



WILLIAMSBURGH
HOUSING ASSOCIATION LTD

Policy On Gifts And Hospitality

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1. Introduction

Williamsburgh Housing Association depends upon substantial injections of public funds. As such, there must clearly be an awareness of the need for the Committee to account for its stewardship, to the public at large.

The actions that flow from the need for accountability to the community, will include regular consideration of the Committee's capacity to represent outside interests, and, in turn, to ensure a flow of information to those properly interested in its affairs.

Committee members serve on an entirely voluntary capacity and do not receive the equivalent of "Director's Fees". Nevertheless, it is right and proper for them to be reimbursed for "out-of-pocket" expenses, incurred in connection with their duties.

Williamsburgh Housing Association will seek to ensure that there is a full separation of interests between the Association's professional consultants or contractors and the Committee.

Aside from the question of fee-earning professionals, any direct or indirect pecuniary interest, on the part of a committee member, in any transaction to be considered by the Committee must be declared and minuted prior to discussion of the matter.

1. Introduction Contd.

Committee members can leave themselves open to criticism in apparently minor ways, such as in the acceptance of gifts and in entertainment. There is a big difference between small gifts and modest hospitality rendered as a genuine expression of appreciation - where no-one would wish to offend the giver - and those which may be interpreted as bribes. To protect individuals as well as the Association, however, the Committee has decided on a code of conduct whereby, for example, members will report gifts and hospitality. This practice applies equally to staff members.

2. Aims and Objectives

The purpose of this policy is to help ensure that the committee and staff of Williamsburgh Housing Association observe high standards of conduct and do not behave in a manner which would bring the Association, or the RSL sector, into disrepute. Committee and staff should not put themselves in a position where their duty to the Association and their personal or other interests conflict. They should not benefit in any way from their connection with the Association except as outlined in and managed by the Association's 'payments and benefits' policy.

In conducting our affairs with honesty and integrity, the Committee will have regard to:

(a) Duty and Private Interest

All committee members should:

- Recognise that their overriding duty as a committee member is to the membership of the Association as a whole.
- Do nothing as a committee member which could not be justified to the Committee, to the membership, or to the public.
- Bear in mind that it is not enough to avoid actual impropriety, that they should at all times avoid situations which could give rise to suspicion or the appearance of improper conduct.

2. Aims and Objectives Contd.

(b) Use of Confidential and Private Information

All committee members should:

- Ensure that confidential information, acquired as a result of their position as committee member, is not disclosed to anyone other than those who have a right to know.
- Ensure that confidential information is not used for the personal advantage of either themselves or of others known to them. Such use of confidential information would constitute a grave betrayal of trust.

(c) Personal Interest

All committee members should:

- Disclose precisely any direct or indirect pecuniary interest or other interests which are not pecuniary but which might influence judgement, or give the impression that the member was acting for personal motives. Any member declaring such an interest, should withdraw from the part of any meeting, in which such matters are discussed, unless specifically invited to remain.
- Ensure that private or personal financial interests never influence decisions and that their position on the Management Committee is never used for personal gain.

2. Aims and Objectives Contd.

(c) Personal Interest Contd.

- Ensure that no special advantage is gained by virtue of committee membership, by using the services of a consultant, contractor, professional advisor or other individual or firm that works for the Association. If it is intended to use the services of any such body or individual, the arrangement should be declared to the Secretary before the transaction takes place. If the Secretary is involved, he or she should declare his interest to the Association.

(d) Lettings Policy

The Association has established a Lettings Policy which is in accordance with the law and with the standards expected by the Scottish Government and the Scottish Housing Regulator. No member should use his or her authority or position, to influence the granting of any tenancy.

(e) Use of Association Facilities

All committee members should ensure that any facilities such as transport, stationery, photocopying or secretarial services provided by the Association, for use in their duties as committee members, are used for those purposes only.

3. Gifts and Hospitality

From time to time staff and committee members may be offered gifts and hospitality. All should treat with extreme caution gifts, favours or hospitality made to them personally. As a rule they should never accept gifts other than those of a trivial nature, nor allow extravagance in any entertainment received or given.

All staff and committee members must guard against the possibility of being personally or professionally compromised in the execution of their duties, by ensuring that no personal advantage is gained as a result of their position. Indeed, it is important that the action of all employees and members does not give rise to suspicions of bias in favour of a particular firm.

Under no circumstances must staff and committee members accept cash or personal gifts with any significant monetary value. Items of nominal value such as free promotional pens, calendars, diaries and similar items may be accepted.

Acceptance of Gifts

Where gifts are offered to the Association (rather than to an individual) the Chief Executive must be informed and when the value of such gifts exceeds £25.00, a full written record must be maintained, in a register specifically kept for this purpose. Such gifts received, for example at Christmas, will be pooled.

3. Gifts and Hospitality Contd.

Acceptance of Gifts Contd.

Details of gifts received, whether corporately or by an individual member of staff or committee member, will be entered in the Register of Gifts and Hospitality. This should record:

- a description of the gift;
- its approximate value;
- who it was from;
- their connection to the Association (or any individual employee or committee member).

Gifts should not normally be accepted from tenants. The Association recognises, however, that tenants who wish to acknowledge the efforts of a particular officer may be offended, if advised that gifts cannot be accepted under any circumstance. Consequently, if such gifts are received the officer must immediately notify the Chief Executive, who will decide whether or not the gift can be retained. If the Chief Executive decides that the gift cannot be retained, it will be donated to charity and the tenant advised in writing.

