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Policy Name	Declaration of Interests for Management Committee Members
Policy Author	Deputy Director
Approved by Sub Committee	N/A
Approved by Management Committee	January 2022
Latest date of Next Review	January 2025

West Whitlawburn Housing Co-operative will provide this policy on request at no cost, in larger print, in Braille, in audio or other non-written format, and in a variety of languages. Please contact the office.

Registered with the Scottish Housing Regulator No. 203
Registered Charity No. SCO38737, VAT Registration No. 180223636
Registered society under the Co-operative and Community Benefit Societies Act 2014



HAPPY TO TRANSLATE

1. Purpose of this Policy

- 1.1 This policy describes how West Whitlawburn Housing Co-operative (WWHC) will ensure that all relevant interests of the Management Committee are declared and managed in an open and accountable way.
- 1.2 Declaring interests is covered in our Entitlements, Payments and Benefits Policy and our Code of Conduct for Committee Members. As a fully mutual co-operative, all Committee Members are tenants or prospective tenants, unless they are a co-opted non member. This policy is to supplement the information in these policies and provide further information about the declaration and management of relevant interests.

2. Regulatory Requirements

- 2.1 WWHC must comply with our Rules and the Scottish Housing Regulator's Regulatory Standards of Governance and Financial Management including the following:

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

GS 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.

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

3. Code of Conduct Requirements

- 3.1 The Code of Conduct requires Committee Members to declare openly and manage effectively, any actual or potential conflict of interests between their role and any other interests.
- 3.2 Declarations of interest will be completed annually on the form at **Appendix 1** and will be recorded in the Register of Interests. The Register will be published on our website and will be available for inspection on request.
- 3.3 Any changes must be declared promptly and entries must be complete and up to date.

3.4 Committee Members must act in the Co-operative’s best interests at all times and take decisions that will support delivery of our objectives. Committee members decision-making should be influenced by our aims and objectives and not individual or specific interests.

4. Close Connections

4.1 The Entitlements, Payments and Benefits Policy details who else should be considered when declaring interests including members of a household, family members and other relatives and friends.

Group	Required Response
<p>Members of your household</p> <p>This includes:</p> <ul style="list-style-type: none"> • Anyone who normally lives as part of your household (whether related to you or otherwise) • Those who are part of your household but work or study away from home 	<p>We expect you to be aware of and declare any relevant actions of all people in your household. You must take steps to identify, declare and manage these.</p>
<p>Partner, Relatives and friends</p> <p>This includes:</p> <ul style="list-style-type: none"> • Your partner (if not part of household) • Your relatives and their partners • Your partner’s close relatives (i.e. parent, child, brother or sister) • Your friends • Anyone you are dependent upon or who is dependent upon you 	<p>Where you have a close connection and are in regular contact with anyone within this group, we expect you to be aware of and declare any relevant actions. Under these circumstances, you must take steps to identify, declare and manage these actions.</p> <p>Where you do not have a close connection and regular contact with someone in this group, we do not expect you to be aware of or to go to unreasonable lengths to identify any relevant actions. However, if you happen to become aware of relevant actions by such individuals, then these should be declared and managed as soon as possible.</p>

5. Types of Interest

- 5.1 The Entitlements, Payments and Benefits Policy gives examples (not an exhaustive list) of the types of interests which must be declared. An extract is attached at **Appendix 2**.
- 5.2 Committee Members must declare any outside activities or interests and any personal relationships which could affect, or be seen by others to affect, the way they carry out their duties
- 5.3 Committee members must declare any non-financial or close personal relationships which could make it difficult to be objective for example if a Committee Member has a family or other personal relationship with another Committee Member or employee.

6. Conduct at Meetings

- 6.1 Committee members should notify the Chairperson of the meeting if they have an interest in any business to be discussed at a Management Committee or sub-committee meeting.
- 6.2 Any interests declared at a meeting will be recorded in the minutes. If the Management Committee agrees that a potential conflict of interest exists, the minutes will record how the conflict should be managed.

