

NHF Code of Conduct 2021: Draft post-consultation

Acknowledgements

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We are grateful to the following, who responded to the consultation on the draft Code with helpful and detailed comments:

Alison Inman	Devonshires
Andrew Cowan	B3 Living
Claire Howe	Vale of Aylesbury Hsg Trust
Claire Taylor	whg
Dawn Hendon	Trowers
Emma Burrows	Network Housing
Jamie Ratcliffe	TPAS
Jenny Osborne	Local Space
Kirsty Semple	Regulator of Social Housing
Maxine Loftus	Trowers
Sharron Webster	St Mungos
Steve Douglas	Network Housing
Tabitha Kassem	Curo
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Introduction

It is vital for the reputation of social housing that everyone who works for, or represents, a housing association is held to the highest standards of conduct. This Code sets standards appropriate for housing associations that are members of the National Housing Federation. They are for use by individual staff, Board members and certain involved residents. This Code is a companion document to the National Housing Federation's Code of Governance (2020), and the two are designed to be used in conjunction. We have sought to make sure there is no duplication between the two.

The responsibilities of the housing association's Board

The board of each housing association is ultimately responsible for the actions, policies and work of their association. It is their responsibility to make sure that all those concerned can comply with this Code.

The boards and senior staff of associations have responsibility to set an appropriate framework of policies, delegations and procedures. A culture must be promoted which enables and supports all individuals concerned to meet their responsibilities, as set out in the Code, and deliver the best possible service for residents and customers.

Arrangements must be in place for people to ask for further information or guidance they may need about the application or detail of this Code.

How the Code is structured

The Code is split into four main parts, each embodying a key theme arising from the mission and values of housing associations. The four parts of the Code are:

1. Acting in the best interests of the association and its residents: you have a responsibility to discharge your role in line with the social purposes of the association.
2. Behaving with integrity: the reputation and good name of the association depends in part on compliance with this Code, and with the laws, policies and procedures that it refers to. The integrity of those involved needs to be beyond doubt, and seen so to be.
3. Conducting yourself professionally and treating others well: professionalism, kindness and respect for others, and a commitment to the principles of equality, diversity and inclusion, are fundamental to the delivery of social purpose.
4. Protecting yourself, others and the environment: you have a responsibility while on the association's business to protect your own health, safety, security and wellbeing

and that of others, and, where reasonable, to make the most positive possible environmental impact.

Each part of the Code comprises a set of principles amplified by more detailed expectations. Where its requirements apply differently to different groups (Board members, involved residents and staff) we use subheadings within the relevant section to distinguish them.

Application of this Code

The Code cannot aim to cover every situation in which people may find themselves as they perform their roles. They need to apply good judgement even where the code does not contain specific requirements. It is always important to consider how any action taken or decision made aligns with the association's purpose and values and what impact it may have upon the association's residents and reputation.

Legal requirements and policies

The Code is written on the assumption that those using it will comply with all legal and regulatory requirements relevant to this Code and with all of their association's policies, procedures and employment contracts. We have not referred in this Code to specific policies or pieces of legislation, firstly to keep it short, but also to keep it focused on the principles. It is also the case that laws and policies may change during the lifetime of this Code.

Users of this Code must have access to all relevant policies and procedures, for example, in a staff or governance manual, or on an intranet. They must also be covered in the induction of new colleagues.

Who does the Code apply to?

The Code sets standards of conduct for people who are involved within housing associations. These will normally be staff and board members and may include certain volunteers and involved residents depending on their level of involvement. It will be up to each association to decide to whom the Code applies.

It is also up to each association to decide what part of this code applies to temporary and permanent staff. If a member of staff who has a contract of employment is in conflict between their contract and this code, the contract takes precedence.

For housing associations or other organisations within a group structure, the group governing body will need to decide whether this code applies to subsidiaries or whether a different code of conduct may be more appropriate.

