

# ***Committee Member's Declaration of Interests***

*Reviewed: Aug 2019  
Next Review: Aug 2022*



ROSEHILL HOUSING CO-OPERATIVE 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 are declared and managed in a transparent, accountable way.
- 1.2 The subject of declaring interests is covered in our Entitlements, Payments and Benefits Policy and our Committee Members' Code of Conduct. 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.**

GS1.6 - 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.**

GS5.4 - 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.

- 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. Obligations of committee members

- 3.1 Committee members 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 committee members and Rosehill against any impression that decisions have been made improperly or for personal motives.

#### 4. Putting these obligations into practice

- 4.1 Under the Code of Conduct, all committee members are required to complete a declaration of interests form each year. Members must also notify the chairperson of the meeting, if they have an interest in any business to be discussed at a meeting of the Management Committee or a Sub-Committee.
- 4.2 A register of committee members' interests will be maintained by Rosehill. The register is published on our website.
- 4.3 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.

#### 5. What type of interests must be declared?

- 5.1 Committee members as tenants can take part in all discussions of housing matters without declaring an interest, unless the matter is solely concerned with their own tenancy.
- 5.2 Otherwise, Committee members 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.
- 5.3 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 committee members 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 a committee member 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 a committee member to be objective, or that could give others the impression that the committee member 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.

5.4 Apart from completing the annual declaration of interests form, the need for declarations will usually only arise at committee meetings.

5.5 Some exceptions could occur occasionally. 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.

5.6 Under our Entitlements, Payments and Benefits Policy there are payments and benefits that are permissible, some of which will require Committee Members to declare an interest. For example, if a relative of a Committee Member is being considered for a tenancy or employment with Rosehill. The Policy sets out the required processes to be followed in such cases.

## 6. Dealing with any interests that are declared

6.1 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.

6.2 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.

6.3 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.
- 6.4 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.
- 6.5 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.
- 6.6 If decisions will benefit a committee member 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?

## 7. Complying with the Policy

- 7.1 Complying with this Policy is an essential requirement for all Rosehill committee members. Failure to follow the Policy may be deemed as a breach of the Code of Conduct and result in appropriate action being taken against Committee Members. If committee members are unsure about whether they need to declare an interest, they should seek advice from the Director.

## 8. Risk Management

- 8.1 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.
- 8.2 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.

8.3 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.

## 9. Data Protection

9.1 On the 25th May 2018 the legislation governing data protection changed with the introduction of the General Data Protection Regulation (GDPR).

9.2 We hold a variety of Personal Data relating to individuals including tenants, waiting list applicants, factored owners, other service users, employees and Committee Members. Our Privacy Policy sets out the basis on which we can process and share such data with third parties, it also sets out how we will securely store individuals' data, whether electronically or in paper format. It also provides information on individuals' rights under GDPR including: to view personal data held about them by us; to request a restriction of processing of their data; the right to be forgotten and a right to object to us processing their data. In terms of the rights to be forgotten and to restrict or object to processing of Personal Data, any such requests will require to be considered on their own merits and legal advice will need to be obtained in some circumstances. We have the responsibility for accepting or refusing such requests and will do so in *writing*.

9.3 Under GDPR we are required to provide individuals whose Personal Data we hold with a Fair Processing Notice (also known as a Privacy Notice). The Notice sets out the Personal Data we process and the basis for doing so.

9.4 We will only keep and process Personal Data for the original purpose we gathered it for and we will not keep it for any longer than necessary. Attached to our Privacy Policy is a table of Retention Periods for Personal Data held and processed by us. We recognise that not all Personal Data can be processed and kept for the same period of time, and this will vary depending on the individual circumstances of each person whose Personal Data we hold.

9.5 The Privacy Policy sets out what should happen in the event of a Data breach e.g. does the breach require reporting to the Information

Commissioner's Office and whether the individual affected should be notified. Timescales are set out for dealing with data breaches.

9.6 A full copy of our Privacy Policy is available in the [Central Library](#) (staff only) or from our website [www.rosehillhousing.co.uk](http://www.rosehillhousing.co.uk).

## 10. Review

10.1 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.



**ROSEHILL HOUSING CO-OPERATIVE LIMITED  
DECLARATION OF INTERESTS FORM  
(MANAGEMENT COMMITTEE MEMBERS)**

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 (eg 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 Housing Co-operative's:

- Employees
- Committee members

Please give details if you are aware that you are related to any of Rosehill Housing Co-operative'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?	
<b>Signed:</b>	
<b>Date:</b>	