees, grandchildren, nieces and nephews’.

There are a number of specific payments and benefits that are allowed and these are the ‘exceptions’ as outlined in the Determinations issued; originally by the Housing Corporation and now in Wales by the Deputy Minister for Housing and Regeneration. The full details of the current exceptions in circular RSL 005/10 are available. However, in summary they are as follows:

- 1st permits employment of close relative
- 2nd permits the re-employment of a former employee
- 3rd permits granting of tenancy to employee, former employee or close relative
- 4th permits granting a tenancy to officer or close relative with consent of WG
- 5th permits purchase of house from officer, employee, former officer, former employee, or close relative with consent of WG
- 6th permits payments to other organisations where the RSL's officers and employees involved providing they are not directly involved in the procurement or contract management and 'proper' procurement processes have been followed.
- 7th permits any payment or benefit up to £500
- 8th permits officers, employees and close relatives to participate in WG Homebuy or similar schemes
- 9th permits fully mutual or tenant-based associations to pay former officer or employee or close relative to carry out casual work
- 10th permits a maximum of one year's gross remuneration to be paid to departing employees outside their contracts of employment, by reason of early retirement, redundancy or restructuring for efficiency gains
- 11th permits a maximum of £50,000 to be paid in full and final settlement of employment related disputes, providing appropriate professional advice has been received. The tax free element is still restricted to £30,000
- 12th permits indemnity against costs, to be given to officers, in connection with civil or criminal proceedings which relate to negligence, default, breach of duty or breach of trust in relation to the RSL. Providing officer not found guilty
- 13th allows RSLs to provide services, such as older person's support, adaptations or renewable energy
- 14th allows RSLs to operate incentive schemes which will benefit shareholding members, such as cash incentives for moving into more suitable accommodation

On an annual basis the Group needs to notify the regulator of how many payments or benefits have been granted against each of the exceptions. This statement must be made by 31st May each year.

In addition to the need to report any exempt payments or benefits made, the Group needs to ensure any applicant for accommodation or employment declares if they are an officer, employee, or close relative of the Group. An appropriate question needs to be included on the respective application forms. This is not a new provision, and the question is already included on the Group's application forms. Such disclosures must be declared in the Group's annual statement to WG.

Mid-Wales Housing Group Limited

**BOARD MEMBER, VOLUNTEER OR EMPLOYEE
DECLARATION ON THE CODE OF CONDUCT**

Please return your completed declaration in the enclosed prepaid envelope.

Please note that non-completion of this declaration will result in your Membership of the Board being withdrawn and you will not be able to attend Board and Committee meetings.

As a Board Member, volunteer or employee of the Mid-Wales Housing Group, I agree to meet my obligations to the Board of Mid-Wales Housing Association and/or to the Board of Care & Repair in Powys, to comply with the Rules of the Mid-Wales Housing Group and to abide by this Code of Conduct.

Name:

Signature:

Date:



Gofal a Thrwsio ym Mhowys
Care & Repair in Powys

DECLARATION OF INTERESTS 2018-19
MID-WALES HOUSING GROUP

(Incorporating Mid-Wales Housing Association and Care & Repair in Powys)

The Mid-Wales Housing Group (MWHG) incorporating Mid-Wales Housing Association (MWhA) and Care & Repair in Powys (CRP) is required by its Rules and by the Welsh Government to keep a Register of Interests (financial or otherwise) that Board Members, volunteers or staff have in projects or other activities. It is necessary to ask everyone to disclose any such interests on an annual basis. For example, if a Board Member, volunteer or member of staff has a financial interest in land that the Association intends to purchase, or has a close relative who is a director of a building firm that the Group employs, the Board Member, volunteer or member of staff concerned should declare an interest and take no part in any discussion relating to the project or firm (unless requested to remain in the meeting by the Board or Committee). This is for the benefit of both the Group and the individual and will ensure that no conflict or duality of interest will arise.

