

Group Policy: Payments, Entitlements & Benefits Policy

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- Approval Body Group Audit & Risk Committee
- Approval Date 24 September 2019

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Scope

This is a Group policy and therefore applies to Staff, Board and Committee Members of the RCH Group of companies. As at September 2019, the RCH Group consists of River Clyde Homes and its subsidiary Home Fix Scotland Ltd. For the remainder of this policy, the above will be referred to as "our people."

About This Policy

- 1.1 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 the organisation upholds its reputation and that of the sector. Our people cannot benefit inappropriately from their connection with the organisation.
- 1.2 This policy describes the entitlements, payments or benefits 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.
- 1.3 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.
- 1.4 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 and charity legislation.
- 1.5 This policy is intended to be a practical document that supports us in meeting all of the above requirements, ensuring that none of our people benefits improperly or inappropriately from their involvement with us, but also that they are not unfairly disadvantaged. We expect our people to act in good faith, and in applying the terms of the policy we will always take this into account.
- 1.6 As someone who is affected by this policy, you are personally responsible for ensuring that you are familiar with and comply with its terms.
- 1.7 At all times, we expect a common-sense approach to be applied to the interpretation and application of this policy. If you are unsure about anything relating to benefits, payments or entitlements you should consult with the Chair or Chief Executive (if you are a member of the governing body) or with your line manager (if you are a member of staff).

What this Policy Covers

Registering and Declaring Interests

2.1 In order to protect our reputation and demonstrate that we conduct our affairs with openness, honesty and integrity, we maintain a Register of Interests. You must record in this Register any interests that you or someone connected to you (see Code of Conduct for definitions)
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which are relevant to our business. Full details of how you should "manage your interests" is contained within the Code of Conduct which you must familiarise yourself with. The Code of Conduct also contains an Appendix for declaring any interests that you may or will have and you should comply with this declaration at all times.

2.2 Where you have an interest in any matter that is being discussed or considered at a meeting, you must declare your interest and play no part in the discussion; you must withdraw from any part of a meeting where the interest arises. Your declaration of interest will be noted in the Minutes of the meeting.

Entitlements, Payments and Benefits

- 2.3 Many of the interests you will be required to declare can be classed as entitlements, payments or benefits.
- 2.4 As one of our people, you potentially could be offered benefits over and above that to which you are contractually entitled, such as gifts or hospitality from external parties. Such offers would be as a direct result of you being one of our people and cannot always be accepted. We require that any such offers are managed and recorded very carefully to ensure the highest levels of probity in our organisation. Our people should not benefit or be seen to benefit inappropriately from their involvement with us.
- 2.5 Apart from payments that our people are entitled to by contract, statute or other agreement (e.g. salary, expenses), we will only make a payment to, or accept a payment from, someone affected by this policy in exceptional circumstances. Appendix A attached to this policy explains the payments we can and cannot make in more detail.
- 2.6 As we contribute to the economy(ies) of the area(s) we work in and we have commercial and business relationships with many different companies, contractors, suppliers and service providers, you must ensure that we are fully aware of any connection that you or someone you are close to (refer to the definitions in the Code of Conduct) has with any of these businesses or organisations.
- 2.7 Some entitlements, payments and benefits we can never permit, and others we have additional requirements or conditions that must be met before we can permit.
- 2.8 Appendix A lists the entitlements, payments and benefits that fall under this policy, and states:
 - Which could be permitted by the organisation
 - Which will never be permitted by the organisation
 - Which you require to declare in the register of interests
 - Any other further requirements the organisation has before permitting

An annual report will be made to our Governing Body on the entitlements, payments, benefits that have been recorded in the Register.

