

Probity Policy	
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Introduction

- 1.1 Beyond Housing is committed to achieving the highest standards of probity, transparency, and accountability in all its activities. All colleagues and board members are expected to demonstrate honesty and integrity and discharge their roles in line with the values of Beyond Housing in order to protect the reputation and good name of the organisation and safeguard resources.
- 1.2 Elements of this policy also apply to involved customers, where specified within the policy.
- 1.3 This policy sets out Beyond Housing’s requirements in respect of handling conflicts of interest; accepting and offering gifts and hospitality; and the granting of payments and benefits. It also sets out Beyond Housing’s approach to managing the specific issues of fraud, bribery and money laundering.
- 1.4 Probity is a complex and dynamic subject and processes to ensure ongoing resilience will be regularly reviewed. It is important responsibilities in these areas are communicated clearly including what should be done if a breach of the policy is suspected and those actions that will be taken where improper behaviour is highlighted.
- 1.4 Beyond Housing will ensure all allegations are investigated in a fair, independent and reasonable manner and that individuals who raise concerns through the application of this policy are protected from any reprisal or victimisation. The Probity Investigations Procedure sets out a step by step guide outlining how fraud, bribery and money laundering concerns should be raised and subsequently investigated. Other types of allegation will be investigated through HR procedures.
- 1.5 This policy is associated with Beyond Housing’s Code of Conduct (based on the National Housing Federation’s Code of Conduct 2022, with some adaptations relevant to Beyond Housing circumstances) and should be read in conjunction with this.

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2.0 Policy objectives, key performance indicators (KPI) and reporting

- 2.1 The objective of the probity policy is to ensure Beyond Housing maintains, and is seen to maintain, the highest standards of probity in all its dealings; and that colleagues and board members and any of their close connections do not gain inappropriate advantage or benefit (including financial benefit) from their connection with Beyond Housing.
- 2.2 The policy demonstrates Beyond Housing's commitment to minimising the risk of fraud, bribery and money laundering, and addressing identified instances of these.
- 2.3 The policy will ensure Beyond Housing can:
- Demonstrate compliance with the law.
 - Demonstrate compliance with regulatory requirements.
 - Demonstrate best practise.
 - Safeguard its reputation.

Key Performance Indicator	Owner (job role)	Policy objective alignment
100% completion of board member declaration of interest form	Governance Manager	To identify and manage any actual, potential, or perceived conflicts of interest
Allegations of policy breaches investigated in a timely manner	Company Secretary	To ensure that breaches are appropriately addressed
Corrective actions identified through investigation are completed within agreed timescales	Company Secretary	To ensure that weaknesses are addressed, and future breaches safeguarded against

3.0 Definitions

- 3.1 **Bribe:** An inducement or reward offered, promised or provided in order to gain commercial, contractual, regulatory or personal advantage.
- 3.2 **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-opted 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.

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- 3.3 **Bribery:** Giving someone a financial or other advantage to encourage them to perform their functions improperly, or to reward them for already doing so. The Bribery Act places duties on employers to ensure that their employees do not offer bribes, facilitation or kickbacks. Successful prosecutions under the act can result in up to ten years' imprisonment for individuals and unlimited fines for organisations.
- 3.4 **Close connection:** In broad terms, means family, relatives or business partners as well as businesses in which an individual has an interest through ownership or influence. The term includes a spouse or unmarried partner or civil partner, children, siblings, grandchildren and grandparents.
- 3.5 **Conflict of interest:** when an individual's personal circumstances or interests (for example, their relationships with family or close associates, or their work elsewhere) have the potential to compromise or influence (intentionally or unintentionally) their judgments, decisions or actions.
- 3.6 **Corruption:** Dishonest or fraudulent conduct by those in power, typically involving bribery.
- 3.7 **Declaration of interest:** An action taken to ensure that relevant people are aware of a potential conflict of interest. For example, completing an online declaration or speaking to a colleague.
- 3.8 **Fraud:** Any act knowingly taken which involves dishonesty, or reasonable disregard to the truth, or abuse of a position of trust and which intends to create a gain of money or property for the perpetrator and/or their accomplices and attempts to deprive the victim of money or property.
- 3.9 **Involved Customer:** Includes customers who are involved in delivering, or scrutinising, Beyond Housing's business activities.
- 3.10 **Money laundering:** The process where criminally obtained money or assets are exchanged for 'clean' money or assets with no obvious links to their criminal origins.
- 3.11 **Property:** Includes intellectual property, physical property, personal property and intangible property.

