



# Gifts & Hospitality Policy

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<b>Scottish Housing Regulator Guidance:</b>	5.1, 5.4

## GIFTS AND HOSPITALITY POLICY

Ardenglen Housing Association can provide this procedure on request, in large print, in Braille, on tape or in other non-written format, and in a variety of languages.

### **1. INTRODUCTION**

- 1.1 The Ardenglen Group ('the Group'), comprising Ardenglen Housing Association as the parent and Ardenglen Developments as a subsidiary, is committed to the highest standards of openness, probity and accountability.
- 1.2 Regulatory Standard 5 states that an RSL must "*conduct its affairs with honesty and integrity*" To ensure this, the Group has clear policy and procedures in place which make sure the organisation acts with transparency, honesty and propriety and avoids any public perception of improper conduct.
- 1.3 We are a Registered Social Landlord (RSL) and a Scottish Charity. We are part of a sector that has a strong reputation for integrity and accountability to the people we exist to help and to our Regulators. We must ensure that Ardenglen upholds its reputation and that of the sector. Our people cannot benefit inappropriately from their connection with Ardenglen.
- 1.4 This policy compliments our entitlements, payments or benefits policy that our people are able to receive. It also describes what is not permitted and the arrangements that we have in place to ensure that the requirements of this policy are observed.
- 1.5 The Scottish Housing Regulator (SHR) requires us to have a policy that sets out what payments and benefits we permit and to ensure that these arrangements demonstrate transparency, honesty and propriety. We must ensure there is no justifiable public perception of impropriety.
- 1.8 As we are a Scottish Charity, all of our Governing Body Members must also ensure that they comply with the Office of the Scottish Charity Regulator (OSCR) guidance to Charity Trustees<sup>1</sup> and charity legislation.
- 1.6 The Policy also takes account of the Bribery Act 2010 and should be read in conjunction with the Association's Policy in this regard

### **2. PURPOSE**

- 2.1 ***To safeguard the reputation of the Association by preventing actual or perceived abuse of position and influence, and to provide guidance for Board and Staff members on the giving and receiving of gifts and hospitality.***

#### **4. GIVING GIFTS**

- 4.1 The giving of gifts should generally apply to exceptional circumstances where Ardenglen may wish to make a gesture of appreciation or sympathy. While not exhaustive, examples would be the death of an employee or Board Member; retirement or long service by a Board member or the serious illness of a staff or Board member.
- 4.2 Any gifts given must be approved by the Board and the decision minuted. In exceptional circumstances, the Chief Executive and Chairperson have delegated authority to make gifts. In any such occasion, this must be reported to the earliest possible Board meeting and recorded in the minute.
- 4.3 All gifts given will be recorded in a Gifts and Hospitality Register kept for that purpose. The Gifts and Hospitality Register will be maintained by the Chief Executive and will be made available, when requested, for public inspection. On an annual basis the Chief Executive will report to the Board the total value of gifts given over the period.
- 4.4 Gifts will not exceed £50.00 in value and should be proportionate with the circumstances in which the gift is given.
- 4.5 The type of gift given should be commensurate with the circumstances and while not exhaustive, could include flowers, a bottle of alcohol or chocolates etc. Under no circumstances will cash or any other kind of direct payment be made.
- 4.6 Retirement and long service awards to staff are subject to a national agreement through the Employers in Voluntary Housing (EVH) of which Ardenglen is a member. The arrangements and contribution limits are published annually and reviewed by EVH on a regular basis.

#### **5. RECEIVING GIFTS**

- 5.1 Board or staff members must not use their position for the purpose of acquiring gifts of an unreasonable or excessive nature. Neither should Board or staff members accept any gift, which is intended as, or might be deemed by others to have the effect of an inducement.
- 5.2 Gifts with a significant monetary value should not be accepted under any circumstances. The term "significant monetary value" is defined as £25.00. Any gift which exceeds a value of £25.00 must not be accepted
- 5.3 Items of a nominal value such as free promotional pens, calendars and similar items may be accepted. In the case of tokens during the festive seasons, all bottles and chocolates will be placed in a staff or other appropriate raffle. These gifts will only be accepted if they have a value of less than £25.00.
- 5.4 Under no circumstances should cash, gift vouchers or any other kind of direct payment be accepted.

- 5.5 If a Board or staff member is in doubt as to the status of any gift offered, the offer should be refused or brought to the attention of the Board for them to consider if the member can accept it. The member offered the gift should declare an interest and exclude themselves from the deliberations. The decision should be recorded in the minute of the meeting.
- 5.6 All gifts received will be recorded in the Entitlements Payments and Benefits (EPB) Register kept for that purpose. The Register will be maintained by the Business Support Officer and will be made available, when requested, for public inspection. On an annual basis the Chief Executive will report to the Board the total value of gifts received over the period.
- 5.7 When a gift has to be declined you should be courteous but firm and draw the attention of the person making the offer to the existence of this Policy.

