



# Code of Conduct for Board Members

<b>Overview:</b>	This policy sets out the criteria for how Board Members conduct themselves.
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# **Eldonian Community Based Housing Association**

## **Code of Conduct for Members**

### **1. Introduction**

The Eldonian CBHA as a responsible registered social landlord has the following policy as to the conduct of its Board of Management (which includes co-opted members) which takes into consideration the recommendations of the National Housing Federation, the rules of the Association and all relevant legislation.

The purpose of this is to set standards to which Board Members must adhere and provides a procedural framework.

It is the duty of the Secretary to ensure compliance with the policy and that Board Members are provided with sufficient training and information to enable them to discharge their responsibilities. It is incumbent on each Board Member to observe this policy.

Schedule 1 of the Housing Act

Schedule 1 of the Housing Act imposes certain conditions on the relationship between the Eldonian CBHA and its Board Members. The principle behind the legislation is that members, their relatives, and close associates should not benefit in any way from the member's involvement with the Association. In brief the effect of the Act is to prevent employment of Board Members (or their relatives) by the Eldonian CBHA and only to permit rehousing of these people in certain circumstances.

### **2. Declarations of Interest**

Board Members must:

- i) Ensure that private or personal financial interest never influences their decisions and never use their position as Board Members for personal gain of any sort.
- ii) Disclose to the Secretary in writing precisely any direct or indirect pecuniary interest or other interest which is not pecuniary, but which could influence their judgment or give the impression that the Board Member was acting for personal motives.
- iii) Withdraw from any discussions at any meeting, in which the Board Member could be regarded as having an interest. If during a Board meeting, an item arises in which a Board Member could be regarded as having an interest, they shall declare an interest and shall withdraw from the Board meeting for the duration of that item, unless requested by the Board to remain. If invited to remain during that item they shall not participate in any discussion or voting. Where such a conflict is likely to recur on a frequent basis, the Board Member should offer to resign.
- iv) Cease to be a Board Member if they have any business interest relating to the work of the Association which directly or indirectly gives continuing personal advantage and which offends Schedule 1 of the Housing Act 1996. If a Board Member considers that another member has

such an interest, they have a duty to advise the Secretary of the Association, who will advise the Board accordingly.

- v) Not gain any special advantage by virtue of Board membership if they use the services of a consultant, contractor, professional advisor or other individual or firm that is employed by the Association. Where a Board Member knowingly uses the services of any such body or individual the arrangement must be declared to the Secretary without delay, preferably before the transaction takes place in order that it can be recorded. This section does not apply where the body or individual is a statutory undertaking or a monopoly supplier and acknowledged as such by the Association's Management Board.

The statement above is intended to cover not just the obvious area of direct pecuniary interest but also:

- i) Non-pecuniary interests such as kinship, friendship, membership of any association, society or trade union, trusteeship and many other kinds of relationship which can influence judgment and give an impression, rightly or wrongly, that there may be a personal motive.
- ii) Significant shareholdings or investments in companies, partnerships, building societies etc.
- iii) Pecuniary or non-pecuniary interests of a member of the family or a close associate. Given that associations must be seen to be publicly accountable, it is impossible to define all circumstances, but Board Members must decide whether others might be reasonably believed that they are influenced. As such, if in any doubt, Management Board Members must disclose an interest.

### **3. Register of Interests**

The Association shall maintain a register that will contain:

- A record of individual Board members which records their employment, positions of public responsibility, membership of other housing associations and any other financial interest they or their direct family/close associates may have which relates to the work of the Association
- A record of exemptions which records all cases where a benefit has been granted but which is exempt under the provisions of Schedule 1 of the Housing Act 1996.

This information is required by the Tenants Services Authority and is available on its public register. It will also be available at the Association's office on request.

#### **Housing of Board Members and their Close Relatives**

In general terms the offer of an Eldonian CBHA tenancy to an Eldonian CBHA Board Member or his/her relative is considered a benefit and therefore not permitted under Schedule 1 of the Housing Act 1996.

However, certain exemptions can exist, but before any formal offer of a tenancy is made approval will be sought from the Tenants Services Authority.

In any such case the Board Member concerned must declare an interest as soon as the

circumstances are known to them and ensure that they have no involvement whatsoever in the consideration of the application for housing.