

Declaration of Interests Policy

Reviewed: Jun 2022
Next Review: Jun 2025



ROSEHILL HOUSING ASSOCIATION LIMITED
250 Peat Road, Glasgow, G53 6SA

1. Purpose of this Policy

- 1.1 This Policy describes how Rosehill will ensure that all relevant interests of members of the Management Committee and Staff are declared and managed in a transparent, accountable way. Unless stated otherwise the reference to “Our People” includes Committee and Staff.
- 1.2 The subject of declaring interests is covered in our Entitlements, Payments and Benefits Policy and our Codes of Conduct for Committee and Staff. The purpose of this policy is to supplement the information in these other Policies and provide further information about the declaration and management of relevant interests.

2. Regulatory Requirements

- 2.1 We must comply with the Scottish Housing Regulator’s requirements including the Standards of Governance and Financial Management when conducting the business of Rosehill. The following requirements are relevant to this Policy and must be adhered to:

Standard 1 - The governing body leads and directs the RSL to achieve good outcomes for its tenants and other service users.

1.6 - Each governing body member always acts in the best interests of the RSL and its tenants and service users and does not place any personal or other interest ahead of their primary duty to the RSL.

Standard 5 - The RSL conducts its affairs with honesty and integrity.

5.1 - The RSL conducts its affairs with honesty and integrity and, through the actions of the governing body and staff, upholds the good reputation of the RSL and the sector.

5.2 - The RSL upholds and promotes the standards of behaviour and conduct it expects of governing body members and staff through an appropriate code of conduct. It manages governing body members’ performance, ensures compliance, and has a robust system to deal with any breach of the code.

5.4 - Governing body members and staff declare and manage openly and appropriately any conflicts of interest and ensure they do not benefit improperly from their position.

5.6 - There are clear procedures for employees and governing body members to raise concerns or whistleblow if they believe there has been fraud, corruption, or other wrongdoing within the RSL.

- 2.2 To ensure compliance we are expected to have a clear policy and procedures in place which make sure Rosehill acts with transparency, honesty and propriety and avoids any public perception of improper conduct.

3. Other Relevant Policies

- 3.1 This Policy is linked with the following Policies:

Entitlements, Payments and Benefits
Codes of Conduct: Committee and Staff
Gifts and Hospitality
Prevention of Fraud and Anti-Bribery
Whistleblowing

4. Obligations of Our People

- 4.1 Committee and Staff should declare all interests that could be seen by others as influencing their actions or decisions. Even if it is established afterwards that there is no conflict of interests, an open approach to declaring interests will protect our people and Rosehill against any impression that decisions have been made improperly or for personal motives.

5. Putting these obligations into practice

5.1 Declaring Interests

- 5.1.1 New Committee Members and Staff are required to complete a Declaration of Interests Form as part of their induction process. The form is a record of any interests our people or anyone connected to them have which are relevant to our business and/or activities. Thereafter, all Committee and Staff are required to review their forms annually,
- 5.1.2 From the information gathered from the Declaration of Interests Form, we will maintain a Register of Interests. As a minimum the Register will be reviewed as part of the annual review of declared interests. However, it is the personal responsibility of our people to ensure their entries on our Register are kept up-to-date, by declaring any changes as soon as they occur or they become aware of them e.g. any changes to existing declared interests or any new interests that arise. The Register is published on our website.
- 5.1.3 Committee Members must declare if they have an interest in any business to be discussed or considered at a meeting of the Management

Committee or a Sub-Committee. To assist with this, Declaration of Interests is a standing agenda item at the start of each meeting.

- 5.1.4 If a Committee Member declares an interest, they will play no part in the consideration, discussion, and decision-making; they must withdraw from any part of a meeting where the interest arises and play no part in the discussion. Our Rules require that any Committee member who has an interest in a matter that is being considered withdraws from all discussions and plays no part in decision-making.
- 5.1.5 Any interests declared at Management Committee or Sub-Committee meetings will be recorded in the minutes of the meeting. If the Management Committee decides that a potential conflict of interest exists, the minutes of the meeting will also record the Committee's decision about how the conflict should be managed.

6. What type of interests must be declared?

- 6.1 Our people must declare any outside activities/interests and any personal relationships that could affect – or be seen by others to affect - the way they carry out their duties.
- 6.2 Examples of the types of interests that must always be declared include:

- **Membership of other organisations** that have a relationship with Rosehill.

For example, if any of our people hold positions of responsibility in, or are members of, other community organisations.

- Any **financial interest** (direct or indirect) in a contract or proposed contract involving Rosehill.

For example, if a business owned or managed by one of our people or one of their family members or close friends is seeking work from Rosehill.

- Any **non-financial interests or relationships** that could make it difficult for the person to be objective, or that could give others the impression that they may be acting for personal motives or for the benefit of family members, friends, or any other organisation of which they are a member.

For example, if a committee member has a family or other personal relationship with another committee member or employee. Or if a

committee member is due to attend a membership Sub-Committee meeting at which a relative's membership application is to be considered.

- 6.3 Our Entitlements, Payments and Benefits Policy sets out who else our people should consider when declaring interests and covers two groups: Members of their households and Partners, Relatives and Friends. In terms of household members, our people are expected to be aware of and declare any relevant interests of those members. In relation to the second group, our people are also expected to be aware of and declare any relevant interests of those people where they have a close connection and are in regular contact. If there is no close connection or regular contact, our people are not expected to be aware of or go to unreasonable lengths to identify any relevant interests/actions. However, if they happen to become aware of relevant interests/actions they must declare and manage these as soon as possible.

