

# NIHE BOARD CODE OF CONDUCT

## DOCUMENT CONTROL SUMMARY

Title	Code of conduct for Non-Executive Board Members of the Housing Executive
Purpose of document	To ensure Housing Executive Board Members are fully aware of their roles, responsibilities and the standards of behavior expected from them as a Board Member
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## 1. INTRODUCTION

- 1.1 As a public office holder you are expected to work to the highest personal and professional standards. In support of this, all non-executive directors of the Housing Executive must abide to the principles set out in this Code of Conduct. The Code sets out, clearly and openly, the standards expected from those who serve on the Housing Executive Board, it is your responsibility to ensure that you are familiar with, and comply with, all the relevant provisions of the Code.

## 2. KEY PRINCIPLES OF PUBLIC LIFE

2.1 The key principles upon which this Code of Conduct is based are the Seven Principles of Public Life<sup>1</sup>. These are:

**Selflessness**

Holders of public office should act solely in terms of the public interest.

**Integrity**

Holders of public office must avoid placing themselves under any obligation to people or organisations that might try inappropriately to influence them in their work. They should not act or take decisions in order to gain financial or other material benefits for themselves, their family, or their friends. They must declare and resolve any interests and relationships.

**Objectivity**

Holders of public office must act and take decisions impartially, fairly and on merit, using the best evidence and without discrimination or bias.

**Accountability**

Holders of public office are accountable to the public for their decisions and actions and must submit themselves to the scrutiny necessary to ensure this.

**Openness**

Holders of public office should act and take decisions in an open and transparent manner. Information should not be withheld from the public unless there are clear and lawful reasons for so doing.

**Honesty**

Holders of public office should be truthful.

**Leadership**

Holders of public office should exhibit these principles in their own behaviour. They should actively promote and robustly support the principles and be willing to challenge poor behaviour wherever it occurs.

2.2 These principles should inform your actions and decisions as a Board member.

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<sup>1</sup> [The Seven Principles of Public Life - GOV.UK \(www.gov.uk\)](http://www.gov.uk)

### 3. GENERAL CONDUCT

3.1 The Board has corporate responsibility for ensuring that the Housing Executive fulfils the aims and objectives set by the Department of Communities and approved by the Minister, and for promoting the efficient, economic and effective use of staff and other resources by the body.

3.2 To this end, and in pursuit of its wider corporate responsibilities, the Board and its Members shall:

- establish the overall strategic direction of the Housing Executive within the policy and resources framework determined by the sponsor Minister and Department for Communities;
- constructively challenge the body's executive team in their planning, target setting and delivery of performance;
- ensure that the Department for Communities is kept informed of any changes which are likely to impact on the strategic direction of the Housing Executive or on the attainability of its targets, and determine the steps needed to deal with such changes;
- ensure that any statutory or administrative requirements for the use of public funds are complied with; that the Board operates within the limits of its statutory authority and any delegated authority agreed with the department of communities, and in accordance with any other conditions relating to the use of public funds; and that, in reaching decisions, the Board takes into account all relevant guidance issued by the Department of Finance and the Department for Communities;
- ensure that the Board receives and reviews regular financial information concerning the management of the Housing Executive; is informed in a timely manner of any concerns about the activities of the body; and provides positive assurance to the Department for Communities that appropriate action has been taken on such concerns;
- demonstrate high standards of corporate governance at all times, including using the independent Audit and Risk Assurance Committee to help the Board to address the key financial and other risks facing the Housing Executive; and
- where applicable, appoint (with relevant Departmental and Ministerial approvals) a Chief Executive to the Housing Executive and, in consultation with the Department for Communities, set performance objectives and remuneration terms linked to these objectives for the Chief Executive, which give due weight to the proper management and use of public monies.

## 4. USE OF PUBLIC FUNDS<sup>2</sup>

- 4.1 You have a duty to ensure the safeguarding of public funds<sup>3</sup> and the proper custody of assets which have been publicly funded.
- 4.2 You must carry out these obligations responsibly that is, take appropriate measures to ensure that the Housing Executive uses resources efficiently, economically and effectively, avoiding waste and extravagance. It will always be an improper use of public funds for public bodies to employ consultants or other companies to lobby the Assembly, Ministers or political parties.

### Allowances

- 4.3 You must comply with the rules set by the Housing Executive regarding remuneration, allowances and expenses. It is your responsibility to ensure compliance with all relevant HM Revenue and Customs' and Department of Finance requirements concerning payments, including expenses.