2.9 Sponsorship and Donations Guidance attached as Appendix B.

Other Relevant Polices

- 3.1 You are also required to be familiar with and observe the terms of our Anti-Bribery and Fraud policy. We prohibit any attempt to induce the organisation or our people to offer preferential services or business terms and we will at all times comply with the Bribery Act 2010.
- 3.2 Our policies relating to the following are also relevant to this document and must be complied with at all times:
 - Allocations
 - Repairs and Improvements
 - Adaptations
 - Procurement
 - Training
 - Expenses
 - Recruitment
 - Sale of our Property
 - Decoration Allowances/Prizes

Please note that this list is not exhaustive, and you are required to comply with all of our policies and procedures.

Review

- 4.1 Our Articles of Association require the Governing Body to set our policy on payments and benefits and keep it under review. This policy has been approved by our Governing Body and is consistent with the requirements of our Codes of Conduct for Governing Body Members and for Staff. These Codes have been confirmed by the Scottish Housing Regulator as meeting their regulatory requirements.
- 4.2 This policy was adopted by our Governing Body on 24th September 2019. It will be reviewed in its entirety every 3 years, unless an earlier review is required as a result of legal, regulatory or best practice requirements.

Context

Supporting Policies

The RCH Group Code of Conduct The RCH Group Equalities & Diversity Policy The RCH Whistleblowing Policy The RCH Group Scheme of Delegation

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The Code of Governance

Ownership and Responsibility for Implementation

The owner of this policy is Richard Turnock (Executive Director, Resources & Transformation).

Those responsible for implementing this policy are:

The Chair of the Renumeration & Nominations Committee or Board The Chair of the Committees The Chief Executive The Directors of the Organisation The Heads of Service of the Organisation The Managers of the Organisation

Key Stakeholders

The Board, The Committees, Staff, The Regulator

Related Legislation

Equality Act 2010 Data Protection Act 2018 SHR Regulatory Framework

APPENDIX A – ENTITLEMENTS, PAYMENTS AND BENEFITS

EXAMPLE	CAN THIS BE PERMITTED?	FURTHER ACTION NECESSARY BEFORE THIS WILL BE PERMITTED?
HUMAN RESOURCES AND RECRUITMENT		
All entitlements arising from your contract of employment with us or one of our subsidiaries, including (but not restricted to):	Yes	Any entitlement in the terms of your contract is always permitted without the need to record in the register of interests. There are Human Resource processes in place for this purpose.
 Payment of salary to staff access to car or travel loans or salary advances where specified in the employment contract; pension and/or private health care provided as part of the remuneration package; performance related pay or bonus awarded in accordance with contractual terms; books and equipment in connection with employment or training in accordance with agreed policies and/or contractual terms Reimbursement of professional fees 		
Payment to the Chair of the RCH Group and the Chair of the Subsidiary for their roles as a governing body member, in accordance with the terms of their letter of appointment	Yes	Such payments will only be permitted if they are in accordance with the conditions set out in Section 67(3) of the Charities and Trustee Investment (Scotland) Act 2005.

EXAMPLE	CAN THIS BE PERMITTED?	FURTHER ACTION NECESSARY BEFORE THIS WILL BE PERMITTED?
		The payment must be recorded in the register of interests within five days of the appointment being confirmed and the register must be kept up to date.
 All payments made in accordance with the terms of our expenses policy including: payment of permitted out of pocket expenses reimbursement of travel costs 	Yes	Entitlements in connection with your role as one of our people are set out in our expenses policy are always permitted and do not need to be declared provided claims are made in accordance with our procedures.
Provision of a loan by the organisation to one of our people	No	This is not permitted unless in connection with the contractual terms of employment. We cannot make any other loans to individuals.
Redundancy or Voluntary severance payment to an employee	Yes	 We can make redundancy payments to an employee in line with terms their contract Or We can make a voluntary severance payment to an employee which is outside the terms of their contract of employment provided: It arises directly from a decision to terminate the employee's contract of employment Payment is approved by the Governing Body That the total sum of the non-contractual payment and benefit does not exceed, in the opinion of our employment adviser, the total cost of a successful application by the employee to a Court or Tribunal (including the likely level of compensation that might

