

Probity Policy

Introduction

1. Keelman Homes (KH) aspires to the highest standards of corporate behaviour, to ensure that safe, fair and equitable procedures are applied to all organisational transactions, including relationships with customers, employees, stakeholders and the use of public resources.
2. We have a duty to ensure fairness and honesty in our relationships with suppliers, contractors, service providers, service users and other stakeholders.
3. Trustees, all employees and others acting on behalf of KH must uphold the highest standards of business conduct within such relationships and we must ensure that there can be no way of any external stakeholder exerting improper influence over the conduct of our business or the decisions we make.
 - KH is committed to the highest possible standards of openness, honesty, transparency and accountability.
 - KH requires that all employees will act honestly and with integrity at all times and to safeguard the company and the resources for which they are responsible.
 - KH requires that employees conduct business lawfully and responsibly.
 - KH requires that its employees maintain conduct of the highest standard such that public confidence in their integrity is sustained.
 - KH requires that no Trustee or employee should get an inappropriate benefit from the connection to the charity.

Aims and Objectives

4. The conduct of Trustees and employees of the company impacts directly on KH's public reputation and the good reputation of the social housing sector as a whole.
5. It is very important we have a robust probity policy in place to manage situations where potential conflict of interest or suggestions of bias on the part of decision-makers might arise.
6. The aims of this policy are:
 - To ensure KH complies with legislation (e.g. s.122 of the Housing & Regeneration Act 2008 and the Bribery Act 2010)
 - To ensure KH complies with the requirements of the regulator
 - To demonstrate KH's follows best practice and where applicable, charity law principles
 - To set a framework for probity with the company

- To strive to conduct KH's business in ways that will maintain the good reputation.
7. The intention of this policy is to outline the behaviours required to maintain the highest standards of probity and provide assurance that any relationships entered into lead to a clear benefit for KH and represent value for money.
 8. This policy is also intended to contribute to maintaining the highest standards of business conduct and professional integrity and ensure compliance with the seven Nolan principles of public life (see appendix 1).
 9. Trustees, all employees and others acting on behalf of KH must apply the following principles:
 - Not accepting gifts, hospitality or benefits of any kind from a third party which might be perceived as compromising their personal judgement or integrity;
 - Not using their official position to further their private interests or those of others;
 - Declaring any private interests relating to their public bodies;
 - Basing all procurement decisions and negotiations of contracts solely on achieving best value for money for KH and our customers;
 - Referring to the Managing Director for guidance when faced with a situation for which there is no adequate guidance in place.

Scope

10. This policy applies to Trustees, all employees and others acting on behalf of KH at any time.
11. The policy applies to family members and businesses associated with a Trustee or employee.
12. It would be the responsibility of the Trustee or employee to disclose their relationship with any family member or business with which they are associated, and which is intended to receive payments or benefits identified in the policy.
13. To ensure clarity, close relative is defined as any person so close to an employee there is a real risk any decision or judgement of that employee could be influenced, including a person's husband, wife, partner, parents, grandparents, children, grandchildren, brothers, sisters and similar relations by marriage.

Decision Making

14. Trustees should follow the Nolan principles in all they do.
15. Trustees will be particularly careful when it considers employing, giving a contract for services or providing housing to a trustee, employee or their close relative, or close friend. No preference will be shown to these individuals.

16. The Managing Director and/or Board will approve any applications for housing in a Keelman Homes property from a Keelman employee, close relative or close friend.

Legal and Statutory Responsibilities

17. Under the Prevention of Corruption Acts 1906 and 1916, it is an offence for an officer in his or her official capacity to:
- Corruptly accept any gift or consideration as an inducement or reward for doing, or refraining from doing, anything in that capacity.
 - Show favour or disfavour to any person.
 - Receive money, gifts or consideration from a person or organisation holding or seeking to obtain a contract.
18. The Bribery Act 2010 provides that a person is guilty of an offence where:
- They offer, promise or give a financial advantage to another person with the intention of causing that other person to improperly perform, or rewarding that other person for improperly performing, a public or commercial function in any jurisdiction
 - There is an expectation that the relevant function is carried out in good faith or where the person performing it is in a position of trust.

Whistleblowing

19. KH Whistleblowing Policy has been designed to give employees the confidence to voice any concerns or complaints they may have about: -
- Breaches of this policy
 - Dishonesty
 - Fraud and corruption
 - Bribery
 - Maladministration
20. All matters raised under the Whistleblowing Policy will be treated in the strictest of confidence and will be investigated thoroughly.

