



Policy Title: Donations, Gifts and Hospitality Policy

Policy Section: Governance

Date Approved by Management Committee: 27 September 2018

Next Review Date: October 2018

This document will be made available in different languages and formats on request, including Braille and audio formats.

1.0 Aims of the Policy

- 1.1 Cadder Housing Association (The Association) wishes to establish a framework on donations, gifts and hospitality to ensure the Association operates within regulatory expectations and the ethos and high ethical standards of the housing association sector.
- 1.2 The provision or receipt of donations, gifts and hospitality operates within the Association's Entitlements, Payments and Benefits Policy for current and former employees and Management Committee members. Any employee or Committee member must be aware that to accept or provide a donation, gift or hospitality could be interpreted as a favour from (or to) a business contact or potential business contact, and they must be aware that they potentially put themselves and the Association in an extremely awkward position.
- 1.3 In situations where the donation, gift or hospitality is seen to be excessive or inappropriate it may put the staff or Committee member at a disadvantage and potentially distort their judgement or which may be seen as influencing their judgement, or could be interpreted as a bribe. This could also be seen as a breach of the Entitlements, Payments & Benefits Policy, which may be a notifiable event to the Scottish Housing Regulator (Regulator)
- 1.4 In implementing this policy the Association aims to achieve effective control, whilst providing scope for the provision of donations, gifts and hospitality to promote the Association and recognise stakeholders and people in its work.

2.0 Policy Principles

- 2.1 The Policy applies to employees and to members of the Management Committee. All of the Association's employees and Committee members have an overriding duty to ensure:
 - a) Responsible stewardship of the Association's income, much of which is derived from tenant's rents;
 - b) The highest standards of probity and accountability in their personal conduct.
- 2.2 The Association's policy is therefore based on the following principles:
 - a) The Association will receive and provide donations in keeping with the limits of this policy through its work and that of charitable causes and organisations to benefit the Cadder community and its people.

- b) The Association will adopt a prudent approach to making gifts or offering hospitality to employees, Committee members or to any third party.
- c) Employees and Committee members must never place themselves under any obligation to any third party organisations which might influence, or be perceived to influence, the conduct of their duties
- d) All offers of gifts and hospitality received by employees and Committee members should be treated with caution and should be refused if they are of a significant nature, or could be perceived by others as influencing the Association's decision.
- e) If an employee or Committee members in any doubt about whether to accept an offer of a gift or hospitality, they should either politely refuse the offer, or seek advice before placing themselves under any obligation to third parties.
- f) The Association will record all donations, gifts and hospitality and report these annually to the Management Committee.

3.0 Equal Opportunity

- 3.1 The Association is committed to ensuring equal opportunities and fair treatment for all people in its work
- 3.2 The Association will ensure that it achieves fairness towards all employees and Management Committee members in the implementation of this policy. Our commitment to equal opportunities and fairness will apply irrespective of factors such as gender or marital status, race, colour, disability, age, sexual orientation, language or social origin, religious beliefs or other personal attributes.
- 3.3 The Association will regularly test this policy for Equal Opportunity implications and take the appropriate action. To ensure equal access for all the information contained in this policy, we can provide copies in Braille, enlarged print, translated into other languages or formats e.g. tape, DVD to staff or Committee members, upon request and where practicable.

4.0 Legal, Regulatory, Policy and Contractual Requirements

- 4.1 As a Registered Scottish Charity, the Association must ensure that any gift granted to another organisation or person is relevant to its own charitable purposes. This is a gift or grant funding, which will result in a direct or indirect benefit to its tenants, or one which will contribute to the economic or social benefit and regeneration of Cadder.