EXAMPLE	CAN THIS BE PERMITTED?	FURTHER ACTION NECESSARY BEFORE THIS WILL BE PERMITTED?
		 be awarded by a court or tribunal and associated costs to the organisation to participate in the tribunal) Payment does not exceed the equivalent of one year's salary for the employee That this payment is instead of (rather than additional to) any redundancy entitlement
An offer of employment (temporary or permanent) to someone who is closely connected to a member of staff	Yes	 This is permitted as long as: There has been an open recruitment exercise in accordance with our policy that you have not played any part in and You have no direct or indirect line management or supervision responsibility for the post and The offer of employment complies with our policy and is approved by the post's Executive Director and You record your connection to the successful applicant in the register within five days of their acceptance of the offer.
The offer of employment to someone who is, or has been in the last twelve months, a member of our Governing Body or to anyone who is related to a member of the Governing Body	No	This cannot be permitted.
Appointment of one of our staff members to the Governing Body	Yes	This can be permitted in accordance with the Articles of Association of the organisation.
Nominations to join the Governing Body from people who are connected to a serving member.	No	This cannot be permitted in accordance with the Articles of Association of the organisation.

EXAMPLE	CAN THIS BE PERMITTED?	FURTHER ACTION NECESSARY BEFORE THIS WILL BE PERMITTED?
OUR PEOPLE AS TENANTS OR SERVICE US	ERS	
The offer of a tenancy or lease in one of our or any of our subsidiaries' properties to one of our people or to someone closely connected to them.	Yes	 This is permitted as long as it is in accordance with our published allocations policy and Neither the applicant or anyone connected to the applicant is involved in any way or in any part of the allocation process and The offer is approved by the Governing Body in advance and The tenancy is recorded as an interest in the appropriate register within five days of the tenancy commencing
Where one of our people (or someone connected to one of our people) is a tenant or factored owner and receives a repair, improvement or adaptation to their home	Yes	 Repairs carried out in accordance with our policy do not need to be recorded. Adaptations must comply with our policy and be approved by the relevant Head of Service. The adaptation should be recorded in the register of interests within five days of approval. Improvements must be carried out as part of an approved programme and in accordance with our policy. The person affected should declare their interest if/when the programme is being discussed and the improvement recorded in the register of interests within five days of completion
Where one of our people (or someone connected to one of our people) is a tenant or factored owner and receives payment of a	Yes	Payment of decoration allowances or incentive/reward payments must be made in accordance with our policies and

EXAMPLE	CAN THIS BE PERMITTED?	FURTHER ACTION NECESSARY BEFORE THIS WILL BE PERMITTED?
decoration allowance, tenant reward/incentive as part of an agreed scheme or prize.		procedures and recorded in the register within five days of receipt.
		Prizes or awards in competitions open to all tenants in the same community (e.g. garden competitions) can only be given if the selection process for giving the award/prize has been carried out by someone who is independent. Receipt of the award and the circumstances surrounding it must be recorded in the register within five days of receipt.
TRAINING AND EVENTS		
Attendance at training events or seminars (e.g. SFHA Conferences) or openings/similar events hosted by other RSLs	Yes	There is no requirement to declare and record in the register of interests.
The organisation paying for accommodation in connection with attendance at relevant conferences or events that you are attending on behalf of or in connection with your role with us or our subsidiaries	Yes	Accommodation that is part of a conference or training package does not need to be recorded in the register, but attendance will be recorded on the relevant individual training plan.
		Residential conferences are important in ensuring that our people have the necessary skills, knowledge and experience to make an effective contribution to our activities.
Nominating a member of staff, Board Member, Customer or external body or colleague for an award.	Yes	The Nominations Proposal Form at appendix E should be completed and presented to the Executive Management Team (EMT) for approval prior to submitting a nomination to the awards body.

