1. INTRODUCTION

1.1 Purpose

This Code of Conduct and Practice has been devised to provide a framework to ensure:

i  An ethos of customer care.

ii  Maintenance of minimum standards.

iii Safe, effective, non-abusive practice which promotes the privacy, dignity and respect of service users and protects their self-esteem.

iv Relationships with service users which are professional, empowering and therapeutic, with the maintenance of appropriate professional boundaries.

v Positive relationships with colleagues.

vi Financial probity.

vii An ethical approach to business affairs.

viii Equality of opportunity and respect with regards to race, ethnic origin, religion or belief, nationality, disability, gender, age and sexuality.

ix Reporting of professional concerns.

x Protection of children and vulnerable adults from any form of abuse or exploitation, including physical, financial, psychological, sexual abuse, neglect, discriminatory abuse or self-harm or inhuman or degrading treatment through deliberate intent, negligence or ignorance.

1.2 Code of Practice for Social Care Workers

Creative Support seeks to fully comply with the Code of Practice for social care workers. Social care workers are responsible for making sure that their conduct meets the standards set out in the code and that no action or omission on their part harms the wellbeing of service users. We ensure that all applicants receive a copy of the Principles of GSCC Code of Practice for Social Care Workers prior to commencing employment with Creative Support in addition to a copy of the full Code of Practice being issued to all employees in their induction to ensure they fully understand the standards for professional conduct and practice.

Social care workers must:

- Protect the rights and promote the interests of service users and carers
- Strive to establish and maintain the trust and confidence of service users and carers
- Promote the independence of service users while protecting them as far as possible from danger or harm
- Respect the rights of service users whilst seeking to ensure that their behaviour does not harm themselves or other people
- Uphold public trust and confidence in social care services
- Be accountable for the quality of their work and take responsibility for maintaining and improving their knowledge and skills.
1.3 Creative Support Core Values

In particular, staff are reminded of the core values within the Agency Philosophy as we believe that service users have the right to:

- A valued life
- Choice and self determination
- Privacy, dignity and respect
- Acceptance and understanding
- Fulfilment and self development
- Independence
- Equality of opportunity
- Safety, security and quality of life.

Staff are expected to practice in ways that promote these core values at all times.

1.4 Scope

This Code of Practice is to be observed by the following:

- All employees, including staff on temporary or casual contracts
- Students on placement
- Volunteers
- Trustees
- Consultants and trainers
- Any other individuals acting on behalf of, or representing Creative Support.

2. AN ETHOS OF CUSTOMER CARE

Creative Support promotes an ethos of internal and external customer care.

Our customers include our service users, their carers, professionals from other agencies and our colleagues and partner agencies.

We expect all our employees to strive to provide the highest standards of customer care and to be:

- Warm and welcoming
- Polite and respectful
- Accepting and understanding
- Flexible and responsive
- Reliable and trustworthy
- Efficient and effective.
3. **WORKING WITH SERVICE USERS**

3.1 **Financial Probity and Respect for Property**

Employees must ensure that all their dealings with finances and property are honest, transparent, accountable and completely beyond suspicion, complying with Standard 13 of the CQC National Minimum Standards for Domiciliary Care. Staff should refer to the Employee Handbook and the Corporate Policy on 'Client Related Financial Procedures' for guidance on handling and recording service users' money and property and related financial issues.

In particular staff must note the following guidance:

i  Gifts and/or money or other items should not be accepted from service users or their families in most circumstances. If staff are unsure how they should respond, or concerned that they may cause offence they should refer to their supervisor or the on-call manager for guidance.

Gifts are generally declined from individuals but it may be acceptable to accept small gifts of low monetary value for a team (such as a box of chocolates) or a charitable donation to the agency to be used for the benefit of service users. Guidance must always be sought from your manager before accepting a donation on behalf of the agency. In the event that the manager agrees that such a donation may be accepted this should be recorded in the service user’s file and countersigned by the Service Manager. All donations will be acknowledged in writing.

ii  Staff are not permitted to borrow or loan money or other property under any circumstances, from or to service users. Where a service user is in extreme difficulties, (e.g., has no food) and has immediate need of financial assistance this should be reported to the Service Manager who will make the appropriate arrangements. It is not the responsibility of the Support Worker to give or lend money to service users in such situations. However, failure to report such extreme circumstances to the line manager could be regarded as neglectful.

