

# ***Gifts & Hospitality Policy***

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ROSEHILL HOUSING CO-OPERATIVE LIMITED  
250 Peat Road, Glasgow, G53 6SA  
Tel: 0141 881 0595, Email: [admin@rosehillhousing.co.uk](mailto:admin@rosehillhousing.co.uk)  
[www.rosehillhousing.co.uk](http://www.rosehillhousing.co.uk)



## 1. Purpose of Policy

- 1.1 This Policy sets out the rules all Rosehill committee members and employees (our people) must follow if they are offered a gift and/or hospitality by an external party. The Policy also covers circumstances in which gifts or hospitality may be provided by Rosehill.

## 2. Policy Principles

- 2.1 Our people must show high standards of integrity in their personal conduct and responsible stewardship of Rosehill's resources. For these reasons:

- You must never place yourself under any obligation to third parties.
- You should always treat any offer of a gift or hospitality with caution.
- You should always refuse any offer that is of a significant nature, or that could be seen by others as influencing your own or Rosehill's decisions.
- If in any doubt about whether to accept an offer of a gift or hospitality, you should either politely refuse the offer, or seek advice before accepting it.

## 3. Legal and Regulatory Requirements

- 3.1 Our people are required to be familiar with and observe the terms of our Prevention of Fraud and Anti-Bribery 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 Rosehill, as a Registered Social Landlord, is subject to the Freedom of Information (Scotland) Act 2002 in relation to certain functions. One of the duties relate to publishing certain types of information; we will hold a publicly available register of gifts and hospitality.
- 3.3 The Regulatory Standards of Governance and Financial Management requires RSLs to conduct its affairs with honesty and integrity (Standard 5). The related guidance (GS5.1) states further that "The RSL conducts its affairs with honesty and integrity and, through the actions of the governing body and staff, upholds the good reputation of the RSL and the sector."
- 3.4 GS5.4 also states that "Governing body members and staff declare and manage openly and appropriately any conflicts of interest and ensure they do not benefit improperly from their position."

3.5 Having a clear and accountable approach to dealing with gifts and hospitality for committee and staff is an essential part of this.

## 4. Our Values

4.1 The delivery of our Vision and Strategic Objectives is underpinned by our Core Values:

We will

- Invest and Support

We will be

- Engaged and Responsive
- Accountable and Compliant
- Fair and Approachable
- Efficient and Responsible
- Excellent and Committed

4.2 The existence and implementation of our Gifts and Hospitality Policy is a good example of our Values in practice with particular reference to being accountable and compliant.

## 5. Other Relevant Policies

5.1 This Policy is linked with the following policies/documents:

- Entitlements, Payments, and Benefits Policy
- Committee Members Code of Conduct
- Staff Members Code of Conduct
- Prevention of Fraud and Anti-Bribery Policy

## 6. Gifts and Hospitality offered to our people

### 6.1 Offers of Gifts

6.1.1 In general, it is our Policy that our people should not accept personal gifts from consultants, contractors, tenants or any other persons or organisations with whom they have contact on behalf of Rosehill. However, Appendix A to our Entitlements, Payments and Benefits Policy sets out the rules and conditions for accepting any gifts and hospitality. In addition to this criterion, we have set out further conditions for accepting gifts in different scenarios.

### *Gifts with a value of £60 or less*

- 6.1.2 Our people may accept small gifts valued at £60 or less. In the case of Committee Members such gifts are likely to be in the form of diaries, calendars, and promotional items, etc.
- 6.1.3 For our employees, such gifts are usually a “thank you” from a tenant or customer and typically come in the form of flowers or chocolates or both. Such gifts offered by a satisfied customer are clearly intended as a token of personal appreciation, and refusal has the potential to offend the customer. If an employee considers that an unsolicited gift offered by a customer may be inappropriate, they should seek advice from the Director.
- 6.1.4 Gifts valued at £60 less can be accepted if:
- the cumulative value of gifts received from the same source in a 12-month period does not exceed £60;
  - our people do not receive more than two such gifts from the same source in a 12 month period;
  - the recipient records receipt of the gift(s) in our Gifts and Hospitality Register.