- 4.2** Registered Social Landlords (RSLs) with the Scottish Housing Regulator are subject to regulatory guidance on the Entitlement, Payments and Benefits. The Regulator has endorsed the model Entitlements, Payments and Benefits Policy developed by the Scottish Federation of Housing Association. The Regulator has advised RSLs that they don't need to adopt the model but must have a policy to control payments and benefits to their people.
- 4.3** The Association has undertaken a review of the model Entitlements, Payments and Benefits Policy and made some adaptations to its content and limits for donations, gifts and hospitality, which they feel are more reasonable and recognise our people.
- 4.4** The Association is a full member of E.V.H and embraces the Terms and Conditions of Employment, therefore this covers the full entitlement to staff through their employment with the Association. In keeping with this policy the Association will make gifts within prescribed levels in the EVH Salary Structure to employees to reflect their tenure i.e. retirement or long service award.
- 4.4** The Association's Policies on Significant Events and Committee Member Service Recognition will recognise significant events of Committee and staff members' e.g special birthdays, weddings, childbirths, illness or deaths and long service and commitment to the Association. The monetary limits payable to our staff and Committee members vary where they are in keeping with model Entitlements, Payments and Benefits Policy, as well as retirement and long service award
- 4.5** Entitlements, Payments & Benefits Considerations
- 4.5.1** The Association's Entitlements, Payments & Benefits Policy restricts non-contractual payments and benefits it can give to staff members, Committee members and those with whom they are 'closely connected' so that no person is given priority or preferential treatment or beneficial terms because of any connection with the Association. This includes former staff and Committee members who have left the organisation in the last 12 months.
- 4.5.2** A 'closely connected' person is categorised into 3 groups of people we need to consider when declaring interests, they are
- Group 1 - Members of your household
 - Group 2 - People closely associated with you; and
 - Group 3 - Other you need to consider.

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 they are related to you or not, including spouses/partners who work away from home and sons and daughters who are studying away from home	<ul style="list-style-type: none"> • 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 	<p>Other relatives (e.g. uncles, aunts, nieces, nephews & their partners)</p> <p>Other friends (e.g. someone you are acquainted with socially, neighbours, business contacts/associates)</p>

4.5.3 Committee and staff members must declare and manage any action or involvement relating to anyone as soon as possible. We do expect our people to be familiar with the actions of members of their household but in groups 2 and 3 as listed in section 4.5.2, we do not expect them to go to unreasonable lengths to identify actions or involvements covered by the Policy.

4.5.4 Our people should notify us by making a declaration in the register, where:

- A significant interest in a company or supplier we do business with;
- Where an individual may benefit financially from a company we do business with;
- Application for employment
- Application to be a tenants

4.5.5 Use of Contractor / Suppliers by our people

The Association requires all of our people to seek approval from an approving officer, which will be the Director for all staff , the Chairperson for the Director and Committee members and the Management Committee for the Chairperson to use our contractors and suppliers.

In using our contractor / suppliers this ensures our people are not disadvantaged compared to the general public. Where our people are authorised to use our contractors/ suppliers it is on the basis that they:

- The normal commercial rates are paid for this service and no preferential treatment, financial or otherwise, is received
- You report your proposed course of action to your departmental director or the Chair (as appropriate) before committing to use the contractor in question and follow any advice offered. In emergency situations you should comply with this policy retrospectively as soon as is practicably possible
- You make a written declaration that you have not received any advantage or preferential treatment (financial or otherwise) from the contractor or supplier arising out of their connection to the Association: written quotes should be provided where these would normally be sought for the type of work in question, and in ALL cases receipts should be provided
- You record the transaction or agreement in the Register of Payments and Benefits and keep the entry up to date.

4.5.4 The objective is to ensure that the Association operates within the terms of the Entitlements, Payments and Benefits Policy in its implementation of the Donation' Gifts and Hospitality Policy.

5.0 Donations, Gifts and Hospitality

5.1 Donations

5.1.1 The Association may from time to time receive donations for special events such as our A.G.M, official openings, community events or activities; or one off publications e.g. annual reports.

5.1.2 The Association will restrict any donation from any contractor, supplier, consultant or other agency to a maximum of £250 associated with its work or community events.