iii  Under no circumstances must staff enter into financial and business arrangements or transactions with service users. This includes the purchase of goods or services from service users or the supply or sale of goods and services to service users or the sale of goods belonging to the service user or their family, on their behalf.

iv  Employees cannot act as executors, witnesses or signatories to service user’s wills, contracts or other legal documents. It is entirely inappropriate for workers to agree to being a beneficiary of a service user’s will or legacy.

v  Staff must not under any circumstances accept legacies or gifts from the wills of service users. Staff should not incur or accept any liability on behalf of service users nor must they give advice in connection with any legal arrangement or document.

vi  Staff must under no circumstances purchase goods and services for service users using their own loyalty or other discount schemes. Where such schemes are available service users should be supported in claiming discounts or loyalty rewards themselves if they so wish.

vii  Staff members must not involve a service user in any gambling syndicates (e.g. national lottery, football pools).

viii  Staff should not retain the keys of service users other than by explicit documented agreement in circumstances authorised by the Service Manager.

ix  The property of service users must be handled carefully and respected at all times. Property should be safeguarded whilst undertaking care and support tasks. Loss of or damage to a service user’s property whilst providing care, must be reported immediately. At no time should staff borrow the property or equipment of service users, remove such property from
the service user’s home or dispose of goods belonging to the service user or their family. Nor should they take responsibility for looking after any valuable on behalf of the service user.

x Staff may not make personal use of the service user’s personal property. This includes use of their telephone to make or receive telephone calls, other than in emergencies or important matters relating to the service user.

xi Staff may not eat food provided by service users other than at their specific invitation and in such circumstances wherein refusal to share food would cause offence. Within supported living schemes staff may be required eat meals with service users to support the principles of ordinary living. If the meal is provided by a service user, a small financial contribution may be required from staff, in accordance with the agreed policy.

3.2 Professional Relationships and Behaviour

All relationships with service users must be professional in nature and appropriate boundaries must be observed at all times. Employees must observe the following principles in developing and maintaining professional relationships:

i Staff are not employed to become ‘friends’ to service users, although relationships with service users will be warm and friendly. It is vital to assist and enable service users to widen their social networks and to make friends as this improves self-esteem, social skills and reduces dependency on mental health services and professional staff.

ii It is important not to create dependency or unrealistic expectations. Staff should be as clear as possible about what they and the agency can offer, and to explain any limitations, so as to avoid unrealistic expectations. Staff should not make promises which cannot be kept or give false assurances as service user will feel let down and this will undermine trust in Creative Support and mental health services in general.

iii Whilst staff are not employed as ‘friends’ to service users our relationships can be highly significant and important to service users. Their feelings must be treated with respect. Staff should take particular care to manage the ending of relationships in a sensitive and caring way, acknowledging that service users can experience feelings of loss at such times. It is acknowledged that staff themselves can find such ‘ endings’ painful. Employees are encouraged to seek support and advice from their supervisors in these circumstances.

iv It is not appropriate for employees to disclose or discuss private or personal problems with service users. It is possible to empathise and validate the difficulties faced by service users without burdening them with our own difficulties.

v Staff must never give their personal phone numbers or home addresses to service users.

vi Relationships of a sexual or intimate nature with service users are not acceptable under any circumstances.

vii Employees may not take family members, friends, children or pets to the service user’s home or to appointments in community settings, nor should they invite service users to their own house or to social engagements.

viii Staff are not to socialise with service users other than in the context of planned social activities as part of a service user’s Support Plan. If social invitations are received they should be declined in a polite and kindly manner.

ix Employees are not permitted to determine which service users they work with; however, issues of compatibility will be taken into account when allocating clients.

x Employees may not transport service users in their own vehicles unless they have a clean current driving licence, business insurance, current tax disc and MOT certificate and the permission of the Service Manager. Vehicles used to transport service users must be
roadworthy and in a fit condition for such purpose. Failure to comply with any of these criteria will result in disciplinary action which is likely to lead to dismissal.

xi Employees must not consume alcohol or be under the influence of alcohol, smoke, take or be under the influence of unprescribed drugs whilst on duty.

xii Staff who are experiencing difficulty in maintaining boundaries should seek advice and support from their supervisor. Where an employee feels unable to bring a matter to the attention of their immediate supervisor they can consult the Personnel Manager or another Service Manager.