Terminology used in this Code:

- 'Board' includes any board of management, management committee, board of trustees, and all similar governing bodies however named.
- 'Board member' includes all members of governing bodies whether they are formally known as non-executive directors, trustees, board members, management committee members, etc. It includes co-optees and any other nominees, whether or not they enjoy voting rights, and all members of sub-committees who are not also members of the main governing body.
- 'Contractors' includes those other than board members, staff and involved residents who are directly involved in delivering the housing association's business activities. This includes contractors, sub-contractors, consultants and agents.
- 'Housing association' and 'association' refer to all organisations that are members of the National Housing Federation. This includes other types of housing organisation – such as charities, co-operatives and companies – that are members of the Federation.
- 'Involved resident' includes residents and other customers (as defined below) who are formally involved in delivering, or scrutinising, the association's business activities. It will be up to each association to decide which involved residents this Code applies to; we would recommend it only applies to those who exercise a level of seniority within the association, for example, those who attend Board or committee meetings or are members of a scrutiny panel. Some involved resident groups may instead operate to their own Code of Conduct.
- 'Microaggression' is a term used for brief and commonplace verbal, behavioural or environmental slights, whether intentional or unintentional, that may communicate hostile, derogatory, or negative attitudes towards certain groups of people.
- 'People with whom you are closely connected' in broad terms, this means your family, relatives or business partners as well as businesses in which you have an interest through ownership or influence. The term includes your spouse or unmarried or civil partner, children, siblings, grandchildren and grandparents.
- 'Residents and other customers' includes residents, tenants, leaseholders, shared owners and users of other services provided by the association.
- 'Staff member' and 'staff' includes the association's employees and any other persons fulfilling the role of a paid employee, such as those deemed to be workers, interim placements, or those on secondment from another organisation.

PART I: Acting in the best interests of the association and its residents.

You have a responsibility to discharge your role in line with the purposes and values of the association.

A. Meeting your responsibilities

The principle

You must fulfil your duties and obligations responsibly, acting at all times in good faith and in the best interests of the association and the delivery of its strategic objectives.

Expected of all

A1 You must always try to fulfil the requirements of your role to the best of your ability. If any circumstances arise that limit your ability to meet your responsibilities, you must raise this through the appropriate channels.

A2 In carrying out your role, you must always seek to further the association's strategic objective to provide high-quality, affordable housing to current and future residents.

A3 You must not act in a way that discriminates against, or unjustifiably favours, particular individuals, groups or interests, including on the basis of any protected characteristics they may have.

Expected of Board members

A4 You must respect the principle of collective decision-making and corporate responsibility.

A5 You must ensure that you declare to the association any relevant personal relationships and all employment and other appointments you hold, and that these do not interfere with your ability to perform or conflict with your role as a board member.

Expected of staff members

A6 You must consult your manager before taking any other paid or voluntary work that may interfere with your existing job, or conflict with terms set out in your contract of employment.

B. Representing the association

The principle

In representing the association in any capacity, including at external events, in dealings with outside bodies and on social media, you are an ambassador for the association and must uphold and promote its values, objectives and policies.

- B1 In representing the association you must act in accordance with its values, policies and goals.
- B2 You must not conduct yourself in a manner which could reasonably be regarded as bringing the association into disrepute.
- B3 You must not make derogatory, false or otherwise damaging comments, in person or through any medium, about the association or any person, service or organisation connected with it.
- B4 You must not seek to officially represent the views or position of the association without prior authority.
- B5 You must apply caution and common sense in the use of email, intranet and internet services including social media.
- B6 When representing the association through any medium, including social media, you must at all times act with professionalism.
- B7 Where any personal social media accounts refer to your role with the association, you must make it clear in what capacity you are communicating.
- B8 If you intend to engage in an activity, including political or campaigning activity, which may compromise the position of the association, you must obtain consent. Such consent must not be unreasonably withheld unless your activity poses a material risk to the association.

PART II: Behaving with integrity

The reputation and good name of each association depends on compliance with this Code, and with the laws, policies and procedures that it refers to. The integrity of those involved needs to be beyond doubt, and seen so to be.

