



POLICY ON GIFTS AND HOSPITALITY

Approved/last reviewed by Policy Sub Committee: 21 November 2022

Date due for review: November 2025

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Associated Policies: Code of Conduct for Committee Members
Code of Conduct for Staff

HILLHEAD HOUSING ASSOCIATION 2000

POLICY ON GIFTS AND HOSPITALITY

1. INTRODUCTION

1.1 This policy sets out the arrangements for committee members and staff in relation to the acceptance and giving of gifts and hospitality in relation to the Association's business.

1.2 It applies to:

- a. members of the governing body (management committee),
- b. employees,
- c. people and bodies "connected" to those above, as "connected" is defined in the Appendix.

2.0 POLICY GUIDELINES

2.1 The Association's Code of Conduct for Committee Members states that:

"B.5 You must not accept any offers of gifts or hospitality which might create – or be capable of creating – an impression of impropriety or influence, or which breach any of the other terms of our policy on payments and benefits."

"E.9 You must not seek or accept benefits, gifts, hospitality or inducements in connection with your role as a member of the Association Committee, or anything that could reasonably be regarded as likely to influence your judgement. You must not benefit, or be perceived to benefit, inappropriately from your involvement with the Association."

2.2 Conditions of Services for Staff state:

You should not accept any gift, favour or hospitality which is intended as, or might be seen by others as an inducement. It is normally clear whether an offer of hospitality and so on might be considered excessive or unreasonable. However, if you are in any doubt, speak to your line manager."

2.3 The Code of Conduct for staff states:

"Staff should adhere to the Association's Gifts and Hospitality Policy with regard to the acceptance and giving of gifts and hospitality in relation to the Association's business."

3.0 GIFTS

- 3.1 Gifts of significant value should be refused. "Significant" will be defined as above £25 in value.
- 3.2 Gifts will normally be accepted on behalf of the Association rather than on a personal basis, except where this is impossible.
- 3.3 Gifts will normally be stored or displayed in HHA 2000' s office; or used for the benefit of the organisation as a whole; or distributed as fairly as possible, e.g. bottles given by contractors at Christmas may be raffled among staff, committee or members; used for Association social and community events; or donated to community organisations.

4. HOSPITALITY

- 4.1 Hospitality that could be seen as improperly influencing the decision of a Committee or staff member should be refused.
- 4.2 Hospitality of a minor nature, e.g. the purchase of a drink may be accepted and need not be reported. However Committee and staff should avoid being invited for meals by suppliers or contractors, or attend "hospitality room" events at conferences without reporting the matter to the Management Committee or Director and being clear that no obligation is being established in return.

5. ALLOWABLE ISSUED GIFTS

- 5.1 In line with custom and practice since the Transfer, the Association will permit the making of gifts for the following reasons:
 - Births to a Committee Member or Staff Member or their partner limited to £50.
 - Marriages (or equivalent) by Committee Members or Staff Members limited to £50
 - The Association may from time to time decide to award staff/committee members or acknowledge events such as milestone birthdays etc with gifts not exceeding the value of £50.
- 5.2 Allowable Issued Hospitality
 - Expenditure levels for celebrations of milestones, new business ventures, topping out ceremonies, etc. shall be considered individually by the Management Committee.
 - Festive season celebrations within a previously agreed annual budget shall be considered by the Management Committee.

6. REGISTER AND REPORTING

The Association will maintain a register of gifts and hospitality received and given. This will include details of the date, the nature of the gift / hospitality, from/to whom it was received/given and the approximate value.

All gifts and hospitality exceeding light refreshments should be formally recorded. This avoids judgement needing to be exercised by the individual about what to enter.

The register should be completed either prior to acceptance or as soon as possible thereafter. Failure to record receipt of gifts or hospitality will be regarded as a serious matter.

A report on the receipt and giving of gifts and hospitality will be made to the Committee annually. Very substantial offers, e.g. the financing of a social event or a contribution to a capital project will be reported to the Management Committee at the time, should such offers be made.

7. REVIEW

This guidance will be reviewed by the Management Committee every three years or in the light of changes in legislation or guidance.

Appendix: definition of “connected person”

In summary: a person is **connected** with:

Family =

- Spouses, civil partners, co-habitees
- Children, parents, grandchildren, grandparents, siblings and any spouses of these relatives

Institutions = if **controlled** by, or conducted in accordance with the person’s wishes, (directly or through nominee(s)) by:

- The trustee or
- A connected family member (above) or
- A connected Corporate body or Partnership (below)

Corporate bodies = if **substantial interest** (more than one fifth of: the share capital; or the voting power at any general meeting) held by:

- The trustee or
- A connected family member or Institution (above) or
- A connected Partnership (below)

Partnerships = if one or more partner is:

- The trustee or
- A connected family member (above)

The full definition: Section 68 of the Charities and Trustee Investment (Scotland) Act 2005 defines individuals who are “connected” to a charity trustee as follows:

(2) ... the following persons are “connected” with a charity trustee—

- (a) any person—
 - (i) to whom the trustee is married,
 - (ii) who is the civil partner of the trustee, or
 - (iii) with whom the trustee is living as husband and wife or, where the trustee and the other person are of the same sex, in an equivalent relationship,
- (b) any child, parent, grandchild, grandparent, brother or sister of the trustee (and any spouse of any such person),
- (c) any institution which is controlled (whether directly or through one or more nominees) by—
 - (i) the charity trustee,
 - (ii) any person with whom the charity trustee is connected by virtue of paragraph (a), (b), (d) or (e), or
 - (iii) two or more persons falling within sub-paragraph (i) or (ii), when taken together,
- (d) a body corporate in which—
 - (i) the charity trustee has a substantial interest,
 - (ii) any person with whom the charity trustee is connected by virtue of

- paragraph (a), (b), (c) or (e) has a substantial interest, or
 - (iii) two or more persons falling within sub-paragraph (i) or (ii), when taken together, have a substantial interest
 - (e) a Scottish partnership in which one or more of the partners is—
 - (i) the charity trustee, or
 - (ii) a person with whom the charity trustee is, by virtue of paragraph (a) or (b), connected.
- (3) For the purposes of subsection (2) a person who is—
 - (a) another person's stepchild, or
 - (b) brought up or treated by another person as if the person were a child of the other person,is to be treated as that other person's child.