3.3 Working with Colleagues

Good team working is essential in providing effective services, both within the agency and in the wider multi-disciplinary teams. Staff must observe the following principles:

i The contribution of all team members must be valued and respected.

ii Gossip and casual discussion about colleagues can undermine team trust and effectiveness and should be avoided. Malicious gossip is always hurtful and damaging. Creative Support will take action against any employee who is responsible for perpetrating hurtful gossip about colleagues.

iii Intimate relationships and close personal friendships between employees within staff teams can undermine team morale and create conflict of interest. Such relationships should be disclosed to the employee’s supervisor, Service Manager or the Personnel Manager so that consideration can be given as to whether this impacts on the work situation.

iv In order to ensure maximum effectiveness and to promote morale all staff must be prepared to share responsibilities, duties and work in an equitable way.

4. MAINTENANCE OF STANDARDS

4.1 Security

All staff will be asked to renew their CRB disclosure every three years and should ensure that theirs is up-to-date (no older than 3 years). As from October 2009 there will be a requirement for all new employees to have a relevant CRB (dependent upon the position) and be ISA registered under the Vetting & Barring scheme. All staff must carry a photographic identity badge with them at all times and present them when requested. It is a requirement that all projects ensure appropriate security checks are in place, which include requesting visitors to provide identification and clarification of their visit, where appropriate, and ensuring that all visitors sign the visitor’s book.

In line with CQC (Care Quality Commission – formerly CSCI) requirements, individuals are not permitted to hold keys for service users and should this be requested, individuals should follow local key-holding procedures and report all requests directly to their line manager.

4.2 Standards of Behaviour

High standards of behaviour are expected from staff at all times. Failure to observe the appropriate standards may result in disciplinary action being taken.

The Employee Handbook contains full details of the Agency’s Disciplinary rules and procedures.

In particular, the following are regarded as examples of Gross Misconduct:

- Theft or unauthorised possession of money or property whether belonging to Creative Support, another employee, a client, a tenant or a licensees of Creative Support.
- Abuse or assault of employees, clients or third parties during the course of the employment.
- Being under the influence of alcohol or unprescribed drugs during working hours.
- Individuals are expected to present a professional image and are thus required to take care in their presentation, including appropriate dress, and to ensure that they have not consumed alcohol within a reasonable and safe time frame prior to their shift.
- Refusal to carry out reasonable management instructions within the terms of the contract of employment.
- Dereliction of duty.
- Endangering the health or safety of others.
- Wilful damage to the property or possessions of Creative Support, other employees or those belonging to clients, tenants or licensees of Creative Support.
- Undertaking private work on the premises and/or in working hours without express permission.
- Actions of unethical, indecent or immoral behaviour.
- Any act of deceit or dishonesty relating to your employment, Creative Support business or affairs.
- Any act of a sufficiently serious nature to damage the reputation or business prospects of Creative Support.
- Disclosure of any confidential information or trade secrets of Creative Support to any third party without authority or consent.
- Discrimination, ‘harassment’ or victimisation in relation to race, ethnic origin, religion or belief, disability, gender, age and sexuality.
- A serious breach of Creative Support’s Equal Opportunities policies and procedures.
- Loss of professional registration where this is a requirement of the job.
- Legally enforced loss of driving license, if this is a requirement essential for the efficient performance of the post.
- A relationship with a client of any unprofessional or sexual nature.
- Posting confidential information (including photographs) of service users and staff members of Creative Support on social networking sites or using the sites during working hours. Additionally including comments on networking sites which could damage the reputation of the agency.

The list is not exhaustive.

4.3 Efficient Working Policies

4.3.1 Minimum Waste

Creative Support is a charity which exists solely to improve the quality of life and well being of all service users. All waste represents an actual or opportunity lost to the agency and reduces the quantity and quality of positive outcomes for service users.

We therefore maintain a policy of “minimum waste” which is essential to the cost effective and efficient running of all our operations and services.
Employees must take care in the pursuit of duties to avoid unnecessary or extravagant use of services, staff time, materials and equipment.

4.3.2 Damage and Negligence

The following provision is an express written term of your Contract of Employment.

Any damage to vehicles, stock or property which is the result of staff carelessness, negligence or deliberate vandalism will render the employee liable to pay the full or partial cost of repair or replacement.

Any loss to Creative Support that is the result of the failure of employees to observe rules, procedures or instruction, or is a result of negligent behaviour or unsatisfactory standards of work will render the employee liable to reimburse the Company the full or partial cost of the loss.

