



Conflict of Interest Policy & Procedure

Introduction

Throughout this Policy and linked Procedures the term 'The Association' is used to define both Ore Valley Housing Association and its Subsidiary companies within the Ore Valley Group.

The Ore Valley Group seeks to contribute to the sustainable regeneration of communities, through the provision and management of high quality affordable housing, associated services and wider role projects.

The Association considers the establishment of links between its employees, Board members and outside bodies as important, it is not only in the public interest but also benefits the Association and the individuals concerned. It is however possible that such links may give rise to potential conflict of interest and it recognises that conflicts of interest, either actual or potential, will impede the management of the Association, will undermine public confidence in the organisation and could result in fraud or deception.

The Association will adopt this policy in order to ensure that any potential conflicts of interest are clearly recorded, managed and as a consequence staff and/or Board members may be excluded from discussions about any issue where there is a potential conflict.

Declarations of Interest Register

The declaration of interests will be a standing item at every Board or Committee meeting within the Ore Valley Group, to enable staff and Board members present to declare their interest in any of the matters to be discussed at that meeting. Staff or Board members will not participate in any proceedings in which they have a conflict or potential conflict of interest. They may be required to withdraw from the part of the meeting when any such item is being discussed or may simply be excluded from the discussion, this will be at the discretion of the Chair of the meeting. The approach taken will be recorded in the minutes.

Where conflicts of interest are substantial or frequent, the Board member involved should discuss with the CEO and Chairperson and discuss options, including consideration of resignation.

Staff or Board members can approach the Chief Executive Officer at any time to have a potential conflict of interest recorded in the Register.

Breach of Policy

Any breach of this Policy should be reported to the Chairperson, Secretary or CEO of the Ore Valley Group, who will ensure that it is included on the agenda of the next Board meeting, so that appropriate action can be considered.

Links with Other Policies

This Policy document must be considered in conjunction with the following:

- Ore Valley Housing Association's Rules
- Ore Valley Housing Association's Standing Orders
- Relationship Agreements between the Association and the Subsidiary companies
- Scheme of Delegation
- Membership Policy

- Code of Conduct for Committee and Staff
- Gifts and Hospitality Policy
- Committee Expenses Policy
- Equalities Strategy

Conflict of Interest Procedures

Introduction

It is not possible to provide a comprehensive definition of circumstances, which necessarily give rise to a conflict of interest, but the following are examples of situations giving rise to perceived conflict of interest. The list is not exhaustive, and in any situation where an individual is uncertain as to the propriety of a given arrangement, advice may be sought from the CEO or Chairperson of the Board.

General examples

- The use of the Association's facilities to pursue personal business, commercial, or consulting activities
- A financial interest held by an individual (or by his or her immediate relative/s or household member/s) in an external agency engaged in activities closely related to that individual's responsibility to the Association. The existence of such an interest does not necessarily imply conflict, but is likely to give an appearance of conflict, and should be declared (as is set out in more detail later in this statement);
- A personal involvement in any company or commercial enterprise which is in a contractual relationship with the Association or which is in the process of negotiating the terms and conditions of a contract with the Association, where the individual has been concerned or connected with the placing or negotiation of the contract in question or with the research or other activity which the contract might cover.
- There are in addition certain circumstances which the Association feels give rise to such clear conflicts that it has adopted the specific rules which are set out below.

Executive Directorships

It is the policy of the Association that no member of staff or Board member shall hold any executive directorship. Approval of the holding of such directorships may be given in the following circumstances;

- Where a member of staff or Board / Committee has satisfied the Board on Conflict of Interest, that the holding of an executive directorship is or will be necessary in order to satisfy set requirements
- Where the Board is satisfied that approval will be justified on other grounds
- For the purpose of this guidance, an executive directorship is one involving an active management role, in the company concerned.

The holding of directorships and shares by administrative officers of the Association

'Administrative officers' for the purpose of these rules means members of staff and Board / Committee of the Association and its Subsidiaries.

Unless formally nominated by the Association to do so, no administrative officer shall serve in a personal capacity as director or other officer of a company or commercial enterprise; the establishment of which arose out of or was connected with work done by the Association; or any company or commercial enterprise in a contractual relationship with the Association; where the administrative officer was concerned or connected with the placing or negotiation of the contract in question.

Any administrative officer nominated by the Association to serve as the director of a company, shall be deemed to accept the nomination in the discharge of his or her duties as an employee of the Association, and shall decline to accept any director's fee.

No administrative officer shall hold any shares in a company; the establishment of which arose out of or was connected with work done in the Association, or any company in a contractual relationship with the Association; where the administrative officer was concerned or connected with the placing or negotiation of the contract in question, unless such shares have been acquired following the listing of the company on a recognised stock exchange.

Board Responsibility

The Association's Board will be deemed the body, which will be responsible for overseeing the Association's Conflict of Interests. The remit of the Board is as follows:

- to monitor the operation of the Association's policy on conflict of interest and to make recommendations in the light of experience, and of 'good practice' guidelines published by outside bodies;
- to review annual declarations of interest and seek further clarification or take action as required;
- to determine requests for approval for the holding of executive directorships, or other directorships where there is concern as to a possible conflict of interest.

Declarations

It is the duty of all employees and Board / Committee Members to disclose any actual or potential conflict of interest. The procedures for certain disclosures are laid out below. Every year all staff and Board members will be required to sign a statement on conflicts of interest. Failure to disclose an actual conflict of interest may result in disciplinary action.

A declaration will be taken at every Board / Committee meeting noting Conflict of Interests involving members.