Please indicate below if you have any interest in any of the projects or other activities currently being undertaken by the Group, or any connection with any consultant or contractor currently employed by the Group (please see the list at Appendix 1, though please note that this list is not exhaustive).

NOTE: Members, volunteers and staff who have been granted a tenancy licence or lease by Mid-Wales Housing Association do not need to record this as an interest, as this is not regarded as an interest under the Association’s Rules.

I declare that I have no interest in any of the projects presently being undertaken by the Group or in any of the consultants or contractors presently employed by the Group.

I have an interest to declare, details of which are given below:

Please tick one of the above boxes.

.....

.....

.....

MID-WALES HOUSING GROUP

Direct Interests – Board Member, Volunteers and Staff Declaration

The Rules of Mid-Wales Housing Group (MWHG) require that you ensure it has, at all times, an up-to-date list of:

1. All bodies trading in which you have an interest as:
 - a) a director, officer or senior employee;
 - b) a member of a firm (such as a partner or part-owner of a business);
 - c) the owner or controller of more than 2% of a company, the shares in which are publicly quoted or more than 10% of any other company.
2. All interests you have as an official or elected member of any statutory body;
3. All interests you have as the occupier of any property, owned or managed by Mid-Wales Housing.
4. Any other significant or material interest.

Name	
Name of company, firm, business or statutory body where you have an interest as a director, board member, principal proprietor or owner, or have had an interest in the last 12 months.	
Nature of relationship/interest in that company, firm, business or statutory body (e.g. director, senior employee, job title, or councillor/officer of a local authority).	
Please describe the transaction between the interest above and MWHG, plus its value and any outstanding balances.	
If you are a community, town or county councillor, are you aware of any dealings between the council or MWA and/or CRP and the organisation listed above in the last 12 months? Or any proposed dealings involving MWA and/or CRP? If so, please provide details.	
Do you have a close relative, who is the principal proprietor of, or involved in the management of a profit-making organisation which may want to do business with MWA and/or CRP in the future? If you do, please name that person here and give details on the separate declaration overleaf (page 3).	

MID-WALES HOUSING GROUP
Close Relatives' Interests

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 (i.e. "in-laws"). Please provide details for each close relative where they hold such a position by completing the declaration form below (please use separate sheet of paper if necessary).

Name	
Name of close relative	
Nature of relationship (e.g. brother, etc.)	
Name of company, firm, business or statutory body where close relative has an interest as a director, board member, principal proprietor or owner, or have had an interest in the last 12 months.	
Nature of relationship/interest by the close relative in that company, firm, business or statutory body (e.g. director, partner, part owner, etc.)	
Please describe the transaction between the interest above and MWHG, plus its value and any outstanding balances.	
If your close relative is a community, town or county councillor, are you aware of any dealing between the Council or MWA and/or CRP and this organisation in the last 12 months or any proposed dealings involving MWA and/or CRP? If so, please provide details.	
Are you aware that a close relative is on MWA's housing waiting list/might apply for housing or has applied for assistance from CRP? If so, please provide details:	
Does your close relative occupy a property which is owned or managed by MWA? Are they the tenant or leaseholder? If they are not the named tenant or leaseholder please specify the basis of their occupation of the property.	
Has your close relative received service or assistance from CRP in the last 12 months? If so, please provide details:	

DECLARATION

I understand and accept the requirement placed upon me as a Board Member, Volunteer or Employee of the Mid-Wales Housing Group to act only in the interests of the Group whilst engaged on company business, not to use my position as a Board Member, Volunteer or Employee to obtain personal gain and to declare any and all private and personal interests that might conflict with these requirements. I declare the information as set out above to be true and correct to the best of my knowledge.

NAME:

SIGNED:

DATE:

If you have any queries in relation to the completion of this form please contact the Company Secretary as follows:

Charles Brotherton
Tel: 01686 620502
Email: cbrotherton@mid-walesha.co.uk