5.1.3 The Association will not make charitable donations to any organisation unless in pursuit of its own charitable objectives, these are

“The business of providing housing, accommodation and assistance to help house people and associated families and providing associated facilities and amenities for poor people, and providing for relief of aged, disabled, handicapped (whether physically or with leaning disability) or chronically sick people”.

- 5.1.4 The Association receives requests from charitable causes or organisations seeking donations. Donations will be considered up to a maximum of up to £150 for any one donation and only in the following circumstances:
1. The organisation is a housing or related organisation, which clearly promotes or assists in the aims and objectives of Cadder Housing Association; or
 - 2.. the organisation is based within the G20 or G23 area or is providing specific local services to residents living in properties owned or managed by Cadder Housing Association.
- 5.1.5 The Association will set a budget each financial year for the granting of donations to charitable causes and organisations listed in section 5.1.4 of this policy. The budget will not exceed £2,000 and be monitored through all donations being recorded in a register.
- 5.1.6 No beneficiary will receive a donation more than once in any given financial year.
- 5.1.7 The Association will consider the award of a grant to Registered Tenants Organisations (RTO) or other community organisations to provide services and engage with our tenants, residents and other customers. This will assist these groups to represent local residents on housing issues and provide community events and activities in keeping with the Association's Resident Participation Strategy and our wider role and regenerations activities e.g. Action Plan for Participation by the RTO and the Cadder Gala Day. The Association will set this budget for Resident Participation and events annually and appropriate agreements and compliance arrangements will be put in place.
- 5.1.8 The Association will help facilitate private donations made by Committee or staff members in circumstances where the individual(s) wishes to make a charitable donation to a cause either from expenses claimed or a direct debit mandate for salary payments.
- 5.1.9 The Association may participate in periodic fund raising events where groups of staff and/or Committee members may wish to form a fund raising team. This may include the release of staff for the duration of the event or use of the Association's premises for the event. Thereafter, the Association will publish articles and photographs commemorating the efforts to raise funds and donate to good causes with the newsletter or website.

5.2 Gifts

5.2.1 It should be understood that there is no such thing as a 'personal' gift when it is being given as a result of the working relationship and the giver is recognising this by presentation of a gift. Such a relationship only exists by virtue of the staff or Committee member's position with the Association.

5.2.2 The Association recognises that both staff and Committee members may, on occasion, be offered gifts. In general Committee members and staff should refuse any personal gift offered to them (or any member of their family) by any person, business or organisation, which provides or is seeking to provide goods or services to the Association. Staff and Committee members should also discourage tenants and other customers from giving gifts as a result of the service they have received from the Association. In these situations the staff or committee member should make the person offering the gift aware of this Policy, thus avoiding a situation where offence is taken through refusal of the gift.

5.2.3 Gifts which are received and of a minor value may be accepted by individuals if it would be inappropriate to refuse. Examples of gifts which it would generally be permissible to accept are:

- Small gifts of a promotional or advertising nature given by contractors and suppliers e.g. calendars, diaries, pens, etc.
- Small gifts associated with a corporate event or activity involving staff or committee members i.e. representation of the Association at events or Conferences by the Events Organiser; and gifts given by groups visiting the Association.
- Small gifts offered as a token of appreciation or thank you in relation to the Association or an individual's work e.g. box of chocolates, biscuits, etc

5.2.4 In all the above circumstances, any gifts which are accepted by individuals should not exceed a value of £30.00. In general, gifts such as food hampers or bottles of alcohol should not be accepted on a personal basis. In the event that the Association receives gifts outside these limits and the individual is unable to refuse or return the gift or it is seen to be inappropriate to do so, then the gift will be received by the Association. In these situations the gifts will be recorded and placed in storage to support the Association's community activities and events.