C. Conflicts of interests

The principle

You must take all reasonable steps to make sure that no conflict arises, or could reasonably be perceived to arise, between your duties to the association and your personal interests and other duties.

C1 You must formally declare to the association, at the earliest opportunity, any interests which may, or may be perceived to or may in the future, conflict with the duties of your role.

C2 You must declare any known relationship to a person applying for a role within the association and must not be involved in their appointment, performance management or reward.

C3 You must declare any known relationship to a person applying for a home or other service from the association. You must not be involved in decisions about their application, or seek or accept preferential treatment for them.

C4 You must declare any known relationship to a person or organisation seeking appointment as a contractor or supplier to the association and must not be involved in their appointment, performance management or reward.

C5 Except where specifically permitted as set out in the association's relevant policy, you must avoid using its contractors and suppliers for private purposes.

C6 You must not use, or attempt to use, your position to promote personal interests or those of any connected person, business or other organisation for personal gain.

D. Bribery, gifts and hospitality

The principle

In your role with the association you must not offer, seek or accept bribes or inducements to act improperly or corruptly. You must not seek or accept gifts, hospitality or other benefits from individuals or organisations that might reasonably be seen to compromise your

judgement or integrity or place you under an obligation to those individuals or organisations. You must not seek or accept preferential treatment in the provision of benefits such as housing accommodation or employment.

D1 You must not solicit or seek gifts or hospitality or other benefits.

D2 Any gifts or hospitality offered to or by you must be either declared or declined according to your association's policies.

D3 If you are offered a bribe, hospitality or a gift which is or may be in return for expected preferential treatment, you must decline and declare this immediately to the appropriate person.

E. Funds, resources and personal benefit

The principle

You must not misuse the association's funds or resources, or seek preferential treatment for your own personal benefit.

E1 You must ensure that the association's funds and resources are used properly and efficiently.

E2 Your procurement decisions must be guided by value for money and fairness in decision-making and in line with relevant law.

E3 You must take all reasonable measures to protect the association's funds, resources, property and assets from fraud, theft, damage and misuse.

E4 If you claim reimbursement for any expenses you must do so in line with the association's policies and procedures.

F. Confidentiality

The principle

You must handle information in accordance with the law and the association's policies and procedures.

F1 You must not disclose, without authority, any personal data about tenants, customers, staff or colleagues.

F2 You must not disclose, without authority, any confidential or sensitive business information. This duty continues to apply after you have left the association or stepped down from your position.

F3 You must not, without permission or authority, pass or distribute to the press or media or any other external recipient(s) any unpublished information or materials relating to the association, unless you are doing so in accordance with the association's whistleblowing policy and procedure (see next section).

F4 You must not prevent another person from gaining access to information to which they are entitled by law.

G. Reporting concerns

The principle

You must report to the appropriate person within the association any reasonable suspicions you have about possible wrongdoing in line with your association's whistleblowing policy and procedure.

G1 If you have a concern about possible wrongdoing, you must immediately report it via the appropriate internal channel or external body. This includes becoming aware of potentially dishonest or fraudulent activity, and material breaches of this code or relevant legislation including health and safety.

G2 If you believe that you are being required to act in a way which conflicts with this Code or legislation, you must immediately report it via the appropriate channel.

G3 You must not victimise or disadvantage any person who uses or intends to use the association's confidential reporting (whistleblowing) procedures to report actual or alleged wrongdoing.

PART III: Conducting yourself professionally and treating others well

Professionalism, kindness and respect for others, and a commitment to the principles of equality, diversity and inclusion, are fundamental to the delivery of social purpose.

H. Respect for others

The principle

You must treat all others with respect and kindness.

H1 You must treat everyone you meet in the performance of your role with equal respect, care and consideration.

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H2 You must show respect for individuals' chosen identities.

H3 You must promote, through your own behaviours, an organisational culture that is welcoming, accepting and accommodating to people of all backgrounds, cultures and personal characteristics.

H4 You must not harass, bully or attempt to intimidate any person, or use threatening or aggressive behaviour or other discriminatory behaviours. You must seek to avoid microaggressions in your speech and behaviour.