In the event of failure to pay, Creative Support reserves the right to deduct such costs from staff wages and salaries.

4.3.3 Standards of Dress

As employees come into contact with service users and members of the public, it is important that they present a professional image with regard to appearance and standards of dress at all times. Employees should wear appropriate clothes relative to their job responsibilities, which should be modest, practical and clean and tidy at all times. Badges other than name badges must not be worn. Excessive jewellery or make up is inappropriate. Clothing which carries messages or slogans is similarly unacceptable. Where uniforms or protective clothing are provided these should be worn when undertaking work duties.

4.3.4 Housekeeping

Both from the point of view of safety and of appearance, work areas must be kept clean and tidy at all times.

4.3.5 Departmental/Section Rules

Other rules may apply to meet particular requirements in certain departments. Employees will be informed separately of any such rules by their line manager.

5. FLEXIBILITY

It is acknowledged that our services are designed to meet the needs of service users. Our services are provided seven days a week and in many cases cover the full 24 hour period. Therefore, it is essential that all staff are prepared to work in a flexible and responsive manner. This is a contractual obligation and a professional expectation.

The principles underlying allocation of working hours are those of transparency and equity. In order to be fair to colleagues, unsociable hours must be shared in a reasonable and transparent way within the staff team. Whilst personal requirements may be taken into account, the needs of service users must prevail.

As the needs of service users will change from time to time our services must be subject to review and change. Staff are expected to respond to such changes in a positive way. There will be reasonable consultation and notice regarding changes in working practices and consideration will be given to personal circumstances.
6. **EQUALITY OF OPPORTUNITY**

All employees must observe the Agency’s Equal Opportunity Policy in respect of their work with service users, colleagues and others.

Staff are expected to be familiar with the Equal Opportunities Policy, the Bullying at Work Policy and the Harassment at Work Policy and Procedure.

The Agency is committed to the pursuit of anti-discriminatory practice. Discriminatory and disrespectful behaviour is considered completely unacceptable. Any staff whose actions and behaviour are discriminatory or disrespectful to service users, colleagues or others on the basis of race, ethnic origin, religion or belief, disability, gender, age or sexuality may face disciplinary action under the Agency Disciplinary Procedures.

7. **BUSINESS ETHICS**

Creative Support is committed to an honest and ethical style of working with purchasers, customers and partner agencies.

No employee or representative of Creative Support may engage in a dishonest or unfair activity or practice in pursuit of Creative Support’s business interests.

Staff who are involved in business procurement and tendering must ensure that all their actions are beyond suspicion and no attempts should be made to unfairly influence the outcome of such processes.

It is acknowledged that Creative Support operates in an increasingly competitive market and therefore staff are reminded that they are not permitted to disclose confidential financial or other information or trade secrets of Creative Support to any third party or competitor without authority or consent (see Disciplinary Procedures).

7.1 **Declaration of Interests**

Creative Support must ensure that all our business transactions are honest and transparent. Staff must declare any actual or potential interests which could be construed as constituting a conflict of interest.

Such interests could constitute any of the following:

i. Election as an elected member of a local authority or appointment as a representative of the board or other committee of a public body (e.g. Health Authority).

ii. Close relationships with others who are elected members of a local authority or appointment as a representative of the board or other committee of a public body (e.g. Health Authority).

iii. Membership of the Board of another charity, voluntary agency or limited company.

iv. Paid or unpaid employment outside Creative Support.

v. Consultancy or training carried out for other agencies.

Interests should be declared by employees in writing. The original will be retained in the employee’s personnel file whilst copies will be retained in a Declaration of Interest File maintained by Personnel. Any perceived difficulties with the interests that have been declared will be discussed and addressed appropriately with the employee and the Chief Executive or their Deputy.
8. REPORTING OF PERSONAL ISSUES

If an employee is concerned that a relationship (or indeed any other matter) could compromise (or be perceived to compromise) their judgement or professional integrity, they should proactively discuss this with their supervisor. This will protect the staff member’s reputation as well as that of the agency.

9. REPORTING OF PROFESSIONAL CONCERNS

All staff have a duty to promote high standards of professional conduct within the agency as a whole and are expected to promptly report any concerns they may have about the welfare of service users or the conduct of colleagues or other professionals.