### *Gifts of a value exceeding £60*

- 6.1.5 Gifts of a value in excess of £60 should not be accepted unless to do so would cause offence or otherwise damage our reputation. In such cases the recipient must:
- Advise the donor that the gift will be donated to charity;
  - Record the gift and the action taken in our Gifts and Hospitality Register within five days.
- 6.1.6 Our people should not regularly accept gifts from the same source and never more than twice from the same source within a 12-month period. As stipulated at 6.1.4 above, the total cumulative value of gifts received from the same source over the course of a year must not exceed £60.

### *Cash or cash equivalent gifts*

- 6.1.7 It is our policy that our people cannot accept an offer of a gift if it is in the form of cash or a cash equivalent e.g. gift vouchers. If it would cause offence to refuse the gift, the recipient must advise the donor that the gift will be donated to charity. A record must be entered into our Gifts and Hospitality Register, along with details of action taken within five days.

### *Rosehill events*

6.1.8 It is our policy, in certain circumstances, that gifts received e.g. festive season gifts from contractors may be accepted on behalf of Rosehill and be held and used for prizes at Rosehill events. A decision may also be made to donate such gifts to charity or a good cause of the Management Committee's choice. Any gifts in excess of £60 will automatically be used for the aforementioned purposes. All gifts under and over £60 must be recorded in our Gifts and Hospitality Register.

### *Refusal of gifts*

6.1.9 Where offers of gifts are declined, this should also be recorded in the Gifts and Hospitality Register along with the reasons for refusal.

## 6.2 Offers of Hospitality

6.2.1 In line with our Entitlements, Payments, and Benefits Policy, offers of hospitality up to the value of £60 can be accepted but must be recorded in the Gifts and Hospitality event within five days of the event happening. An estimation of the value of the hospitality received must also be recorded.

6.2.2 Our people must not accept hospitality invitations with a value greater than £60 unless the prior consent of the Management Committee has been obtained. The type of hospitality being offered will also be taken into account e.g. we will not normally accept invitations to sporting events, concerts, golf tournaments, etc. In such cases the reasons for accepting the offer of hospitality must also be recorded in the Register and countersigned by the Director/Secretary.

6.2.3 In terms of corporate hospitality events our people should be particularly careful concerning invitations which are private and individual from prospective or current suppliers in any kind of tender related situation with Rosehill.

6.2.4 When considering an invitation to a corporate hospitality type event, the question which must be considered is whether the invitation is being made as a means of gaining advantage for the person or company making the invitation. If that is the case any invitation **must** be declined including in circumstances where there could be any reasonable perception of advantage. This is most likely to be the case in private invitations which are not open to others in the RSL or related sectors.

6.2.5 Invitations must always be declined in the following circumstances:

- During tendering periods involving the particular company or companies of a similar nature;

- Within 8 weeks after the award of any contract for any purpose where the company has an interest or supplies similar goods or services;
- Immediately prior to, during or just after any discussions with the company regarding prices for the supply of any products or services

6.2.6 The following common-sense exceptions to these rules apply:

- It is not necessary to record attendance at openings or events arranged by other RSLs, Glasgow City Council, or bodies such as EVH, SHARE or the Scottish Federation of Housing Associations;
- Modest hospitality such as a sandwich lunch or networking event is allowed and does not need to be recorded in the Register.

## 7. Gifts and Hospitality provided by Rosehill

### 7.1 Gifts made by Rosehill

7.1.1 Rosehill will generally adopt a prudent approach to making gifts or offering hospitality to third parties, employees, and committee members. We will follow regulatory guidance, by restricting any gifts to items that are not of significant value, including:

- gifts to employees or committee members on certain occasions;
- promotional material given to employees and committee members;
- donation of prizes to tenant or community events;
- sponsorship of local clubs or giving prizes for local competitions;
- donations of a small value to local groups or charities;
- parties or organised events to celebrate special occasions.