EXAMPLE	CAN THIS BE PERMITTED?	FURTHER ACTION NECESSARY BEFORE THIS WILL BE PERMITTED?
		The EMT should also be advised if an external body or colleague is nominating the organisation, its subsidiary(ies) or any of our people for an award.
Attendance by you at events to mark awards, achievements or other significant milestones relevant to our business.	Yes (where not exceeding £500)	 The Governing Body must approve attendance prior, and will only do so if: The organisation or 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 we can demonstrate that attendance or participation is directly related to furthering our aims and objectives. Where we ask you to represent us at such an event, this should be recorded in the register along with any associated costs (including travel, accommodation and the costs of attendance at the event) within five days of attendance. The total cost should not exceed £500 per person and we will make all arrangements in advance. Where costs would exceed £500, you will not be permitted to attend unless there is a clear, viable business case for attending. In such a case, specific approval of the Governing Body would be required.

EXAMPLE	CAN THIS BE PERMITTED?	FURTHER ACTION NECESSARY BEFORE THIS WILL BE PERMITTED?
GIFTS AND HOSPITALITY	1	1
Gifts received from tenants and external sources	Yes (not exceeding a value of £25)	 Small gifts (e.g. a box of chocolates, pens, folders, paperweights) can be accepted if: the value does not exceed £25 you do not receive more than one such gift from the same source in a 12 month period you record receipt of the gift in the register You should not normally accept other gifts and should decline any gifts with a value of more than £25 unless to do so would cause offence or otherwise damage our reputation. In these cases you must: Advise the donor that the gift will be donated to charity or will form part of our annual charity fund raising activities Record the gift and the action taken in the register within five days You should not regularly accept gifts from the same source and never more than once from the same source within a 12 month period. You should also record any offers that you decline and the reasons for this, in the register within five days.
Gifts given from us to one of our people or received by one of our people to mark special occasions.	Yes (not exceeding a value of £100)	Gifts from the organisation to our people can be permitted in cases where it is to mark a special occasion or significant event including:

EXAMPLE	CAN THIS BE PERMITTED?	FURTHER ACTION NECESSARY BEFORE THIS WILL BE PERMITTED?
Hospitality associated with our business and that of its partners	Yes (when not exceeding a value of £50)	 Family events (e.g. marriage, milestone birthday, birth of a child), Retirement Leaving the organisation These must be recorded in the relevant register and the value of such gifts will not normally exceed £25. Please note, that this does not include collections by our people using their own personal funds to mark special occasions. These are always permitted with no requirement to declare. Modest hospitality, such as a sandwich lunch or networking event, is permitted and does not need to be recorded All other hospitality up to a value of £50 is permitted but must be recorded in the register, along with an estimation of the value of hospitality received, within five days of attendance. You should not accept invitations with a value that is greater than £50, unless you have prior approval from the Governing Body The type of hospitality offered will also be taken into consideration, e.g. we will not normally accept invitations to sporting events, concerts, golf tournaments etc. In this case, the reason for acceptance must also be included in the register and countersigned by the Chair for governing body Board members or the Chief Executive for staff members.

EXAMPLE	CAN THIS BE PERMITTED?	FURTHER ACTION NECESSARY BEFORE THIS WILL BE PERMITTED?
Our people seeking donations from our contractors/suppliers when fundraising for charity	Yes	 This is permitted provided: Approval is gained from [INSERT APPROPRIATE] prior to making any approach Any donations received are recorded in the register We recognise our social responsibility and promote charity fundraising by the organisation and our people. We have a separate policy that sets out our approach to supporting other charities.
Sponsorship or donations made by RCH or any of its subsidiaries	Yes	This is permitted provided the guidance attached at Appendix C is followed.
PROCURING GOODS/SERVICES		
Sale of a property under Right To Buy to someone affected by this policy	Yes	This is permitted with no requirement to declare in the register. The normal process for valuation and sale should be followed and our normal policy would be applied.
Sale of our interest (whole or part) in a property to someone affected by this policy via LIFT, HomeBuy; Help to Buy or other LCHO scheme	Yes	 This is permitted, provided: Our policy and procedures are followed The prospective purchaser should play no part in the processing of the transaction by the organisation It is declared and recorded in the register within five days of the missives being concluded confirming the process followed.
The organisation entering into a contract with an organisation where one of our people, or someone connected to them, has significant control.	No (in almost all cases)	 This is not permitted in almost all circumstances. We could only consider this where: The person affected by this policy is not involved in any part of the procurement process or decision