7. Management of Declared Interests

- 7.1 Committee Members can take part in all discussion and make decisions on all matters without declaring an interest unless the matter relates specifically to their own tenancy.
- 7.2 Committee Members who are also members of other groups can take part in all general discussion and make decisions on all matters with the exception of decisions relating to contractual arrangements or funding.
- 7.3 Committee Members should not take part in committee discussions or decisions in matters relating to their own individual circumstances or the circumstances of anyone with whom they have a family or close personal relationship.
- 7.4 Remaining Committee Members will take account of the interests which have been declared and whether there is a material conflict of interest. Depending on these factors, the remaining Committee Members may either ask the member concerned to withdraw from

that part of the meeting or allow the member to remain but not take part in the Committee's decision.

7.5 A declaration or conflict of interest will not in itself prevent the Management Committee from approving a particular course of action if it is lawful, consistent with policy and in the best interests of the Co-operative and its tenants.

7.6 If a Committee Member has a commercial interest relating to the work of the Co-operative, they will be required to resign from the Committee. Committee Members who have other types of major or ongoing conflicts of interest should consider resignation.

8. Policy Compliance

8.1 Failure to follow the policy could be a breach of the Code of Conduct and result in action being taken against Committee Members.

9. Risk Management

9.1 Strong and effective governance is fundamental to the Co-operative's success and to upholding its reputation. Robust governance policies and procedures mitigate the risks of poor governance, low confidence of tenants and external stakeholders, reputational damage and regulatory intervention.

10. Equalities

10.1 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, irrespective of factors such as gender, race, disability, age, sexual orientation, language or social origin, or other personal attributes.

10.2 The equality impact assessment is appended to this policy.

11. General Data Protection Regulations (GDPR)

We will ensure that our practices in the handling and use of personal information in applying this policy will comply with data protection legislation.

12. Review

This policy will be reviewed every 3 years or sooner if required by regulatory or legislative changes.

Equality Impact Assessment

Name of Policy to be assessed	Declaration of Interests for Management Committee Members	New policy or revision of existing?	New Policy
Person(s) responsible for assessment		Deputy Director	
1. Briefly describe the aims, objectives and purpose of the policy.	This policy supports the Entitlements, Payments and Benefits Policy and Committee Code of Conduct to support the framework for good governance and act as a key guidance document for Management Committee members to enable them to fulfil their role. It describes the declaration of interests and how they will be managed the arrangements that we have in place to ensure that the requirements of this policy are observed.		
2. Who is intended to benefit from the policy? (e.g applicants, tenants, staff, contractors)	Committee, staff, tenants, service users, partners and all other stakeholders.		
3. What outcomes are wanted from this policy? (e.g the measurable changes or benefits to members/ tenants / staff)	A well governed organisation that operates within legal and regulatory requirements.		
4. Which groups could be affected by the policy? (note all that apply)			
Age		Disability	
Gender reassignment		Marriage and Civil Partnership	
Pregnancy and Maternity		Race	
Religion or Belief		Sex	
Sexual Orientation			
5. If the policy is not relevant to any of the equality groups listed above, state why and end the process here.			

No groups are deemed to be positively or negatively from this policy. The Policy sets out expectations of Management Committee members and these expectations apply to all members equally.

6. Have those affected by the policy / decision been involved?

Management Committee approval

7. Describe the likely positive or negative impact(s) that the policy could have on the groups identified above.

Positive Impact(s)

Negative Impact(s)

This policy supports good governance across the Co-operative.

8. What actions are required to address the impacts arising from this assessment? (This might include: additional data, putting monitoring in place, making adjustments, taking specific action to mitigate any potentially negative impacts)

Any adjustments required to meet individual needs will be put in place as required.

Signed:

Grant Clayton

Dated:

10th January 2022

Declaration of Interests Form

This form should be completed to record any interests you should declare. Please tick yes or no for all questions.