### Gifts and Hospitality

- 4.4 You must not accept any gifts or hospitality which might, or might reasonably appear to, compromise your personal judgement or integrity or place you under an improper obligation.
- 4.5 You must never canvass or seek gifts or hospitality.
- 4.6 You must comply with the rules set by the Housing Executive on the acceptance of gifts and hospitality. You should inform the Chair and Chief Executive of any offer of gifts or hospitality and ensure that, where a gift or hospitality is accepted, this is recorded in a public register in line with the Housing Executives gifts and hospitality policy.
- 4.7 You are responsible for your decisions on the acceptance of gifts or hospitality and for ensuring that any gifts or hospitality accepted can stand up to public scrutiny and do not bring your public office and the Housing Executive into disrepute.

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<sup>2</sup> For more guidance on how to handle public fund please refer to Managing Public Money [Managing Public Money NI \(MPMNI\) | Department of Finance \(finance-ni.gov.uk\)](#)

<sup>3</sup> This should be taken to include all forms of receipts from fees, charges and other sources

## Use of Official Resources

- 4.8 You must not misuse official resources<sup>4</sup> for personal gain or for political purposes. Deployment of such resources must be in line with the Housing Executive's rules on their usage.

## Use of Official Information

- 4.9 You must not misuse information gained in the course of your public service for personal gain or for political purpose<sup>5</sup>.
- 4.10 You must not disclose any information which is confidential in nature or which is provided in confidence without authority. This duty continues to apply after you have left the Board.

## Political Activity

- 4.11 In your public role, you should be, and be seen to be, politically impartial. You should not occupy a paid party political post or hold a particularly sensitive or high-profile role in a political party.
- 4.12 On matters directly related to the work of the Housing Executive, you should not make political statements or engage in any other political activity.
- 4.13 You should inform the Chair, Chief Executive and the Department for Communities before undertaking any significant political activity. Subject to the above, you may engage in political activity but should, at all times, remain conscious of your responsibilities as a board member and exercise proper discretion.
- 4.14 If you are a Local Councillor you are exempt from these requirements. You must exercise proper discretion on matters directly related to the work of the Housing Executive and recognise that certain political activities may be incompatible with your role as a Board member. You should not allow yourself to become embroiled in matters of political controversy.
- 4.15 You must not use your position as a Board member to raise individual constituency matters at Board or Committee.
- 4.16 In your official capacity, you should be even-handed in all dealings with political parties.

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<sup>4</sup> This includes facilities, equipment, stationary, telephony and other services

<sup>5</sup> Board members who misuse information, gained by virtue of their position may be liable for a breach of confidence under common law or may commit a criminal offence under insider dealing legislation

## Employment and Appointments

- 4.17 If you wish to take up additional employment or appointments during your term of office, you must inform the Chair and the Department for Communities. Formal consideration will be given to whether such additional appointments are appropriate given your current appointment to the Housing Executive.
- 4.18 The Chair and Members of the Board of the Housing Executive are disqualified from membership of the House of Commons under the provisions of the House of Commons Disqualification Act 1975 (as amended)<sup>6</sup> and must resign from their posts before consenting to their nomination as a candidate at a General Election.
- 4.19 On leaving office, you must comply with the rules of the Housing Executive on the acceptance of future employment or appointments.

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<sup>6</sup> [House of Commons Disqualification Act 1975](#)



## 5. CONFLICTS OF INTEREST

- 5.1 When accepting an appointment to the Housing Executive you should consider if any conflicts of interest arise from your private interests or by virtue of any other roles you hold. You should consider, with advice from the Department for Communities how these should best be managed, and agree these with the Housing Executive.
- 5.2 You must ensure that no conflict arises, or could reasonably be perceived to arise, between your public duties and your private interests, financial or otherwise. You should note that the appearance of a conflict of interest, in terms of public perception, can be every bit as damaging as an actual conflict - both should be avoided.
- 5.3 Activities that are incompatible with your role as Board member may include: acting as a spokesperson for any third-party organisation (public sector, private sector, third sector or political party), on relevant matters, for example, homelessness, housing management, property and construction matters.
- 5.4 You are not permitted to advocate for any individual or third-party organisation (public sector, private sector, third sector or political party) in relation to Housing Executive matters or decisions.
- 5.5 You must comply with the rules of the Housing Executive on handling conflicts of interests. As a minimum, these will require you to declare publicly, in the Housing Executive's register of interests, any private financial or non-financial interests of your own, or of close family members, which may, or may be perceived to, conflict with your public duties<sup>7</sup>.
- 5.6 Interests which may need to be declared can include:
- Remuneration from employment, self-employment, directorships, other public appointments etc;
  - Related undertakings i.e. you must register any directorships held which are themselves not remunerated but where the company (or other undertaking) in question is a subsidiary or parent of a company (or other undertaking) in which you hold a remunerated directorship;
  - Contracts with the Housing Executive;
  - Houses, land and buildings that you own or have an interest in, which are of significance or relevance to, or bear upon the work and operation of the Housing Executive;

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<sup>7</sup> In general all financial interests should be declared. When considering what non-financial interests should be declared, you should ask yourself whether a member of the public, acting reasonably, would consider that the interest in question might influence your words, actions or decisions.

