

Blochairn Housing Association Ltd
Entitlements, Payments, and Benefits Policy

1. Introduction

Who the Policy Affects:

This policy is aimed at members of the Management Committee and Staff of Blochairn Housing Association

About This Policy

The Association is a Registered Social Landlord (RSL) and a Scottish Charity. It is part of a sector that has a strong reputation for integrity and accountability to tenants, owners and housing list applicants; and to our Regulators. The Association must uphold its reputation and that of the sector.

Management Committee members and Staff cannot benefit inappropriately from their connection with the Association. This policy describes the entitlements, payments or benefits that can be received. It describes what is not permitted and arrangements make sure that the policy is observed.

The Scottish Housing Regulator (SHR) requires that these arrangements demonstrate transparency and honesty¹. There must be no public perception of impropriety.

As a Scottish Charity, all Committee Members must comply with the Office of the Scottish Charity Regulator (OSCR) guidance to Charity Trustees² and charity legislation.

Management Committee members and Staff will act in good faith. In applying the policy, we will always take this into account. They are personally responsible for making sure that they are familiar with, and comply with, its terms.

A common-sense approach will be applied to the interpretation and application of this policy. Any Management Committee member who is unsure about anything will consult with the Chair or Director and or a member of Staff will consult with the Director.

Other Relevant Policies

Other relevant policies must also be complied with. Failure to comply with the terms of this policy will be regarded as a breach of the Code of Conduct.

2. Managing Your Interests

¹ Scottish Housing Regulator (April 2012) Regulatory Framework p28 section 5.13 available [here](#)

² Office of the Scottish Charity Regulator (Aug 2013) Guidance For Charity Trustees section 3 available [here](#)

Registering and Declaring Interests

The Association has commercial and business relationships with companies, contractors, suppliers and service providers. The Association maintains a Register of Interests. Management Committee members and Staff will record annually any relevant interests that they or someone connected to them has. The Management Committee will receive an annual report on the Register.

If the interest is being discussed or considered at a meeting the interested party will play no part in the discussion and withdraw from that part of a meeting.

Entitlements, Payments and Benefits

Many of the interests declared can be classed as entitlements, payments or benefits. Benefits offered over and above contractual entitlement, such as gifts or hospitality from external parties, cannot always be accepted. Such offers will be managed and recorded. Apart from payments by contract, statute or other agreement (e.g. salary, expenses), the Association will only make a payment to, or accept a payment from, someone affected by this policy in exceptional circumstances. Some entitlements, payments and benefits will never be allowed. Others have requirements or conditions that must be met before being allowed. See Appendix A

3. People Connected To You

Who Else You Should Consider When Declaring Interests

Management Committee and Staff must be aware of the potential risk created by the actions of people to whom you are closely associated. There are three groups of people that you need to consider. See Table A:

Table A

Group 1: Members of your household	Group 2: People closely associated with you	Group 3: Others you need to consider
Anyone who normally lives as part of your household, whether related to you or not, including spouses/partners who work away from home and sons and daughters who are studying away from home	Parents, parents-in-law and their partners. Sons and daughters; stepsons and step-daughters and their partners. Brothers and sisters and their partners. A partner's parent, child, brother or sister Grandparents, grandchildren and their partners. Someone who is dependent on you or whom you are dependent on. Close friends	Other relatives (e.g. uncles, aunts, nieces, nephews & their partners). Other friends (e.g. someone you are acquainted with socially, neighbours, business contacts/associates)

The Association recognises Management Committee members and Staff will not always be closely acquainted with or in regular contact with all of the people listed and does not expect unreasonable effort to identify actions or involvement. However, it is expected that they are aware of the actions of household members

and of anyone closely associated and/or in regular contact.

Management Committee members and Staff need to consider and declare:

- A significant interest in a company or supplier. A significant interest means ownership (whole or part) or a substantial shareholding in a business that distributes profits, but does not include where an individual has shares in large companies such as banks, utility companies or national corporations, i.e. where owning shares would not give the individual any significant influence over the activities of that organisation
- Where the individual may benefit financially from a company that the Association does business with
- Involvement in the management of any company or supplier that the Association does business with
- Involvement in tendering for or the management of any contract for the provision of goods or services to the Association
- Application for employment with the Association
- Application to join the Management Committee
- Application to be a tenant or service user of the Association
- If they are an existing tenant or service user of the Association

4. Use of Our Contractors & Suppliers

Management Committee members and Staff should avoid using the Association's contractors or suppliers for personal purposes, where possible.

It could be permitted to use those contractors/suppliers if it can be shown that no preferential treatment in terms of price, quality or any other aspect of service delivery was received.

Approval to use those contractors is at the discretion of the Director. Purchase of goods or services from a contractor/supplier on the approved list must be recorded in the register. The Director should consider the level of potential reputational risk or potential conflicts of interest that may arise by granting approval.

5. Review

This policy has been approved by the Management Committee and is consistent with our Codes of Conduct. This policy will be reviewed after each Annual General Meeting.