- For example, a committee member might be involved in a staff recruitment process and become aware that they know one of the job applicants. In this situation, the correct course of action would be for the committee member to declare an interest and withdraw from the recruitment process.

- 6.4 Our Entitlements, Payments and Benefits Policy also sets out what payments and benefits are permissible, some of which will require our people to declare an interest. For example, if a relative of a Committee Member is being considered for a tenancy or a relative of a staff member has applied for a job at Rosehill. The Policy sets out the required processes to be followed in such cases.

7. Dealing with any interests that are declared

- 7.1 If a committee member has any commercial business interests relating to the work of Rosehill, they will be required to resign their position as a committee member. Committee members who have other types of major or ongoing conflicts of interest should also consider resigning.
- 7.2 Where a committee member has declared an interest, the remaining members of the committee will consider whether there is any conflict of interests involved and, if so, how it should be managed. A conflict of interests is a situation in which the member's objectivity would be affected (or could be seen by others to be affected) if they were to participate in the Committee's decisions on a particular matter.

7.3 Committee members will **always** be required to withdraw from committee meetings because of a potential conflict of interests, if the matter for discussion involves:

- The committee member's individual circumstances or the circumstances of anyone with whom the committee member has a family or close personal relationship;
- Any permitted payments or benefits under the Entitlements, Payments and Benefits Policy that are linked with the requirement to declare.

7.4 Otherwise, the remaining Committee members will take account of the interests that have been declared and whether a material conflict of interests arises. Depending on these factors, the remaining members of the Committee may either:

- Ask the member concerned to withdraw from that part of the meeting;
- Allow the member to remain, but not take part in the Committee's final decision.

7.5 A declaration or conflict of interest will not by itself prevent the Management Committee from approving a particular course of action, if the course of action is lawful and is consistent with the policies of Rosehill and in the best interests of the organisation and its tenants.

7.6 If decisions will benefit one of our people personally or any person or organisation with whom they are associated, the Management Committee will also take account of how others may perceive its decisions. For example, could a decision be defended to Rosehill's tenants and Regulators, or in the face of media interest?

8. Complying with the Policy

8.1 Complying with this Policy is an essential requirement for all of our people. Failure to follow the Policy may be deemed as a breach of the Codes of Conduct and result in appropriate action being taken against the individual. If committee members are unsure about whether they need to declare an interest, they should seek advice from the Chair or Director. In the case of a staff member, they should seek advice from the Director or the Corporate Services and HR Manager.

9. Risk Management

9.1 In all key areas of our business we need to consider any risks which may arise. To this end we have in place a robust Risk Management Policy and from this flows our Risk Register. We have identified our

material risks which are regularly monitored by our Management Team and Audit Sub-Committee.

9.2 Strong and effective Governance is fundamental to Rosehill's success as a business and to upholding its reputation. We recognise that not having a raft of governance policies and processes in place and ensuring adherence to them can lead to a number of risks including: poor governance, lack of confidence by our tenants, other service users and stakeholders; reputational damage and Regulatory intervention.

9.3 To mitigate such risks it is essential that we have a clear and comprehensive policy in place governing the declaration and management of relevant interests, which will ensure Rosehill acts with transparency, honesty and propriety and avoids any public perception of improper conduct.

10. Data Protection

10.1 On the 25th May 2018 the legislation governing data protection changed with the introduction of the General Data Protection Regulation (GDPR). Following the UK's exit from the EU, and the end of the transition period which followed, the GDPR formed part of the retained EU law and became the UK GDPR which together with the Data Protection Act 2018 constitute the UK's data protection legislation.

11. Equality and Diversity

11.1 We are committed to ensuring equal opportunities and fair treatment for all people in our work. In implementing this Policy, we will provide a fair and equal service to all people, regardless of age, disability, gender reassignment, marriage and civil partnership, pregnancy or maternity, race, religion or belief, sex, or sexual orientation.

11.2 Rosehill is committed to removing any barriers to communication. Therefore, if required this Policy can be produced in another format e.g. braille, large print, etc. In addition, where English is not the tenant's first language, Rosehill will provide on request written information in the required language.

12. Review

12.1 This policy will be reviewed as a minimum every 3 years or sooner if required to ensure it continues to reflect our needs and regulatory requirements.



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Registered Scottish Charity, No. SC053776. Company Registration No. SP02220R.
A registered society under the Co-operative and Community Benefit Societies Act 2014 No. 2220R(S) and with
The Scottish Housing Regulator (Number HAC174).

ROSEHILL HOUSING ASSOCIATION LIMITED DECLARATION OF INTERESTS FORM

This form should be completed to record any interests you may need to declare under the Code of Conduct. Leave blank any boxes that are not relevant to the declaration you are making.

Your Name

Date of Declaration

Details of the Declaration

No interests which need to be declared (please tick the box opposite, then sign the form), **OR**

Do you, your spouse/partner or any family members have any involvement with any business trading for profit that:

- Currently works for Rosehill?
- May seek work from Rosehill in future?

If yes, please give details of the business involved, and the position (e.g. proprietor, manager, other employee) held by yourself or the person covered by the declaration

Please give details if you are related to or have a close personal relationship with any of Rosehill's:

- Employees
- Committee members

Please give details if you are aware that you are related to any of Rosehill's:

- Tenants/service users
- Housing applicants

Please give details of any other positions of public responsibility you hold (for example, if you are an elected councillor, or on the committee of another housing association/co-operative)	
Please give details of any other voluntary or community organisations you are a member of, which have any dealings with Rosehill	
Is there any reason why this declaration should be regarded as confidential?	
Signed:	
Date:	