H5 You must not display materials in the workplace or use language in the performance of your role which other people might reasonably find offensive.

H6 You must report through appropriate channels any instances of unfair or unequal treatment in the workplace and, where it is your role to do so, you must investigate any such reports thoroughly, with compassion and respecting confidentiality.

I. Working with residents and other customers

The principle

You must be professional, fair and courteous in all your dealings with residents and other customers.

I1 You must be professional and respectful in your dealings with residents and other customers.

I2 You must seek and value views from residents and other customers when making decisions that will impact on them.

I3 You must not allow any personal relationship with a resident or other customer to influence how you discharge your role and responsibilities.

I4 You must not give personal gifts or loans of money to, or receive personal loans or gifts of money from, residents or other customers.

I5 You must handle residents' and other customers' money only where absolutely necessary, and ensure that a receipt is completed for every transaction. In any event, you must operate in accordance with the association's financial policies, procedures and controls to ensure appropriate handling of any and all funds.

I6 You must not, in your work capacity, invite or influence a resident or other customer to make a will or trust under which you are named as executor, trustee or beneficiary.

J. Professional relationships

The principle

Board members, staff and involved residents must maintain constructive, professional relationships with each other based on a sound understanding of their respective roles.
Expected of Board members

J1 Your relationships with staff and involved tenants must be constructive and professional.

J2 You must set an example by demonstrating the highest standards of probity, integrity and ethics and your alignment with the values, policies and objectives of the association.
Expected of Board members and involved residents

J3 Where it is necessary to raise issues of staff, board or contractor performance, these must be raised constructively and through the appropriate channels.

J4 You must not undermine or appear to undermine the authority of a senior officer in his or her dealings with a more junior member of staff.

J5 You must behave in a professional manner, maintaining independence and integrity at all times. This will include avoiding inappropriate personal familiarity with members of staff.

J6 You must not ask or encourage a member of staff to commit wrongdoing, including any breach of this Code.

J7 Unless you have specific and, where practicable, written delegated authority to do so, you must not individually give instruction or direction to any member of staff or contractor.
Expected of staff members

J8 You must behave in a professional manner, maintaining independence and integrity at all times. This will include avoiding, in a professional setting, inappropriate personal familiarity with board members and involved residents.

J9 You must not use informal channels to lobby or influence board members or involved residents on matters of the association's business.

J10 You must not knowingly mislead the board or any of the association's committees or panels. In presenting information, you must set out the facts and relevant issues and risks truthfully.

K. Learning and development

The principle

In partnership with the association, you must take responsibility for your own learning and development, regularly updating and refreshing your skills and knowledge.

Expected of all:

K1 You must play an active part in the association's supervision and performance appraisal processes as applying to you.

K2 You must offer open and constructive feedback to others and invite feedback about your own performance.

K2 You must make your personal training and development needs known to the association.

K3 Unless there are exceptional reasons, you must attend learning and development events as required.

Expected of Board members:

K4 You must keep your knowledge up to date in those areas in which you are a specialist, as well as keeping abreast of any matters relating to your association and the wider housing sector.

PART IV: Protecting yourself, other people and the environment

You have a responsibility while on the association's business to protect your own health, safety, security and wellbeing and that of others, and to minimise harmful environmental impacts.

L. Health, safety and security

The principle

Your conduct, actions and decision making must not endanger the health, safety, security or wellbeing of yourself or others.

L1 You must not knowingly put your own or others' health, safety, security or wellbeing unnecessarily at risk.

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L2 If you have any concerns about the health, safety, security or wellbeing of yourself, another individual or a group of individuals connected with the association, you must report this immediately through the appropriate channels.

M. Protecting the environment

The principle

Within your role at the association, you must strive to avoid or reduce possible negative environmental impacts.

M1 In carrying out actions or making decisions in the performance of your role, you must consider the environmental impact of your decisions and where you are able, seek to achieve positive environmental outcomes.

July 2021