## **6. GIVING HOSPITALITY**

- 6.1 The giving of hospitality should generally apply to situations where Ardenglen is providing lunch or dinner to official visitors.
- 6.2 The Chief Executive has delegated authority to arrange hospitality up to the value of £200, without the prior approval of the Board. Hospitality above this figure must be approved by the Board and the decision recorded.
- 6.3 Expenditure for parties or events to celebrate special occasions must be approved by the Board, where a budget will be set and the decision recorded.
- 6.4 All hospitality given will be recorded in the (EPB) Register kept for that purpose. The EPB Register will be maintained by the Business Support Officer and will be made available, when requested, for public inspection. On an annual basis the Chief Executive will report to the Board the total value of hospitality given over the period.

## **7. RECEIVING HOSPITALITY**

- 7.1 Board of staff members must not use their position for the purpose of acquiring hospitality of an unreasonable or excessive nature. Neither should Board or staff members accept any hospitality, which is intended as, or might be deemed by others to have the effect of an inducement.
- 7.2 It is normally clear whether an offer of hospitality from another party might be considered excessive, unreasonable or intended as an inducement. While not exhaustive hospitality such as lunch or dinner or an invitation to attend a local sporting or cultural event are acceptable.
- 7.3 If a Board of staff member is in doubt as to the status of any hospitality offered, the offer should be refused or brought to the attention of the Board for them to consider if the member can accept it. The member offered the

hospitality should declare an interest and exclude themselves from the deliberations and the decision should be recorded.

7.4 All hospitality received will be recorded in the (EPB) Register kept for that purpose. The EPB Register will be maintained by the Business Support Officer and will be made available, when requested, for public inspection. On an annual basis the Chief Executive will report to the Board the total value of hospitality received over the period.

7.5 When hospitality has to be declined you should be courteous but firm and draw the attention of the person making the offer to the existence of this Policy.

## **8. CORPORATE PROMOTION AND SPONSORSHIP**

8.1 The Association may wish to sponsor local clubs or give prizes for local competitions. This must be approved by the Board and the decision recorded.

## **9. SERVICES**

9.1 It is recognised that staff and Board Members may wish to use the services of a provider of goods or services which also supply Ardenglen.

9.2 The procedures for this are contained in the Entitlements, Payments and Benefits Policy.

9.3 Board members and staff should declare the use of the contractor, consultant or supplier and retain receipts as evidence that payment has been properly made.

## **10. THE BRIBERY ACT 2010**

10.1 Board and Staff members should make themselves aware of their obligations under the Bribery Act the breach of which is a criminal offence.

10.2 Very generally, bribery is defined as giving someone a financial or other advantage to encourage that person to perform their functions or activities improperly or to reward that person for having already done so.

10.3 Ardenglen has an Anti Bribery Policy which should be read in conjunction with this Policy.

## **11. BREACHES OF THE POLICY**

11.1 The Board will receive a report on any breach of the Policy.

11.2 Action will depend on the severity of the breach, and whether it was an inadvertent breach or not.

- 11.3 Depending on the severity of the breach, the Board may request an investigation from the Association's solicitor who will report back to the Board. This will be minuted.
- 11.4 Depending on the severity of the breach, Board members will be subject to disciplinary procedures as detailed in the "Code of Conduct for Board Members" and the process detailed in the Associations Rules.
- 11.5 Depending on the severity of the breach, Staff members will be subject to disciplinary procedures as detailed in the Terms and Conditions of Employment.
- 11.6 In all cases a record and minute will be taken and the outcome recorded in the Register of Recorded Fraud.

## **12. TRAINING**

- 12.1 The Association through its Internal Management Plan is committed to training and developing staff and Board members to their full potential in order to deliver a high quality of service in all areas of its business.
- 12.2 The Board induction programme includes an overview of this policy, including responsibilities for the promotion and delivery of openness and confidentiality as relevant to their job descriptions. Board members will receive updates on these issues and specific training as required.

## **13. EQUALITIES AND DIVERSITY**

- 13.1 This policy will be implemented in line with our Equality and Diversity Policy and is subject to an Equality Impact Assessment to assess the likely or actual effects of the policy to our customers in respect of their disability, age, gender, race, religion/belief, sexual orientation or gender identity to ensure equal and fair access for all.

## **14. MONITORING AND REPORTING**

- 14.1 Ardenglen will use appeals, complaints, comments or suggestions from users of this policy to monitor its effectiveness. These will also be used to prompt a review of the policy where necessary.

## **15. REVIEW**

- 15.1 This Policy will be approved by the Board. It will be reviewed every three years unless amendment is prompted by a change in legislation, or monitoring and reporting reveals that a change in Policy is required sooner.

## **16. DISTRIBUTION**

16.1 This policy will be made available to every employee and Board member and will be made freely available to any tenant or interested party.

**17. LEGAL FRAMEWORK**

- The Rules of Ardenglen Housing Association
- The Bribery Act 2010

**18. RELATED POLICIES**

- Standing Orders
- Code of Conduct
- Control of Payments & Benefits
- Anti Bribery Policy
- Governing Body Expenses

**--- END OF POLICY ---**