We acknowledge that it can be very difficult for staff to report concerns regarding the conduct or practice of a colleague, particularly when these involve senior staff or fellow team members.

In order to support individuals in reporting their concerns we have devised a Whistle Blowing Policy which includes procedures to support individuals in reporting suspected misconduct or malpractice.

Malpractice includes (but is not confined to): conduct likely to prejudice the reputation of Creative Support, breaches of internal policies and practices or an act which constitutes abuse, in accordance with Creative Support’s Safeguarding of Vulnerable Adults Policy and Child Protection and Safeguarding Policy, criminal offences or breaches in civil law, endangerment of health and safety of any person, environmental damage and the deliberate concealment of any act of malpractice.

10. REPORTING CONCERNS REGARDING VULNERABLE ADULTS

Creative Support has a corporate policy, ‘Safeguarding of Vulnerable Adults (SOVA)’, which all employees, including bank workers, volunteers, students on placement and board members must be familiar with. A professional concerns pro-forma is attached to the Safeguarding of Vulnerable Adults Policy and must be used to report all professional concerns, including notification of adults and children at risk.

If allegations of abuse have occurred within a residential project or domiciliary service, which is registered with the Care Quality Commission (CQC) it is essential for the Registered Manager for that service to report the allegations in writing to the appropriate local CQC Officer within the designated local area. All Safeguarding of Vulnerable Adults allegations that fall within Department of Health guidelines are reported to the Independent Safeguarding Authority for consideration, in relation to the nature of the offence and where applicable, inclusion on the SOVA list.
APPENDIX 1 – CODE OF CONDUCT FOR THE BOARD OF TRUSTEES

1.  RECRUITMENT TO THE BOARD OF TRUSTEES

Trustees are recruited to the Board in accordance with the role description and specification for Trustees and are required to complete an application form and provide two valid references.

Applicants are interviewed for the position of Trustee by a panel of at least two Trustees and Senior Officers. If successful, Trustees are required to undergo the following recruitment checks:

- Completion of an enhanced CRB disclosure
- Declaration of Interests
- Completion of FSA disclosure document
- Two satisfactory references

Trustees must demonstrate a commitment to our core values and charitable objects.

2.  COMMITMENT TO THE PRINCIPLES OF PUBLIC LIFE

Trustees are expected to adhere to the Seven Principles of Public Life:

Selflessness – Holders of public office should act solely in terms of the public interest. They should not do so in order to gain financial or other benefits for themselves, their family or friends.

Integrity – Holders of public office should not place themselves under any financial or other obligation to outside individuals or organisations that might seek to influence them in the performance of their official duties.

Objectivity – In carrying out public business, including making public appointments, awarding contracts or recommending individuals for rewards and benefits, holders of public office should make choices on merit.

Accountability – Holders of public office are accountable for their decisions and actions to the public and must submit themselves to whatever scrutiny is appropriate to their office.

Openness - Holders of public office should be as open as possible about all the decisions and actions that they take. They should give reasons for their decisions and restrict information only when the wider public interest clearly demands.

Honesty - Holders of public office have a duty to declare any private interests relating to their public duties and to take steps to resolve any conflicts arising in a way that protects the public interest.

Leadership - Holders of public office should support and promote these principles by leadership and example.

3.  STANDARDS OF BEHAVIOUR

The following general standards should be observed:

- Respect – Trustees should behave professionally and courteously to fellow Trustees, Officers, Employees, Tenants and Service Users. Any unprofessional and discourteous behaviour will not be tolerated. The Board of Trustees will ensure that Trustees and Senior Officers behave professionally and respectfully at all times. A positive, respectful and inclusive atmosphere should be promoted at all meetings so as to ensure that Trustees, Tenant/Service User representatives and Senior Officers feel comfortable in actively participating in discussions.
Impartiality – The Board of Trustees will ensure that Trustees and Senior Officers deliver services in an efficient and impartial manner, avoiding any personal relationships that may give rise to conflict of interests or the appearance of any such conflict.

Equality, Diversity and Dignity at Work – Trustees should avoid any discriminatory action and actively promote the organisation’s policy on equality and diversity. Trustees must observe Creative Support’s policies relating to Equal Opportunities, Race Relations, Anti-discriminatory Practice, Harassment at Work and Bullying. Racist, sexist, homophobic or other discriminatory behaviour should not be tolerated from Trustees, Senior Officers and staff nor from tenants/service users, outside contractors/consultants or agencies. As an organisation supporting tenants and service users with special needs and disabilities, Creative Support seeks to promote the rights and entitlements of disabled people and observe the requirements of the Equality Act 2010 which has replaced most of the provisions of the Disability Discrimination Act 2005.