EXAMPLE	CAN THIS BE PERMITTED?	FURTHER ACTION NECESSARY BEFORE THIS WILL BE PERMITTED?
The purchase of land or other assets from anyone who is, or has been in the last twelve months, one of our people or who is connected to one of our people	No (in almost all cases)	 The appointment is approved by the Governing Body which 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) In such rare circumstances, the appointment would be recorded in the register along with details of the process followed. This cannot be permitted in almost all cases. The only exception would be if you were referred to us under the Scottish Government's Mortgage to Rent scheme, where this would be permitted provided: Our policy and procedures are followed The prospective seller plays no part in the decision to purchase the property or the processing of the transaction by the organisation It is declared and recorded in the register within five days upon conclusion
The purchase of goods/services from our suppliers/contractors by one of our people	Yes	This should normally be avoided, and will only be potentially permitted if the procedure identified in Section 4 is followed

APPENDIX B – SPONSORSHIP AND DONATIONS GUIDANCE

- Annually the Board will set a budget for sponsorship and donations. Sponsorship or donations up to the value of £1,000 can be authorised by the Chief Executive. Where the value exceeds £1,000, the prior approval of the Board will be sought. All donations and sponsorships granted must be in line with all relevant Association and Group policies.
- 2. The River Clyde Homes Group will seek to sponsor voluntary organisations such as clubs or community groups in the local communities where we have properties and where the wider community will benefit from sponsorship of the club or community group.
- 3. Sponsorship may be in the form of money, purchase of equipment or advertisement. River Clyde Homes will accept no liability for the upkeep, disposal or replacement of any equipment which has been grant funded.
- 4. The River Clyde Homes Group will not normally consider requests for ongoing sponsorship or financial support. Grant and sponsorship requests therefore will normally be limited to a maximum of one per three-year period to individual organisations.
- 5. Applications will not be considered from voluntary organisations whose purpose is political, or where the request is to be applied for political purposes; where the grant would be applied for purposes which the River Clyde Homes Group deems to be non-charitable in nature; or where the River Clyde Homes Group considers the organisation not to be viable or unlikely to be operating in the short term future.
- 6. There are circumstances in which the River Clyde Homes Group may wish to sponsor an event such as a conference, or seminar or other item such as a calendar, information leaflet, newsletter or similar publication. Such opportunities will be considered on a case by case basis, and in accordance with the delegated authority arrangements outlined above.
- 7. Similarly, the River Clyde Homes Group will also consider sponsorship of individuals taking part in a fundraising event, where this is for a recognised charity, and donations to recognised charities, local groups or community groups. Again, such requests will be considered on a case by case basis, and in accordance with the delegated authority arrangements outlined above.

- 8. When considering grant and sponsorship requests, the voluntary organisation making the request, where deemed relevant by the Association, will be asked to provide any further supporting information. It may also be asked to attend a meeting. This will allow the River Clyde Homes Group to satisfy itself where required of the details of the proposal. The River Clyde Homes Group where possible will also be able to signpost or assist in providing further information on alternative funding sources. Any opportunities for good publicity for the River Clyde Homes Group and/or the voluntary group will also be considered.
- Records of grants and sponsorships approved will be included in the Sponsorship and Donations Register. Arrangements will be made for the Chair to review the register twice a year. An overview of grants and sponsorships made will be provided for the Board in the Annual Governance report.

APPENDIX C – DECLARATION OF INTEREST PROCEDURE

Declarations of interest (DOI) can be raised by RCH employees, Board Members, prospective employees / Board Members or involved customers. The procedures below outline the different types of DOI and how they should be managed.

