

BOARD MEMBER CODE OF CONDUCT

Report of the Director and Company Secretary

1. SUMMARY

The Board Code of Conduct is a key policy of Derby Homes. In accordance with minute 10/51 the Agreement should be reviewed every three years.

The NHF has released a new Code of Governance (2015 edition). The opportunity has been taken to consider the new Code, legislation and sector good practice and utilise the same to improve the Code of Conduct.

The current Code of Conduct is in two parts, Part A is the Code of Conduct and Part B is the Disciplinary procedure. This report will consider Part A. The Disciplinary Procedure will be considered at a future Committee along with a refreshed Board Members Services Agreement with a view to recommending implementing the three together to the Board later in the year.

The refreshed Code of Conduct covers the same principles as the previous version but in a shorter, hopefully easier to read document.

2. RECOMMENDATION

That the Committee:

1. considers the Code of Conduct attached at Appendix 1
2. discusses the merits of separating the Disciplinary Procedure from the Code of Conduct
3. recommends the Code of Conduct to the Board

3. MATTER FOR CONSIDERATION

- 3.1 The Board Code of Conduct has been re-written to remove repetition within the document, to make the document more user friendly, to update the code in line with new NHF Code of Governance, legislation and sector good practice.
- 3.2 The Disciplinary Procedure has been removed from the proposed Code of Conduct to ensure that the Code has a generally positive tone. The Disciplinary Procedure will continue to apply, but it is recommended that this should be a separate policy which can be separately reviewed later.

3.3 The Disciplinary Procedure details the consequences for breach of the Code and covers the following:

- Breach of the Code of Conduct
- Preliminary Investigation
- Investigation prior to the standards committee meeting
- The standards committee meeting
- Sanctions and decisions

3.4. A copy of the existing Code of Conduct including the Disiplinary procedure is attached for information at Appendix 2.

The Code of Conduct covers:

Description	Compliance with
Role	NHF 2015 Code section B and Guidance, notes and useful resources
Statutory Duties	Companies Act 2006, NHF code B2,
The Committee on Standards in Public Life (Nolan)	Best Practice
Standards of Behaviour	Best Practice, Companies Act 2006, NHF Code Paragraph B2, C7, Section H, Bribery Act 2010, Equality Act 2010
Conflicts of Interest	Companies Act 2006, Best Practice
Board Meetings	Best Practice
Board members dealing with customers	Best Practice, Companies Act 2006, Bribery Act 2010
Board member contact with staff and contractors	Best Practice, Companies Act 2006, Bribery Act 2010
Political Activities	Best Practice
Equal opportunities	Best Practice, Equality Act 2010
Advice	Best practice
Bribery and Fraud	Best practice, Bribery Act 2010,
Expenses	Best Practice
Gifts and Hospitality	Best Practice, NHF Code Section H, H1
Financial Grants and Loans, Payments to Board Members	Best Practice
Use of facilities, Services and Equipment	Best Practice
Confidentiality	Best Practice , Companies Act 2006
Leaving the Board	Best Practice
Requests for Information	Best Practice, freedom of Information Act 2000, Data Protection Act 1998
Policies and Procedures	Best Practice
Training	Best Practice
Disciplinary Procedure for Board Members	Best Practice

4. CONSULTATION IMPLICATIONS

Consultation will take the form of this Committee and a future Board meeting where all Board Members will be invited to provide comments.

5. LEGAL AND CONFIDENTIALITY IMPLICATIONS

The Code of Conduct highlights some of the legislative obligations that non-executive directors are subject too.

6. RISK IMPLICATIONS

There is an expectation that Boards will adopt the new Code of Governance (2015 edition). Implementing the new code of conduct will assist Derby Homes in demonstrating it has implemented the Code.

The areas listed below have no implications directly arising from this report:

Financial and Business Plan
Council
Personnel
Environmental
Health & Safety
Equalities Impact Assessment
Policy Review

If Board Members or others would like to discuss this report ahead of the meeting please contact:

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Background Information: None
Supporting Information: None