Appendix A – Entitlements, Payments and Benefits

EXAMPLE	PERMITTED?	FURTHER INFORMATION
HUMAN RESOURCES AND RECRUITMENT		
Entitlements arising from a contract of employment	Yes	Do not need to be recorded in register of interests.
Payment to a member of the governing body for their role as a governing body member	No	Unless within Section 67(3) of the Charities and Trustees Investment (Scotland) Act 2005 ³ Payment must be recorded in the register of interests within 5 days
Payments of expenses within the terms of policies	Yes	Do not need to be declared
Loan to a Staff or Committee member	No	Unless in connection with the contractual terms of employment.
Redundancy or Voluntary severance payment	Yes	Provided: <ul style="list-style-type: none"> • Contract of employment is terminated • Payment is approved by the Governing Body • Does not exceed the likely cost of a decision against the Association by a Court or Tribunal • Payment less than one year's salary • Payment is instead of a redundancy entitlement
An offer of employment (temporary or permanent) to someone closely connected to a member of staff	Yes	Must be: <ul style="list-style-type: none"> • Open recruitment exercise • No direct or indirect line management or supervision responsibility for the post and • Within policy and approved by Management Committee d • Recorded in the register within 5 days

EXAMPLE	PERMITTED?	FURTHER INFORMATION
Offer of employment to someone who is, or has been in the last 12 months, a member of the Management Committee or to anyone who is related to a Management Committee member	No	
Appointment of a staff members to the Management Committee	No	
Nominations to be elected as a Management Committee member from someone connected to a serving member.	Yes	Permitted within the Rules.
OUR PEOPLE AS TENANTS OR SERVICE USERS		
Offer of a tenancy to a staff or Management Committee or someone closely connected to them.	Yes	Must be <ul style="list-style-type: none"> • in accordance with the published allocations policy • neither the applicant or anyone connected is involved in any part of the allocation process • offer is approved by the Management Committee • tenancy is recorded in the register within 5 days
Repair, improvement or adaptation to a house if the tenant is a staff or Management Committee member or someone closely connected to them	Yes	Repairs within policy do not need to be recorded Adaptations/Improvements must comply with policy and recorded in the register within five days of approval Improvements/Decoration allowances must part of an approved programme and within policy
Competitions/Incentive/prizes/reward payments	Yes	In accordance with policies and procedures and recorded in the register within 5 days of receipt
TRAINING AND EVENTS		
Attendance/Paying for accommodation at training events, conferences, seminars or events hosted by other RSLs	Yes	No requirement to declare and record any interests

EXAMPLE	PERMITTED?	FURTHER INFORMATION
Attendance at events to mark awards, achievements, etc.	Yes	Only if: <ul style="list-style-type: none"> • one of our people (because of their role with us) has been nominated for an award; or • attendance is in recognition of achievement of or in pursuit of appropriate business development; or • attendance or participation is directly related to furthering our aims and objectives • if costs exceed £500 there must be a clear, viable business case for attending
GIFTS AND HOSPITALITY		
Gifts received from tenants and external sources	Yes	Small gifts (e.g. chocolates, pens) can be accepted if: <ul style="list-style-type: none"> • the value does not exceed £25 • only 1 gift from the same source in a 12 month period • it is recorded in the register within 5 days
Gifts given to mark special occasions	Yes	Includes family events (e.g. marriage, milestone birthday, birth of a child); retirement; leaving the organisation
Hospitality	Yes	Modest hospitality, e.g. sandwich lunch, networking event, does not need to be recorded. Other hospitality up to £50 is permitted but must be recorded in the register within 5 days. Greater than £50 requires Management Committee approval
Charitable donations from contractors/suppliers	Yes	To be approved by the Director prior to making any approach
PROCURING GOODS/SERVICES		
Sale of a property under Right To Buy	Yes	No requirement to declare in the register

EXAMPLE	PERMITTED?	FURTHER INFORMATION
Sale via LIFT, Home Buy; Help to Buy or other LCHO scheme	Yes	provided: <ul style="list-style-type: none"> • policy and procedures are followed • the prospective purchaser plays no part in the process • it is recorded in the register within five days of the missives being concluded confirming the process followed.
Entering into a contract with an organisation where a member of staff or the Management Committee, or someone connected to them, has significant control.	No (in almost all cases)	May be considered where: <ul style="list-style-type: none"> • the person affected is not involved in the procurement process or decision • the Management Committee is satisfied that the appointment is reasonable in the circumstances • there is no reasonable alternative (e.g. because of geography or the specialist nature of the goods/services) • the appointment is recorded in the register with details of the process
The purchase of land or other assets from anyone who is, or has been in the last 12 months, a staff or Management Committee member or who is connected to one	No (in almost all cases)	An exception would be under the Mortgage to Rent scheme, provided: <ul style="list-style-type: none"> • policy and procedures are followed • prospective seller plays no part in the decision or processing of the transaction • it is recorded in the register within 5 days