Procurement of goods and services – Trustees should ensure there are clear tendering and purchasing policies and procedures that provide for fair and impartial procurement of services. Trustees should ensure that those with responsibility for the appointment of consultants, suppliers and contractors take particular care to avoid any suggestion of impropriety in their relationship with individuals or companies. Where any conflicts or potential conflicts of interests arise these should be declared and steps taken to ensure that those concerned have no involvement in the process.

Outside activities – Trustees should ensure that they are aware of the need to manage their personal interests to prevent and avoid any conflict, or perceived conflict, with the interests of the agency. They should avoid engaging in outside activities that could bring the agency into disrepute or adversely impact on their work and/or contribution to the agency.

Openness and confidentiality – Trustees should work within Creative Support’s Confidentiality and Data Protection policies and should avoid the inappropriate disclosure of any personal information relating to service users/tenants, employees or others, and of any commercial in-confidence information provided to or belonging to the organisation.

5. EXPENSES FOR TRUSTEES

It is Creative Support’s policy that Trustees do not receive remuneration for attending Board meetings, sub committees, other events or for carrying out any other duties in relation to their role. Expenses are paid as per the current expenses policy which permits a claim of 40p per mile from the Trustees home to the event or standard class rail travel as appropriate. Payment of expenses to Trustees will be attributable to the organisation’s governance costs and will be declared as such in the annual accounts.

6. COMPLIANCE WITH THE BRIBERY ACT 2010

The Board of Trustees will seek to ensure that Creative Support conducts its business without bribery and complies with the Bribery Act 2010 which came into effect on the 1st July 2011. The Board of Trustees will ensure that the Senior Management Team, all staff and the key people who do business with Creative Support understand that the organisation does not tolerate bribery. Proportionate action will be taken to identify and address any bribery risks. It should be noted that the acceptance of moderate hospitality, such as a working lunch, is acceptable and is not prohibited by the Bribery Act.

7. TRAINING FOR TRUSTEES

Training will be made available for Trustees in order that they may fully appreciate and effectively carry out their responsibilities. A programme of training for the Board will be drawn up periodically.
based on the identified training needs of the Trustees, taking into account future business plans and any legal and external policy changes. Every effort will be made to organise the delivery of the training in such a way as to ensure that Trustees are able to attend and participate. Trustees will also have access to relevant external training courses and conferences. Such training requests and associated will be approved by the Chair and Company Secretary.

8. CONFLICTS OF INTEREST

The Board of Trustees must act in the best interests of the organisation. Trustees have a duty to act only in the interest of the organisation and not on behalf of any constituency or interest group, and not for any personal interest or benefit.

The Board of Trustees must pay attention to the management of personal interests and in particular to actual, potential or perceived conflicts of interest, in order to protect the organisation and the individuals involved from any appearance of impropriety. Trustees should declare interests if in any doubt and should abstain from any discussion/vote in relation to any matter in which they have or could reasonably be perceived to have an interest.

Individual trustees need to make sure that all relevant personal interests are declared and where conflicts arise, or are perceived to arise, these are managed to avoid any financial or non-financial personal gain, (whether real or capable of being so perceived), to themselves or to any person or body closely connected to them. This includes family members, such as spouse or partner and close relatives, as well as close friends and business colleagues. The register of declared interests should be maintained and made available for inspection as required.

Relevant personal interests take many forms. Some of the usual ones are:

- Employment, ownership or significant shareholding in a company or partnership providing products or services;
- Significant ownership of land and/or property in the area of operation of the association;
- tenancy or leasehold interest of a property owned by the Charity;
- membership of the Board of Trustees of another Charity or non-profit organisation
- Directorship of a private company
- membership of a campaigning, residents’ or community association which has interests in the business and/or operation of the association;
- membership of a local authority, PCT, a public body, or another body with interests in the area of operation of the organisation

In the interests of transparency, membership of political parties and pressure groups should always be declared.