3. Gifts and Hospitality Contd.

Giving of Gifts

In general terms, the Association will not give gifts other than in exceptional circumstances, for example, where the Association wants to make a gesture of appreciation or sympathy. Examples of such include:

- the death of a staff or committee member,
- retirement or long service by a committee member,
- terminal or serious illness of a staff or committee member which requires them to leave on a temporary or permanent basis.

The value of gifts will be small.

Any giving of gifts must be approved by the Management Committee, the decision minuted and duly recorded in the Register of Gifts and Hospitality.

The Register will record:

- the date of the Committee's decision to grant the gift;
- a description of the gift;
- its value;
- who it was given to, and
- their position/connection with the Association.

3. Gifts and Hospitality Contd.

Acceptance of Hospitality

It will not always be possible, or even desirable, to reject offers of hospitality on a modest scale. The decision as to whether or not to accept such an offer will depend on the circumstances of each case, but under no circumstances should hospitality be received as part of a negotiation, or in return for a contract, or some other benefit.

Where it is clearly evident that the work of the Association would be facilitated or promoted, invitations to lunch can be accepted, provided that they are not regular occurrences.

Corporate hospitality must be treated with caution. Any offer of extravagant hospitality from a contractor/consultant/supplier must be politely refused. A one-off invitation of hospitality, of a moderate nature, may be accepted, but staff and committee members should never allow themselves to be put in an uncomfortable or compromising position. In many cases it will be easier to graciously decline than awkwardly accept.

Hospitality, received or given, should be recorded (as per gifts) in the Register of Gifts and Hospitality.

Any staff or committee member who is offered and accepts any hospitality, benefit or trade discount, which may in any way be connected with his position as an employee or committee member of the Association, must make a declaration in writing to:

- a. the Chief Executive, in the case of officers,
- b. the Secretary, in the case of members,
- c. the Chairperson, in the case of the Chief Executive.

3. Gifts and Hospitality Contd.

Giving of Hospitality

The requirement to make such a declaration also applies to hospitality given, on behalf of the Association. The declaration must confirm that nothing in the transaction constitutes a gift, bribe or special advantage.

The offer of hospitality by the Association will be exceptional and will normally be at the discretion of the Chief Executive. It is unlikely to go beyond the provision of lunch or dinner for official visitors to the Association.

Monitoring of Gifts and Hospitality

All declarations will be entered in the register specifically kept for this purpose. It will be the Chief Executive's responsibility to monitor the register regularly:

- to ensure proper recording of the information required;
- identify any pattern/trend of repeated gifts/hospitality to, or from, individuals/firms.

Any concerns should initially be raised directly with the staff or committee member concerned. Should the Chief Executive not be satisfied with the outcome of his investigations, the matter will be referred to the Management Committee for their consideration.

If an employee or committee member has any doubt about what constitutes a normal or reasonable discount or acceptable hospitality, guidance should be sought from the Chief Executive, or in the case of a committee member from the Secretary, before ordering goods subject to such discount, or accepting the hospitality.

3. Gifts and Hospitality Contd.

Monitoring of Gifts and Hospitality Contd.

There must be no extravagance in any entertainment or hospitality received or given and, in general, repeated invitations should be declined, since acceptance may make it difficult to avoid obligations, or may be misconstrued and give rise to suspicions of improper conduct.

4. Bribes

Staff and committee members should be aware that the Association has, in response to legislation, introduced an 'anti-bribery policy' which has two key objectives:

- to set out the responsibilities of the organisation and its staff/committee in observing the statutory prohibition on bribery, and
- to provide information and guidance to its staff/committee on how to identify and deal appropriately with bribing.

If a staff or committee member should be offered a bribe, by an individual or company, or if any irregular suggestion is made, in connection with a contract, with the object of obtaining preferential treatment prior to the acceptance of a contract, it must be reported immediately to the Chief Executive, in the case of employees, and the Secretary, in the case of members.

Any individual or company offering a bribe to a staff or committee member will be debarred from any further transaction, or employment with the Association. Any staff or committee member who accepts a bribe, will, in the case of an officer be liable to instant dismissal and, in the case of a member, be subject to cancellation of membership. These sanctions exist, in addition to any penalties which may be imposed by legislation.

5. Evaluation and Monitoring

It is fundamental to Williamsburgh Housing Association's operation that we conduct ourselves with honesty and integrity. In order to maintain standards of conduct and probity, we have procedures in place to manage a situation where, the personal or professional interests of staff or committee members, threaten to compromise their independence and present a conflict of interest.

This paper identifies how we will seek to achieve the highest standards of integrity and prevent staff and committee members leaving themselves open to criticism or compromise, through the acceptance of gifts, hospitality or indeed any benefit.

The Register of Gifts and Hospitality will be monitored on an ongoing basis by the Chief Executive with individual cases being considered as they arise. The Chief Executive will investigate any cases he feels appropriate, with any concerns being referred to the Management Committee for their consideration.

6. Review

The Management Committee will have regard to this policy each year following the Annual General Meeting in order that it can be brought to the attention of new committee members. Any revisions deemed necessary can be considered at that time, otherwise the policy will be reviewed by the Management Committee every three years to ensure that it responds to any changing circumstances.