5.2.5 The Association will present flowers or make a gift to staff or Committee members for significant events to a maximum value of £30. These significant events will include the following:

- a) Special Birthdays
- b) Marriages
- c) Childbirth
- d) Illness

e) Death

5.2.6 Any gifts under £30 do not need to be approved, but a notification form must be completed to ensure it is noted by the line manager and recorded in the register.

5.2.7 The Association will spend up to £100 on a gift for the following exceptional circumstances:

- Death of an employee or Committee member or spouse, partner or child etc.
- Retirement or resignation by an employee or Committee member where they have had long service with the Association. (Long service is defined in the Committee Member Recognition Policy for Committee Members and in the Terms and Conditions of Employment for Staff members)
- Terminal or serious illness of a staff or Committee member which requires them to leave on a temporary or permanent basis.

The Management Committee will consider an appropriate gift and amount for Committee members.

5.3 Hospitality

5.3.1 The Association may offer hospitality to its committee members, staff and other stakeholders in the following circumstances:

- a) It may make a gesture of appreciation to Committee and staff members for their efforts and contribution by providing lunch, dinner or attendance at an event on special occasions such as Christmas. In this circumstance the maximum value will be £50 for the event.
- b) It may also provide lunch or dinner to Committee members and staff at business events, such as the Business Planning event or corporate training and development days.
- c) Occasional business meetings or other occasions where the Association has official visitors. In these circumstances the Association may pay for meals and refreshments up to £50 per person and the Director will have delegated authority to approve such hospitality on behalf of the Association.
- d) Occasional events to mark significant occasions and events e.g. anniversary celebrations or the completion of a development contract. In these circumstances the Association will provide hospitality to people in and associated with its work and other organisations. A budget amount will be set by the Management Committee with their approval of the Annual Budget.

5.3.2 Where a member of staff has paid for a business lunch they will be able to reclaim the costs (including their own share of the costs)

provided that the costs are reasonable and business lunches are not used with excessive frequency as a way of doing business.

- 5.3.3 Staff should not provide or receive hospitality to / from the same source more than once in a 12 month period.
- 5.3.4 Committee and staff members should be aware that similar to the offer of gifts, hospitality offered by contractors, suppliers of services or goods or other organisations seeking contracts with the Association should normally be discouraged. In all occasions staff or Committee members should not accept an offer of hospitality where it could potentially distort their judgement or which may be seen as influencing their judgement, or could be interpreted as a bribe.
- 5.3.5 This section of the report details offers of hospitality which **must** be declined:
- a) Holiday or weekend hospitality;
 - b) Free accommodation or travel unless in a business context (see section 5.3.5);
 - c) Invitations to events such as a football or rugby matches, functions or dinners where the cost will be met by a third party. In the case of functions or dinners they may be permissible where attendance directly relates to the Association and its work;
 - d) Any form of hospitality which could reasonable be considered as excessive i.e. above £50;
 - e) An offer of hospitality made by a third party where they:
 - i. Are involved in a dispute with the Association , even if the hospitality is seen to be permissible and within prescribed levels;
 - ii. Are likely to be / or have been involved in a tender for services either 6 months before or after a tender process.
- 5.3.6 Offers of hospitality to Committee or staff members which may be accepted are:
- a) Attendance in an official capacity at functions to which invitations have been sent to representatives of other housing associations e.g. awards ceremony relating to Association's work or the housing sector.
 - b) Attendance in an official capacity at functions where the Association has been shortlisted for an award;
 - c) Payment of travel or accommodation by a third party where the staff or committee member is invited in an official capacity at a conference or event and is making an active contribution relating to the Association and its work.

5.3.7 Staff or Committee members offered hospitality should notify and seek approval from the, Director or Chairperson before accepting the offer. The approval for any acceptance of hospitality should be as outlined in section 6 of this policy, 'Delegated Authority'.

5.3.8 There may be occasions where the Association will decide to decline an offer or hospitality, but pay for Committee or staff members to attend the event. This may be due to the cost, contractual arrangements where to accept the offer of hospitality may potentially breach this policy, but our attendance is seen as necessary to represent the Association and its work.