4.0 Legislative, regulatory, and strategic alignment

4.1 This policy has been developed with regard to the following legal requirements:

- Bribery Act 2010
- Fraud Act 2016
- Housing & Regeneration Act 2008

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- Proceeds of Crime Act 2002 and the Money Laundering, Terrorist Financing and Transfer of Funds Regulations 2017
- Public Interest Disclosure Act 1998

4.2 This policy also supports compliance with the following regulatory guidance and requirements:

- Regulator of Social Housing (RSH) regulatory standards, particularly the Governance and Financial Viability Standard
- Financial Conduct Authority (FCA)
- Charity Commission guidance
- National Housing Federation's Code of Governance 2020
- National Housing Federation's Code of Conduct 2022

4.3 This policy supports the strategic value: Accountable for the decisions we make and the services we provide.

4.4 Meeting regulatory requirements is highlighted as an enabling priority in Beyond Housing's 2020-2025 strategy.

5.0 Responsibilities

5.1 All colleagues, involved colleagues and board members have a responsibility to safeguard and protect Beyond Housing's assets and reputation. This includes:

- Ensuring full transparency in respect of potential conflicts of interest, including declaring relevant outside interests and declaring all gifts and hospitality offered and received
- Ensuring the proper use of resources and handling of company funds in respect of cash, payment systems and receipts, when dealing with customers, contractors or suppliers
- Taking reasonable measures to protect Beyond Housing's funds, resources, property and assets from fraud, theft, damage, and misuse.
- Reporting details immediately where they suspect, or believe that there is evidence of, irregular or improper behaviour, or that a breach of this policy may have taken place.

5.2 The day-to-day responsibility for the application of this policy rests with individual managers, who shall:

- Identify process weaknesses.
- Develop and maintain effective prevention controls and
- Ensure that controls are implemented, effective and complied with.

5.3 Colleagues working with involved customers are responsible for ensuring that appropriate steps are taken to comply with this policy, taking advice where necessary.

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- 5.4 Advice on control measures can be obtained from the Chief Finance Officer, the Head of Finance, or the Company Secretary.
- 5.5 All allegations of a breach of this policy will be investigated by the Company Secretary or Head of Finance.
- 5.6 The Company Secretary is responsible for maintaining a fraud register, for submitting the annual fraud return to the regulator, and for ensuring that significant fraud activity is reported to the regulator in a timely manner.

6.0 Policy delivery

6.1 Conflicts of interest

- 6.1.1 All colleagues and board members must take reasonable steps to declare and manage any conflict of interest arising between their duties to Beyond Housing and their personal interests, other duties and relationships.
- 6.1.2 A declaration of interest form must be completed to declare personal and business interests including, but are not limited to:
- Other paid employment
 - Voluntary positions held e.g., school governor, charity trustee.
 - Direct financial or controlling interest in an organisation, including holding a significant proportion of shares
 - Interests of close connections which may, or may be perceived to, conflict with the duties of their role with Beyond Housing.
- 6.1.3 Declarations must be completed at appointment and even if there is nothing to declare.
- 6.1.4 Interests declared by board members will be entered onto the board members register of interests. This will be updated annually and made available for public inspection upon request. In addition, declarations of interest will be a standard agenda item at all board and committee meetings.
- 6.1.5 Where a declared interest has the potential to:
- impact a colleague's or board member's ability to perform fairly and impartially in their role; or
 - influence any decision a colleague or board member is required to make in the performance of their role; or
 - place the colleague or board member in a situation which could enable them to inappropriately advance the interests of themselves, their close connections, or any

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groups they work for or represent, then arrangements will be agreed with the colleague's line manager, or the chair of the board or committee for board members, to manage the conflict of interest appropriately.

6.1.6 Beyond Housing will also require prospective customers, colleagues, contractors and suppliers to disclose any close connections they may have to colleagues and board members in order that any conflicts of interest, or perceived conflicts of interest, can be managed appropriately. Situations where this may become relevant include:

- housing applications – as set out in allocations procedures.
- Job applications – as set out in the recruitment procedure.
- the process of sale, purchase or leasing of land or property
- procurement decisions, as set out in the procurement procedure.

6.1.7 Customers taking part in engagement activity which influences procurement decisions must declare any close connections to potential suppliers so that these can be managed appropriately.

6.1.8 Declaration of interest procedures are set out in recruitment, procurement, and allocations procedures. Requirements for board members are set out in the Board declaration of interest procedure.

6.2 Gifts and Hospitality

6.2.1 Colleagues and board members must not seek or accept gifts, hospitality or other benefits from individuals or organisations that might reasonably be seen to compromise their judgement or integrity or place them under an obligation to those individuals or organisations.

6.2.2 Any gift or hospitality offered to or by a colleague or board member must be declared (whether accepted or declined) and recorded in the gift and hospitality register.

