



The Langstane Group

Conflict of Interest Policy

Date approved by leadership team	10 May 2023
Board of Management / Committee name	Performance Committee
Approval date	23 May 2023
Implementation date	24 May 2023
Review date	April 2026
Version	Version 4

Version	Date approved	Changes
Version 1	28/04/2008	New policy
Version 2	02/06/2014	No changes
Version 3	16/12/2019	Complete rewrite
Version 4	23/05/2023	Notifiable events section added alongside reminder that guidance on gifts and hospitality is available

1. Introduction

Langstane Housing Association is a Co-operative and Community Benefit Society, and a registered social landlord with charitable status. The Langstane Group (Langstane / the Group) consists of Langstane Housing Association Limited and its wholly owned subsidiaries.

This policy applies to all entities of the Langstane Group.

The Langstane Group acknowledges and respects that at times the private lives and activities of governing body members and employees may, or perhaps equally importantly may be perceived to, impact on their ability to act in the sole interest of the Group as an entity or the individual member of the Group.

For the purposes of this policy:

- if a person '**declares a potential conflict of interest**', this is covered under Langstane's Rules (sections 38.1 - 38.3). If a conflict is thought to be present, the person must leave whilst the matter is being discussed. Such a declaration is required where the person has a real and tangible benefit or conflict in the discussion e.g. if for example a governing body member was a senior employee within a company that tendered for work and the contract requires board approval, the relevant person could not be involved in the decision making.
- if a person '**notes a potential conflict of interest**' in an item being discussed / considered, they may have an interest but their involvement in discussions will not materially gain personal advantage e.g. a tenant who is a board member may remain to discuss any rental increases to be applied as their voice is only one of many tenants who have responded to consultation on the matter.

2. Aim of the policy

The aim of this conflict of interest policy is to ensure the Group operates with the highest standards of conduct, honesty, integrity, and decency in the governance of the Group's affairs.

Applying a consistent and structured methodology when:

- 2.1 Conflicts of interest are notified;
- 2.2 There is a clear understanding of when a person can or cannot continue to participate with discussions; and
- 2.3 How conflicts of interest are identified and notified.

3. Links to other strategic documents and policies

The Group's Conflict of Interest Policy is linked to a number of strategic / corporate documents and policies in particular but not solely:

- Rules and Articles of Association;
- Standing orders;

- Entitlements, Payments and Benefits policy;
- Procurement policy;
- Code of Conducts;
- Staff handbook;
- Notifiable events policy;
- Governing body documentation;
- Anti bribery policy; and
- Anti fraud policy.

4. Policy

The general principles of managing potential conflicts of interest are:

Governing body meetings

All those attending governing body meetings are asked to notify any potential conflicts of interest at the beginning of the meeting. If a potential conflict is not known at the beginning of the meeting, a notification must be made as soon as possible thereafter.

Anyone declaring a potential conflict of interest will not participate in discussions and will be asked to leave the meeting whilst discussions take place.

Contractors, developers, services and other business relationships

All tendering and purchasing is guided by the Group's Procurement Policy. It is important the Group can evidence it awards contracts and orders based on merit and by fair competition.

No relevant person¹ will be involved in any contract award or in the commissioning of any services from an organisation in which they (or a close relative) have a direct interest.

In exceptional circumstances, for example where the Langstane Group is part of a joint tendering exercise where a framework of contractors / organisations successfully bid for work, there may be an existing relationship. Where this is the case, the individual(s) concerned must have no part in any aspect of the tendering, letting or management or any such contract or piece of work. Such instances will be documented and recorded appropriately.

Personal gain

A relevant person must ensure their private or personal interests do not influence decisions and they do not use their position to obtain personal gain of any kind either for themselves as an individual, or for their families, friends or associates. Langstane Group's Entitlements, Payments and Benefits Policy provides clarity on this point.

Relationships

¹ A relevant person is defined in the Entitlements, Payments and Benefits policy as a governing body member of any member of the Langstane Group, a member of staff employed (either paid or unpaid) to carry out work on behalf of a member of the Langstane Group

Langstane Group does not have a policy on personal relationships at work although it is recognised that from time to time personal relationship may develop.

Where any relationship presents a potential conflict of interest those involved are expected to declare such relationships to their direct line manager(s), or in the event that a governing body member is involved to notify the Chairperson as soon as practical, to allow the Group to determine what action (if any) is necessary to preserve the Langstane Group's interests and reputation.

Exceptions

The Group's Entitlements, Payments and Benefits Policy provides details of any potential exemptions. An example would be where a relevant person holds shares in a utility company used by the Langstane Group.

Register

A conflict of interest register is held and all conflicts of interest, real or potential, are recorded alongside details of the declaration. The information is updated and reported annually although any material changes during the year must be declared via the Chief Executive's Executive Assistant as and when the conflict is realised.

In addition, a register of all gifts and hospitality is kept and reported annually. All gifts and hospitality received due to a connection with the Langstane Group, must be recorded as soon as practical. The register is held by the Chief Executive's Executive Assistant. If you are unsure, guidance is available in the Entitlements, Payments and Benefits Policy regarding what is an acceptable level of gift or hospitality to accept.

5. Notifiable events

The Group recognises and commits to making a Notifiable Event where a conflict of interest is not declared where that conflict may:

- may seriously affect the interests and safety of tenants, people who are homeless or other service users;
- threaten the stability, efficient running or viability of service delivery arrangements;
- put at risk the good governance and financial health of the organisation;
- would potentially bring the RSL into disrepute; or
- would raise public or stakeholder concern about the association or the social housing sector.

All notifications are made in accordance with the Group's Notifiable Events Policy.

6. Roles and responsibilities

Board of Management and Chief Executive

Overall responsibility for compliance with good governance rests with the Board of Management with day to day operational responsibility delegated to the Chief Executive. Where potential conflicts of interest are raised and guidance required, this will be given by the Chief Executive with external guidance sought as and when required.

Director of Finance & Corporate Services

The Director of Finance & Corporate Services, as company secretary, will hold responsibility for the register of conflicts of interest. This register is open for inspection at any reasonable time. The company secretary will ensure an annual update on conflicts of interest is undertaken. This will be annually reported to the Board of Management.

Departmental Directors

Departmental Directors have responsibility for identifying, recording and reviewing conflicts, and potential conflicts of interest, relating to their service delivery area(s). In addition, Departmental Directors are required to ensure no inappropriate gifts or hospitality is accepted within their service delivery area.

People managers

All people managers have a responsibility to ensure strict adherence to 'policy' in all aspects of conflicts of interest. This includes ensuring any accepted gifts and hospitality is within policy guidelines and accurately recorded.

All employees

Every employee, whether paid or unpaid, has responsibility for ensuring they adhere to the highest standards of conduct, honesty, integrity, and decency with any potential conflict of interest adequately declared and managed; and all gifts and hospitality accepted only where appropriate to do so and in accordance with approved policy.

7. Monitoring and review

This policy will be reviewed on a 3-yearly basis or earlier if there are reasonable grounds for undertaking such a review.

8. Equality and diversity

The Langstane Group is committed to promoting equality and diversity across all areas of work. Discrimination or harassment of any kind is not tolerated.

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