ANNUAL DECLARATION OF INTEREST PROCESS - STAFF

- 1. As part of their annual appraisal, staff will be asked to complete a Declaration of Interest Form as found below. At the same time as issuing the form, the Team will also link out the suppliers list, so that staff, when completing the form, can ensure that they declare their interest in any of our known suppliers.
- 2. Once staff have completed their section of the form, they will then hand it to their line manager for sign off.
- 3. The line manager will review the form, and if there are any pre-existing declarations of interest noted on the form (i.e. those which have already been authorised), the manager will note any steps which are being taken to ensure this interest is managed and will sign off and return to the Governance Team.
- 4. Line managers will return their completed forms to the Governance Team.
- **5.** The Governance Team will then ensure that all declarations of interest are recorded on the Declaration of Interest Register.

ANNUAL DECLARATION OF INTEREST PROCESS – BOARD MEMBERS

- 1. On an annual basis, usually after the Annual General Meeting, the Governance Team will issue a request to all Board Members to complete a Declaration of Interest Form as contained in the Code of Conduct document. At the same time as issuing the form, the Governance Team will ensure the contractors and suppliers list, so that Board Members, when completing the form, can ensure that they declare their interest in any of our known suppliers.
- 2. Once Board Members have completed their section of the form, the forms will be handed back to Governance Team and collated.
- 3. The Chair of the Board will review all Board Member forms, and if there are any declarations of interest noted on the form, the Chair will note any steps which are

being taken to ensure this interest is managed, will sign off and return to the Governance Team.

4. The Governance Team will then ensure that all declarations of interest are recorded on the Declaration of Interest Register

DECLARATION OF INTEREST PROCEDURE – FROM JOB APPLICANTS

- 1. On the front of the application form, new job applicants are asked to declare any interest if they are in close relationship with a current member of staff, a Board Member, or they receive services from RCH.
- 2. The Human Resources Team should check applications to ensure that any DOIs are highlighted at the shortlisting stage, so that if there are any major concerns, these can be addressed alongside the interview process.
- 3. If the job applicant is interviewed and becomes the preferred candidate for the role, the Human Resources Team should follow the New Declaration of Interest Process. This will ensure that approval is given to their appointment and consideration is given to how we will manage any conflict of interest.
- 4. If the DOI is approved, the HR Team would update the DOI register and then the conclusion of the recruitment can then take place. PLEASE NOTE THAT POSTS WILL BE OFFERED SUBJECT TO THE NEW DOI PROCEDURE BEING FOLLOWED AND ANY DECLARATION OF INTEREST BEING APPROVED

APPENDIX D – DECLARATION OF INTEREST – APPROVAL PROCESS

SECTION 1 – REQUESTING AUTHORISATION

DATE OF REQUEST	
DEPARTMENT / AREA MAKING REQUEST	
NAME OF EMPLOYEE / BOARD MEMBER MAKING DECLARATION	
WHAT IS THE TYPE OF DECLARATION?	
WHEN DOES THIS NEED TO BE APPROVED BY?	

SECTION 2 – APPROVING THE DECLARED INTEREST

WHO SHOULD APPROVE THIS REQUEST?	
APPROVED / REJECTED	
DATE APPROVAL /	
REJECTION GRANTED	
REASON FOR REJECTION	
IF APPLICABLE	
HAS REQUESTEE BEEN	
NOTIFIED OF DECISION?	
GOVERNANCE SIGN OFF	

APPENDIX E – NOMINATIONS APPROVAL FORM	
Name of person proposing the nomination:	
Name of nominee or group of nominees:	
Position of nominee(s) (i.e. staff member, Board member, customer etc.):	
Contract status of nominee(s) (i.e. permanent / temporary / agency etc.):	
Please describe the award that you are proposing the above person, or group of people, is nominated for:	
Please give details of the awarding body:	
Please provide information in support of your nomination:	
 Please provide information in relation to the following: Date of awards ceremony Location of awards ceremony Number of required attendees at the ceremony Accommodation requirements Total cost including accommodation and travel Additional requirements 	
Signature Date	
Date	

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