5.4 General

5.4.1 Staff or Committee members should complete a notification form for all offers of all gifts and hospitality, whether accepted or declined and this should be passed to the Director within 5 days, thereafter the Register should be updated

5.4.2 Prizes won in raffles, prize draws or similar lottery type events, which occur at conferences, are not regarded as gifts under this policy and can therefore be accepted and retained by Committee and staff members.

5.4.3 Staff and Committee members are not eligible to win prizes for participation in e.g. surveys, newsletter competitions which are designed to encourage additional resident engagement.

6.0 Delegated Authority

6.1 The Management Committee's role is to:

- a) To consider for approval the Donations, Gifts and Hospitality Policy;
- b) To monitor the overall operation of this policy through annual presentation of the Donations, Gifts and Hospitality registers.
- c) To give the Chairperson and Director delegated authority to implement this policy;
- d) To approve any gifts or hospitality for the Chairperson; and
- e) To decide the appropriate action from any breaches or potential breaches of this policy by the Director, Chairperson or Committee Members.
- f) In situations of potential gross misconduct the Staffing Sub-Committee will attend to any disciplinary hearings for staff. The Chairperson will co-ordinate arrangements for any investigation and subsequent special meeting of the Management Committee, where a Committee member has potentially breached this policy.

- 6.2 The Director will be delegated to approve any donations offered to or requested from the Association up to the permitted levels as outlined in section 5.1 of this policy.
- 6.3 Acceptance of gifts or hospitality are as listed:
- a) Sectional Managers will approve gifts or hospitality offered to their staff;
 - b) Director will approve gifts or hospitality offered to Sectional Managers;
 - c) Chairperson will approve gifts or hospitality offered to the Director;
 - d) Chairperson will approve gifts or hospitality offered to Committee members; and
 - e) Management Committee will approve gifts or hospitality offered to the Chairperson
- 6.4 The Director is responsible for ensuring that the provisions of this Policy are adhered to and applied consistently across the Association by Sectional Managers. The Director will identify any potential breaches of this Policy by employees or Committee members and instruct appropriate investigations by senior staff for staff members or in cases involving Committee members report this to the Chairperson/Management Committee for independent organisations to conduct the investigations e.g. auditors, consultants, solicitors or other organisation – EVH.
- 6.5 All staff and employees are responsible for acting in accordance with this Policy.

7.0 Policy Awareness & Dealing with any Breaches

- 7.1 To ensure compliance with this policy it is essential that all staff and committee members have a good understanding of this Policy and how it applies to their work on behalf of the Association.
- 7.2 The Donation, Gifts and Hospitality Policy will be brought to the attention of all staff and committee through the following:
- Management Committee where they will consider for approval the Policy for implementation;
 - Full staff meeting immediately following approval of the Policy by the Management Committee;
 - Induction meetings with new committee members or employees.
- 7.3 Compliance with this policy is an essential part of committee and staff members' obligations under the Association's Code of Conducts and conditions of employment.

- 7.4 Breaches of this policy are potentially a disciplinary matter if they are intentional; significant; and/or damage the Association's reputation and public standing. In the event of any staff or committee member seen to have potentially breached this policy, the investigation will be conducted as follows:
- a) The Director or Sectional Managers will investigate any potential breach of this Policy by any staff member;
 - b) The Director will investigate any potential breach of this Policy by any Sectional Manager
 - c) An independent organisation will investigate any potential breach of this Policy by the Chairperson or member of the Management Committee
 - d) An independent organisation will investigate any potential breach of this Policy by the Director.
- 7.5 In situations where there is a breach of the Donations, Gifts and Hospitality Policy, which is seen to breach or potential breach of the Entitlements, Payments & Benefits and involves senior staff members or Committee members this will be reported to the Scottish Housing Regulator as a 'Notifiable Event'.