A confidential record of all declarations made will be maintained centrally by the Corporate Support Team on Conflict of Interest. In addition to declarations made under the above procedures, records will be updated on an annual basis where staff and Board members shall be required to provide updated information on request.

When a Board member has a conflict of interest between the work of the Group and their own employment responsibilities on specific issues, which may compromise the duty to act in the best interests of the Board, these cases will be discussed by the Chairperson and CEO and the approach to managing the conflict will be confirmed in writing.

In the event that a conflict of interest or a potential conflict of interest has been disclosed, the individual concerned shall discuss a possible resolution with the CEO or Chairperson of the Board.

Disclosure

Persons with bona fide and substantial reasons to inspect declarations shall be allowed access to the register of declarations, at the discretion of the CEO or Chairperson of the Board.



STAFF AND BOARD MEMBERS CONFLICT OF INTEREST FORM

The Association has statutory obligations under Schedule 7 of the Housing (Scotland) Act 2001 and must comply with the Code of Practice. The law restricts the payments and benefits that Housing Associations can grant to Board members, Members of the Association, employees, their close relatives or any business trading for profit that these people own or manage.

This form was reviewed in October 2020 and the information requested is relevant to the purposes for which it will be used and complies with the requirements of the Third Data Protection Principle.

General Data Protection Regulations 2018

Individual Members of the Board and Employees are required to provide the information listed below to allow the Register of Interests to be maintained. Thereafter, the Register will be updated annually or when a change of interest is notified. The organisation will treat your personal data in line with our obligations under the current data protection regulations and our own Privacy Policy. Any information you provide will be used only for the purposes of monitoring Board Member and Employee interests and providing required monitoring information for regulatory purposes. Further information is provided in The Ore Valley Group's employee Fair Processing Notice.

By signing this form you agree to your personal information being used for these purposes. All information you provide will be held in secure files. You may ask to see a copy of the information about you held in these files.

Should your membership/employment of/with the Association cease, the information you provide will be retained in accordance with the principles outlined in the Data Protection & Document Retention Policy and guidance referred to therein.

Equal Opportunities

OVHA is an equal opportunities organisation and ensures equality of treatment for all customers without discrimination or prejudice based on a persons age, disability, gender reassignment, marriage and civil partnership, race, religion or belief, pregnancy and maternity,sex and sexual orientation.

The Association will always seek to follow best practice in order to ensure that the above group needs are understood and implemented.

Personal Details

Name	
Address	
Postcode	
Job Title or Board Member	
Relationship to any current employee or Board Member of Ore Valley Housing Association or Group.	

NOTE - Throughout this Conflict of Interest form, the term 'The Association' is used to define both Ore Valley Housing Association and all of the Subsidiary companies within the Ore Valley Group.

Goods & Services Register

Please confirm appropriate details provide information if you purchase goods or services from one of our approved contractors or framework agreement partners (**see Appendix 1 for a list of approved contractors and suppliers**):

Relationship with any contractor or consultant currently being used by the Ore Valley Group:	
Position of public responsibility, (e.g. councillor, member of voluntary committee):	
Membership of other Housing Association or Co-Operative:	
Any appointment held with private or public limited companies, either by membership or through their spouse/partner:	
Directorship, (including non-executive), held in private or public limited companies either by membership or through their spouse/partner:	
Shareholdings in companies or organisations, likely to seek or do business with the Ore Valley Group either by membership or through their spouse/partner:	

Membership of a political, campaigning or other body whose interests and/or activities may affect our work or activities:	
Ownership of, or interest in, property or land in which the Ore Valley Group might have a future development interest either by membership or through their spouse/partner:	
Any other interest, which may be relevant to declare, (e.g. if you or a relative are a tenant of the Ore Valley Group, with details of name and address etc.)	

Declaration

I declare that I have received a copy of Ore Valley’s Conflict of Interest Policy & Procedures dated September 2017 and agree to abide by the terms and conditions contained therein.

Staff Member (* Please delete as appropriate)

Name:

Signature:

Date:

Notes

- This Register will be retained by the Corporate Support Team and will be made available for inspection on request
- Changes to the Register must be intimated to the CEO as they occur
- If any Board or staff member is in any doubt as to the materiality of his\her interest, it would be preferable for it to be declared.

Appendix 1 - Contractors, Suppliers, Consultants and Partner Organisations

Contractors	Consultants & Suppliers	Partner Organisations	Other
Kingdom Gas Rogersons Heating & Plumbing Premier Services Ritchie Builders EPC Scotland Ltd Robertson McGregor C.Gibson Clear View Fife Ltd Shine RB Grant Fife Aerial Services Stannah Stairlifts Everwarm Ltd. Richard Street Ltd. (Purvis Group) Rothes Fencing Lowes Logistics Sharp Construction Schindler Lifts	Bird Simpson & Co Thorntons-Law TC Young LLP Cheine & Tate Dorothy McKinney HR ECD Architects Brightridge (IT) Research Resource Bayne Stevenson Associates Ltd F3 Building Surveyors Royal Bank of Scotland Scottish Building Society Triodos Bank Social Investment Scotland Caron Quinn Internal Audit Bruce Stevenson Insurance Resource Telecom Adonis IT (web hosting) Hardies and Shepherds Ltd. David Adamson + partners ltd Technology Telecom Locogen Greenbank Acc. Services Konica Minolta 8x8 Vodafone/YellowCom SDM Google Integrator + Systems	Fife Housing Group Fife Council Glen Housing Association Kingdom Housing Association OV Community Initiatives Ltd. OV Enterprise Ltd. Cardenden Heat and Power Ltd. OV Energy Ltd. OV Heating Ltd.	

Andrew Saunders

Review Date: Oct 2020

Next Review Date: Oct 2025