6.2.3 Gift and hospitality procedures are detailed within Beyond Housing financial regulations and declaration forms are available on Mypad.

6.3 Payment and Benefits

6.3.1 **Shareholders:** Shares in Beyond Housing are non-withdrawable and non-transferrable and carry no right to any interest, dividend, or bonus.

6.3.2 **Board members:** Beyond Housing allows payments and benefits to board members under individual Agreement for Services or as permitted by this policy. Such payments and benefits shall be for services carried out as a board member and not for additional services provided to Beyond Housing from time to time (which are generally prohibited).

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Remuneration decisions relating to all board members will be made transparently and fairly by the Board in accordance with Beyond Housing Rules, standing orders and recruit, renew and review procedures.

Executive board members shall only receive payments and benefits in accordance with their contract of employment or as permitted by this policy.

To assist in the proper performance of their duties, Beyond Housing will reimburse board members for reasonable expenses legitimately incurred during their duties for Beyond Housing, as set out in the expenses policy.

6.3.3 Colleagues: Beyond Housing may grant benefits to colleagues as permitted under their contract of employment, and in line with the reward and recognition policy, or otherwise in accordance with this policy. From time to time Beyond Housing may participate in benefit schemes for colleagues and/or customers, for example, discount cards for external retail and leisure organisations. Where such benefit schemes are in place Beyond Housing will publish details around benefits and eligibility criteria to ensure transparency and understanding. In line with procurement procedures, preferential treatment will not be afforded to any external organisation that participates in such schemes.

Beyond Housing may make reasonable and fair severance and redundancy payments to colleagues. Such payments shall be approved by the senior leadership team in accordance with the Management of Change policy, save for payments to members of the executive director team which shall be approved by the Board.

6.3.4 Housing of colleagues, board members and their close connections: Beyond Housing will only house people in accordance with published allocation policies. Clear procedures govern the provision of housing for board members, colleagues and their close connections to ensure a consistent, transparent, impartial and fair process.

Beyond Housing will ensure that colleagues or board members are not involved in decisions relating to the provision of housing for their close connections or seek or accept preferential treatment for them.

6.3.5 Employing persons who are closely connected to colleagues and board members:

Beyond Housing will carry out all recruitment processes in a way that is rigorous, transparent and fair and in accordance with Beyond Housing's recruitment procedure, which sets out the steps to be taken in the event of applications from persons who are closely connected to colleagues or board members. Where reasonably possible, Beyond Housing will ensure

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colleagues and board members are not involved in the appointment, performance management or reward of their close connections.

6.3.6 Appointing contractors and suppliers who are closely connected to colleagues and board members: Beyond Housing will ensure colleagues and board members are not involved in the appointment of a contractor or supplier where they have close connections to an organisation or individual applying for a contract; nor be involved in establishing the terms of a contract, and its ongoing monitoring and management. This is set out in the Procurement Procedure.

6.3.7 Using Beyond Housing contractors and suppliers for personal use: Colleagues and board members should avoid using Beyond Housing contractors and suppliers for private purposes but where this is unavoidable, they must not receive preferential rates or a favourable service as a result of their connection with the company.

6.3.8 Code of conduct

This policy supports the Beyond Housing approved code of conduct.

6.4 Fraud, bribery, and money laundering

6.4.1 Beyond Housing will uphold all laws relevant to countering fraud, bribery and money laundering and will adopt a zero-tolerance approach where fraud, bribery or money laundering are proven to have taken place.

6.4.2 Fraud: All colleagues and board members must take all reasonable measures to protect Beyond Housing's funds, resources, property and assets from fraud, theft damage and misuse. Any allegations of fraud will be investigated and reported as appropriate.

6.4.3 Bribery: In line with Beyond Housing's Code of Conduct, colleagues and board members must not offer, seek or accept bribes or inducements to act improperly or corruptly.

6.4.4 Money Laundering: Colleagues working in areas covered by money laundering legislation must take reasonable measures to inform themselves of money laundering risks. Suspicious activity must be reported to Beyond Housing's Money Laundering Officer, the Head of Finance. Allegations of money laundering will be investigated as appropriate, whilst avoiding the risk of "tipping off".

6.4.5 Supporting procedures for fraud, bribery and money laundering are maintained by the organisation.

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7.0 Consultation

7.1 Consultation has taken place with HR colleagues and senior managers.

8.0 Approval

8.1 This policy will be reviewed after three years or in response to a change in legislation or best practice, whichever is the sooner.

Approval and revision criteria	Information
Document written by:	Director of Governance & Business Assurance
Document approved by:	Audit & Risk Committee
Version No.	2

Version no.	Revision date	Reason for revision
2	July 2023	3 year back stop review