In considering the appointment of new Trustees, the Board will ensure that all relevant personal interests are declared at the point of recruitment and selection. New Trustees are made aware that they will be required at all times to act in the best interests of the organisation and that anything which may jeopardise their ability to do so would be a conflict of interest. Careful consideration needs to be given where the interests of the individual, or those with whom he or she is closely connected, indicate an actual or potential conflict with those of the organisation which may prevent the potential trustee from demonstrating that they were able to act in the best interests of the organisation. Where, after proper scrutiny, the evidence shows that these are likely to present an actual or potential serious or continuing conflict, an appointment should not be made.
Trustees should review their continuing membership, and if necessary take advice on whether they should stand down, when changes occur in either their own interests or those of a person closely connected to them, which give rise to a potentially serious or continuing conflict with those of the association.

The declaration of conflicts or potential of interest will be a standard agenda item to be taken at the beginning taken at each meeting or sub-committee meeting of the Board of Trustee. Trustees should ensure that where an item of business arises in which they, or a person closely connected to them, have an interest, whether or not already entered in the register, this is declared and where possible notified to the chair of the meeting before its commencement as an initial agenda item. Where the declared interest is a financial one or where a personal benefit may arise or be seen to arise, board directors should take no part in the discussion of the item or the decision. This should be achieved either by withdrawal from that part of the meeting or by non-attendance. Trustees should only remain in the relevant part of the meeting where the board decides that this is appropriate and this is formally minuted. In this case, the trustee should not vote on the matter and if they participate in the discussion relating to the matter, again, this should be properly minuted.

Trustees who are tenants or service users of the organisation should regard matters specifically concerning their individual circumstances as clear and substantial conflict; matters affecting tenants/service users more generally need be declared only where they create a specific conflict of interest.

All relevant declarations of interest given before or during meetings and the action taken by individual trustees to prevent any conflict from arising should be recorded in the minutes.

Where there is evidence that individual Trustees have withheld information, or provided misleading information, about their interests or those of a person closely connected to them, the Board of Trustees should consider removal from membership. Removal should occur in the event of deliberate non-compliance with the Code or with the association’s required standards of conduct. The process for removal of a Trustee should be in accordance with that set out in Creative Support’s rules.

9. ATTENDANCE AT MEETINGS

Trustees will endeavour to attend all meetings of the Board of Trustees and the Annual General Meeting, as well as any special meetings or sub-committees to which they have been nominated. A register of attendance will be taken. In the event that a Trustee is unable to attend a meeting they should forward their apologies in advance and these will be recorded in the minutes of meetings.

10. DUTY OF CARE TO PROTECT CHILDREN AND VULNERABLE ADULTS AND TO FOLLOW SAFEGUARDING PROCEDURES

Trustees are required to follow Creative Support’s and the relevant local authority/multi-agency policy and procedures for the safeguarding of children and vulnerable adults. This will include ensuring that all concerns regarding children and vulnerable adults are reported to the relevant authority and all appropriate actions are taken to ensure their safety and protection. Trustees and Senior Officers will review compliance with safeguarding policies and good practice and will take part where appropriate in serious case reviews and other multi-agency safeguarding processes.

11. COMPLIANCE AND BREACHES

11.1 Compliance with this code

All Trustees are to be made aware of the requirements of this Code at the point of recruitment, selection and induction.
The Board of Trustees will carry out an annual review of compliance in making its self-assessment return to the regulator and ensure all required disclosures and registers are properly maintained and maintained. A compliance statement will be made in Creative Support’s annual report.

11.2 Breaches of this Code

Trustees and Senior Officers must bring any alleged breaches of this Code to the attention of either the Chair of the Board of Trustees or the Company Secretary. Where the allegations relate to the conduct of these post-holders, then notice may be given in accordance with the Whistle Blowing Policy.

The Chair or Company Secretary will inform the Trustees, unless this would not be appropriate, and instigate an investigation. This should be sufficiently thorough and objective to establish the relevant facts and to determine the appropriate response. The investigation should be carried out by someone independent of the parties concerned which may necessitate the appointment of an external investigator. If a significant breach of legal or regulatory requirements is alleged, the Tenant Services Authority and/or the FSA should be informed at an early stage.

The result of any investigation should be considered by the Board of Trustees, together with the action to be taken to rectify the position and avoid any recurrence. Corrective action, including any action proposed in relation to the parties responsible for the breach, should be proportionate to the scale and nature of the breach. Advice from suitably qualified persons should be sought and in particular where removal from office or termination of contract is proposed.