Bribery and Fraud

21. KH will not tolerate bribery or corruption in any form.
22. We will make sure our business partners understand our stance by the publishing of this policy and (where appropriate) by including clauses in our contracts to make this clear.
23. Our policies make it clear that trustees and employees should never: -
- offer, accept or demand a bribe (including excessive gifts and hospitality) in order to attract or keep business or gain any other inappropriate advantage;
 - offer or give in to demands to make illicit or illegal payments to anyone we do business with;

- engage and/or pay for services we do not legitimately need or have received in line with our Contract Procedure Rules;
 - comply with KH's financial, auditing and management control systems;
 - make illegal or inappropriate contributions to candidates for public office or to political parties/organisations.
24. Our approach to dealing with bribery and money laundering are set out in the following policies: -
- Fraud and Corruption Policy
 - Bribery Policy
 - Anti-Money Laundering Policy

Conflict of Interest

25. Trustees and employees should act impartially and should not be influenced by social or business relationships. They should not use their role at Keelman Homes to further their own interests.
26. All trustees must inform the Company Secretary/Managing Director about any directorships or other significant positions of responsibility they have outside of Keelman Homes. This includes positions held elsewhere in the housing sector or connections they might have with organisations who contract with Keelman Homes.
27. Where an employee's or Trustees private interests conflict (or could potentially conflict) with the work they do at Keelman Homes, the employee or trustee should declare it. Eligible employees will be asked to make an annual declaration of interest but employees can declare interests at any time to their line manager. Trustees should declare any potential conflicts of interest to the Company Secretary/Managing Director and will also have the opportunity to declare any interests at the start of every Board meeting.
28. All conflicts (or potential conflicts) will be treated confidentially and recorded in a register held by the Company Secretary/ Managing Director. Where a conflict has the potential to materially impact on an employee's role, their line manager may be informed so the conflict can be managed at team level.

Acceptance of Gifts and Hospitality

29. Any offer should be carefully considered before it is accepted.
30. Generally, only small personal gifts with a value of under £25 should be accepted.
31. Entertainment and hospitality should be avoided except in very limited circumstances.
32. The Codes of Conduct for Employees and Trustees sets out full details of when an offer of a gift or hospitality can be accepted and when it should be politely declined.

33. A Trustee or Employee should notify the Company Secretary/Managing Director when accepting an offer.
34. A register is kept by the Company Secretary to record gifts and hospitality that colleagues have received.

Disciplinary Procedure

35. Keelman Homes has in place a disciplinary procedure for employees and the possibility of disciplinary action being taken against employees who ignore the guidance set out in Keelman policies.

Breaches of the Probity Policy

36. The Probity Policy is crucial to the company's ability to meet its legal and best practice requirements. Accordingly, KH will treat any breach very seriously.
37. Any alleged breach of the Probity Policy will be investigated by the Managing Director.
38. Any alleged breach of the Probity Policy by Managing Director will be investigated by the Board of Trustees.
39. A breach of the Probity Policy by a Trustee will be treated as a breach of his or her duties and obligations to the company.
40. A breach of the policy by an employee will be treated as a disciplinary matter under his or her contract of employment and appropriate sanction may be applied.
41. An investigation into any allegation of such a breach made against an employee will be conducted in accordance with the company's relevant policies for such investigations.
42. An investigation into any allegation of such a breach made against a Trustee will be conducted and appropriate sanction may be applied.
43. Any investigation will be carried out in accordance with the procedure for dealing with complaints against Trustees.
44. The Financial Controller has been identified as the dedicated counter-fraud officer within the organisation who will liaise with Auditors.

Responsibilities

45. The Board and Executive Team are responsible for setting a rigorous and visible example of probity and conduct for employees.
46. Trustees have a duty to make sure that KH's assets are kept safe and used appropriately.
47. The Company Secretary will oversee implementation and compliance with this policy.

48. The Board will ensure that all trustees and employees are aware of and meet their responsibilities under this policy.
49. Trustees and employees must comply with this policy by signing a declaration agreeing to abide by the policy.

50. Levels of responsibility

Body/Officer	Responsibility
The Board	Set a rigorous and visible example of probity and conduct for employees
	Ensure that all trustees and employees are aware of and meet their responsibilities under the policy
	Investigate any alleged breach of the Probity by the Managing Director Approve applications for housing a Keelman employee in a Keelman Homes property
Managing Director	Investigate any complaint against a Trustee in accordance with procedure for dealing with complaints against Trustees
	Investigate any alleged breach of the Probity Policy by an employee
	Dedicated counter fraud officer within the organisation who will liaise with Auditors
Company Secretary	Holds Register of Financial and Other Interests of Trustees and Employees
	Keeps a record of any declarations of interest
	Holds the Register of Gifts and Hospitality

Review

51. This policy has been approved by the Board who will review it periodically.

Principles of Public Life

The seven principles of public life drawn up by the Nolan Committee are:

Selflessness

To take decisions solely in terms of Keelman company values and purpose and not in order to gain financial or other material benefits for family, friends or ourselves.

Integrity

Not to place ourselves under any financial or other obligation to outside individuals or organisations that might influence the performance of our duties.

Objectivity

To ensure impartiality in the delivery of services, the appointment of staff, or the awarding of contracts and that choices are made on merit alone.

Accountability

To accept accountability for our decisions and actions towards our residents, the providers of public funds and other stakeholders and to submit ourselves to whatever scrutiny is appropriate.

Openness

To be as open as possible about all the decisions and actions that we take, so our customers, partners and stakeholders have confidence in us. We should give reasons for our decisions and restrict information only when individual or commercial confidentiality demands.

Honesty

To declare any private interests relating to duties and to take steps to resolve any conflicts arising in a way that is lawful and protects the Keelman company reputation, values and purpose.

Leadership

To promote and support these principles by leadership and example.