- Shares and securities – holdings in a company or organisation which are of significance to or relevance to, or bear upon the work and operation of the Housing Executive;
- Relevant non-financial interests including membership or holding office in other public bodies, clubs, societies and organisations such as Trade Unions and voluntary organisations; and  
Cases in which a close family members or persons living in the same household as the Board Member may have an interest<sup>8</sup>.

5.7 The rules will also require you to remove yourself from the discussion or determination of matters in which you have a financial interest. In matters in which you have a non-financial interest, you should not participate in the discussion or determination of a matter where the interest might suggest a danger of bias.

5.8 It is your responsibility to ensure that you are familiar with the Housing Executive's rules on handling conflicts of interests, that you comply with these rules and that your entry in the register of members' interests is accurate and up-to-date.

5.9 No Code can provide for all circumstances and if you are uncertain about how any aspect of the Code of Conduct applies, you should seek advice from the Chair and/or the Chief Executive who, in turn, may seek advice from the Department for Communities.

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<sup>8</sup> Close family members include personal partners, parents, children (adult and minor), brothers, sisters and the personal partners of any of these.

## 6. RESPONSIBILITIES AS A BOARD MEMBER, INCLUDING NON-EXECUTIVE CHAIRS

- 6.1 You should play a full and active role in the work of the Housing Executive. You should fulfil your duties and responsibilities responsibly and, at all times, act in good faith and in the best interests of the Housing Executive.
- 6.2 You should promote an inclusive and diverse culture in the Housing Executive and your actions should help create an environment where different perspectives and backgrounds are encouraged and valued.
- 6.3 You should deal with the public and their affairs fairly, efficiently, promptly, effectively and sensitively, to the best of your ability. You must not act in a way that unjustifiably favours or discriminates against particular individuals or interests.
- 6.4 You must not harass, bully or act inappropriately towards or discriminate towards others. Such behaviour is not consistent with what is expected of you as a Board member and will not be tolerated.
- 6.5 You must comply with any statutory or administrative requirements relating to your post.
- 6.6 You should respect the principle of collective decision-making and corporate responsibility. This means that, once the Board has made a decision, you should support that decision.
- 6.7 You must not use, or attempt to use, the opportunity of public service to promote your personal interests or those of any connected person, firm, business or other organisation.
- 6.8 You must inform the Department of Communities, of any bankruptcy, current police investigation, unspent criminal conviction or disqualification as a company director in advance of appointment, or should any such instances occur during your appointment.
- 6.9 You must also inform the Department for Communities of any change in your circumstances which results in you becoming bankrupt, subject to a police investigation, convicted of a criminal offence or disqualified from being a company director.
- 6.10 You have additional responsibilities as the chair of the Housing Executive in leading the Board and in ensuring that the principles covered in the Codes of Conduct for Board Members are upheld.

## 7. RESPONSIBILITIES TOWARDS EMPLOYEES

- 7.1 You will treat any staff employed by the Housing Executive with courtesy and respect. It is expected that employees will show you the same consideration in return.
- 7.2 You will not ask or encourage employees to act in any way which would conflict with their own Code of Conduct.

## 8. SOCIAL MEDIA

- 8.1 Social media is a public forum and the same considerations, including the provisions of this Code, apply as would to speaking in public or writing something for publication, either officially or in a personal capacity. When engaging with social media you should at all times respect confidentiality, financial, legal and personal information.
- 8.2 Where any personal social media accounts used by you make reference or link to your public role, you should take care to ensure that it is clear in what capacity you are acting.

## 9. RAISING CONCERNS

- 9.1 You should ensure that the Housing Executive has an open, transparent and safe working environment where employees feel able to speak up and raise concerns, and complaints procedures are clearly communicated to them.
- 9.2 If you have a concern about a possible breach of this Code, a concern that you or any staff of the Housing Executive are being asked to act in contravention of their own code of conduct, or a concern about misconduct or wrongdoing in any other areas, then you have a responsibility to raise that internally with the Chair of the Housing Executive or the Permanent Secretary of Department for Communities as appropriate.