**There will be occasions where Rosehill will make significant donations or provide significant sponsorship and these will always be approved by the Management Committee.**

7.1.2 Gifts of a small value may, at the discretion of the Management Committee, be made to committee members on certain exceptional occasions. Examples of such occasions are where a mark of appreciation or sympathy is appropriate, e.g. in response to death, serious illness, or retirement following long service. The value of such gifts will not normally exceed £100 and must be recorded in the Register.

7.1.3 The Chair and/or Director have authority to approve gifts, for example where it is appropriate to make a gesture of sympathy, outside the cycle of Management Committee meetings.

7.1.4 Rosehill provides tablets to its Committee Members to effectively manage the business of the Management Committee. Committee

Members must sign up to the rules relating to the use of the tablets. The tablets remain the property of Rosehill.

7.1.5 Rosehill may also make awards to employees to mark long service and/or retirement. In doing so, Rosehill will take account of guidance and rates published by Employers in Voluntary Housing.

7.1.5 As an alternative to a Christmas lunch for our people, Rosehill may decide to present a gift, up to the maximum value of £50 per person. Under HMRC requirements, gifts up to £50 for employees are classed as Trivial Benefits and do not require a payment of tax or N.I.

7.2 Hospitality provided by Rosehill

7.2.1 Staff and committee members may attend parties or events organised by Rosehill to celebrate special occasions. Rosehill may also make a gesture of appreciation for committee and staff members' contributions by providing lunch or dinner on special occasions such as Christmas. In such cases the value will not normally exceed £50 per person.

7.2.2 Rosehill may provide hospitality to external parties in respect of business meetings or other events where Rosehill has official visitors. The Director will have delegated authority to approve any hospitality to be provided. In such cases the value will not exceed £50 per person.

8. Maintaining and Inspecting Register

8.1 The Director has overall responsibility for ensuring the Gifts and Hospitality Register is kept up-to-date and for ensuring compliance with the Policy. Employees who are recipients of permitted gifts and hospitality are responsible for recording the details in the Register. This also extends to any gifts or hospitality that have been declined. In the case of Committee Members, the Customer Services Officer is responsible for recording the details in the Register.

8.2 The Register is inspected annually by the Management Committee and signed by the Chair.

9. Circumstances not addressed by the Policy

9.1 It is possible that circumstances could arise which are not covered by this Policy. If this happens, or if in any doubt about the right course of action, committee members and employees should seek guidance from the Director or Chairperson before accepting or offering gifts or hospitality.



## 10. Breaches of the Policy

- 10.1 Disciplinary action may be taken against any staff or committee member who breaches this policy, and it may be treated as a breach of the relevant code of conduct.

## 11. Data Protection

- 11.1 On the 25<sup>th</sup> May 2018 the legislation governing data protection changed with the introduction of the General Data Protection Regulation (GDPR). Following the UK's exit from the EU, and the end of the transition period which followed, the GDPR formed part of the retained EU law and became the UK GDPR which together with the Data Protection Act 2018 constitute the UK's data protection legislation.

## 12. Risk Management

- 12.1 In all key areas of our business we need to consider any risks which may arise. To this end we have in place a robust Risk Management Policy and from this flows our Risk Register. We have identified our strategic risks which are regularly monitored by our Management Team and Audit Sub-Committee.

- 12.2 Strong and effective Governance is fundamental to Rosehill's success as a business and to upholding its reputation. We recognise that not having a raft of governance policies and processes in place and ensuring adherence to them can lead to a number of risks including: poor governance, lack of confidence by our tenants, other service users and stakeholders; reputational damage and Regulatory intervention.

- 12.3 To mitigate such risks it is essential that we have a clear and comprehensive policy in place governing the gifts and hospitality to our people. This will ensure Rosehill conducts its affairs with honesty and integrity.

## 13. Review

- 13.1 This policy will be reviewed at least every 3 years to ensure it continues to comply with legislative and regulatory requirements.