8.0 Registers

- 8.1 All committee and staff members offered gifts or hospitality by any third party should complete a 'Notification Form', even if it is declined. It is the individual's responsibility to complete the form and have this signed off by the relevant person to authorise the approve acceptance or note the offer, as outlined in section 6 of this Policy, 'Delegated Authority.

Failure to complete a Notification Form will be seen as a breach of this policy.

- 8.2 The Association will maintain registers for the following:
- a) All donations made or received;
 - b) All gifts made or received; and
 - c) All hospitality offered and received.
- 8.2 The registers will include all donations, gifts and hospitality whether they are accepted or declined
- 8.3 The registers will be signed off by the Chairperson and form the basis of a report to the Management Committee annually in March of each year.

9.0 Monitoring, Reporting & Review

9.1 The Director will monitor compliance with this policy and co-ordinate the maintenance the Donations, Gifts and Hospitality Registers.

9.2 The Management Committee will receive an annual report of Donations, Gifts and Hospitality, which will provide:

- Details of the number, value and a summary or the reasons for donations, gifts and hospitality received by the Association
- Details of the number, value and a summary of the reasons donations, gifts and hospitality provided by the Association
- Levels of acceptance and refusals;
- Details of any breaches and their outcomes.
- Details of any 'notifiable events' reported to the Scottish Housing Regulator due to a breach or potential breach of this policy

9.3 This is policy will be reviewed in October 2021 or earlier due to

- Legislative, regulatory and good practice requirements; or
- Association performance in implementing this policy

NOTIFICATION FORM (Gifts and Hospitality Offered / Received)

A Notification Form should be completed by all staff or committee members who are offered a gift or hospitality by any third party outside Cadder Housing Association, even if the offer is refused. This form should be signed by the individual receiving or being offered the gift or hospitality and then signed by their line manager. Completed forms should be returned to the Director within 2 working days of any offer of a gift or hospitality

Section 1 Completion by the Employee or Committee Member	
Description of the hospitality or gift offered	
The person or organisation that made the offer, and their status e.g. tenant, contractor	
Name and position of the employee or committee member to whom the offer was made.	
Offered to individual or the Association	
Date on which offer was made or received	
Was the offer accepted or refused?	
Reason for acceptance or refusal?	
Approximate Value?	
Any Comments e.g. gift passed on for a donation, etc	
Signature (Employee / Committee Member)	
Date	_____
Line Manger's Signature & Date	_____

Section 2 Maintenance of Registers	
Name _____	Position _____
Have the terms of the Policy been met?	
Date of entry into register	
Name and signature of person who completed the Register entry	

Note : Scan the notification form and save at Policies / Governance / Governance / Policies/ Donations, Gifts & Hospitality / Registers / (Appropriate Register & Year)

NOTIFICATION FORM (Gifts and Hospitality Provided)

A Notification Form should be completed by all staff or committee members who are responsible for authorising:

- The provision of hospitality by the Association to third parties
- The making of gifts to third parties or to committee members or staff in accordance with the Donations, Gifts and Hospitality Policy; Significant Events Policy; or Contract of Employment

Completed forms should be returned to the Director within 2 working days of any offer of a gift or hospitality

Section 1 Completion by the Employee or Committee Member Authorising the Gift / Hospitality	
Date of Approval:	
Approved by: (Committee / Director):	
Description of the hospitality or gift offered by the Association	
Date offer was provided	
Recipients	
Recipient's relationship to Association or any committee or staff member	
Approximate Value?	
Any Comments etc	
Signature	
Date	

Section 2 Maintenance of Registers	
Name _____ Position _____	
Have the terms of the Policy been met?	
Date of entry into register	
Name and signature of person who completed the Register entry	

Note : Scan the notification form and save at Policies / Governance / Governance / Policies/ Donations, Gifts & Hospitality / Registers / (Appropriate Register & Year)