Name:

Date of declaration:

Job or Committee Member Role:

Your own interests				
Are you a tenant (or joint tenant) of the Co-operative?	Yes		No	
Are you on the housing list?	Yes		No	
Are you a Director or Committee Member of any other voluntary or community organisation?	Yes		No	
If yes, please give details:				
Do you hold any other position of public responsibility?	Yes		No	
If yes, please give details:				
Are you related to, or do you have a close personal relationship with any of the Co-operative's				
Management Committee Members?	Yes		No	
Employees?	Yes		No	
Tenants?	Yes		No	
Housing applicants?	Yes		No	
If yes, please give details:				

Do you have a financial or business interest in any company that does, or may seek to do business with the Co-operative?	Yes		No	
If yes, please give details:				
The Interests of people you are closely connected to To the best of your knowledge				
Is anyone closely connected to you				
A tenant (or joint tenant) of the Co-operative?	Yes		No	
On the housing list of the Co-operative?	Yes		No	
An employee of the Co-operative?	Yes		No	
If yes, please give details:				
Does anyone closely connected to you have a financial or business interest in any company that does, or may seek to do business with the Co-operative?	Yes		No	
If yes, please give details:				
Other				
Do you, or anyone closely connected to you, have any other interests that you should declare because they are relevant to your role as a Committee or staff member?	Yes		No	
If yes, please give details:				
WWHC is required to maintain a register of declared interests which will be published or be available for inspection on request. Is there any reason why any of the declared information should be regarded as confidential?	Yes		No	
If yes, please give details:				

I will update my declaration if there are any changes or additions to the interests I have declared.

Signed:

Internal Use Only

Is there an actual or potential conflict of interest declared?	Yes		No	
Outline the reasons for the potential conflict and the management arrangements agreed to mitigate the risk to WWHC:				

Signed:

Date:

Signed:

Date:

Record in Register of Interests

Extract from Entitlements, Payments and Benefits Policy

The following are examples of the kind of interest that you must declare. Please note that this list is not exhaustive, and there may be other interests that you should also declare.

- Tenancy of a property of which we are the landlord.
- Occupancy or ownership of a property which is factored or receives property related services from us.
- Receipt of care or support services from us.
- Membership of a community or other voluntary organisation that is active in the area(s) we serve.
- Voluntary work with another RSL or with an organisation that does, or is likely to do, business with us.
- Membership of the governing body of another RSL.
- Being an elected member of any local authority where we are active.
- If you purchase goods or services from us.
- If you purchase goods or services from one of our contractors or suppliers (see section 4 of policy).
- Significant shareholding in a company that we do business with (or are considering doing business with).
- Membership of any other body whose interests and/or activities may directly affect our work or activities.
- Ownership of land or property in our areas of operation. This excludes property for the purpose of your own residential use (i.e. there is no requirement for you to declare any house in which you currently live).
- Unresolved dispute relating to the provision of services in connection with a tenancy or occupancy agreement or a contractual dispute over the provision of goods or services with us.

The following are the relevant actions /involvement by those **to whom you are closely connected** that you should consider, declare and manage as per our expectations. This list is not exhaustive or exclusive:

- significant interest in a company or supplier that we do business with (or are considering doing business with). A significant interest means ownership (whole or part) or a substantial shareholding in a business that distributes profits, but does not include where an individual has shares in large companies such as banks, utility companies or national corporations, i.e. where owning shares would not give the individual any significant influence over the activities of that organisation.
- Where the individual may benefit financially from a company with which we do business (or are considering doing business with)
- Involvement in the management of any company or supplier with which we do business (or are considering doing business with)
- Involvement in tendering for or the management of any contract for the provision of goods or services to us.
- Application for employment with us.
- Application to join our Management Committee or any of its subsidiaries
- Application to be a tenant or service user of WWHC or any of its subsidiaries