

# ***Gifts & Hospitality Policy***

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## 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 From November 2019 Rosehill, as a Registered Social Landlord, will be subject to the Freedom of Information (Scotland) Act 2002 in relation to certain functions. One of the duties relates 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

## 6. Gifts and Hospitality offered to our people

### 6.1 Offers of Gifts

6.1.1 In general, 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.

6.1.2 The only exceptions are as follows:

#### Committee members

Committee members may accept small gifts valued at £25 or less (for example, diaries, calendars, promotional items etc). In the unlikely event that you are offered a gift valued at more than £25, you should seek the Director's advice before accepting it.

## Employees

Employees can accept small gifts with a value of £25 or less, in situations where it would be churlish to refuse.

For example, tenants occasionally offer members of staff small unsolicited gifts (eg flowers or chocolates) on a personal basis, as a token of appreciation or “thank you”. 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.

6.1.3 Otherwise, our people should not accept, on a personal basis, gifts valued at more than £25. If gifts above this level are accepted because it would be churlish to refuse (eg festive season gifts offered by contractors), they can be accepted **on behalf of Rosehill**, subject to the Director’s approval. Any gifts of this nature will be kept in the office, and subsequently offered as prizes at Rosehill events, or donated to a charity or good cause of the Management Committee's choice.

## 6.2 Offers of Hospitality

6.2.1 Corporate hospitality events can play a useful role in Rosehill’s relationships with the wider business world in which it operates. However, 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.

6.2.2 Prior to deciding to accept an invitation to a corporate hospitality type event, the question which must be considered is whether or not 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.

6.2.3 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

6.2.4 Any invitations received must be discussed with the Director who will

decide whether or not it is appropriate to attend.

6.2.5 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.
- Third party payment of travel and accommodation costs associated with attending a conference are acceptable, if there is a clear business benefit to Rosehill from attendance and attending does not breach this policy.

## 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 Management Committee will decide an appropriate value for individual gifts, which will generally not exceed £75 (unless otherwise approved by the Management Committee).

7.1.3 Any such gifts must normally be approved by the Management Committee and the decision recorded. 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.

## 7.2 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.

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.

7.2.3 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, receipts are provided and the Director has approved the business lunch in advance.

## 8. Recording and Reporting

8.1 All offers of gifts and hospitality made or received which are of a value greater than £25 will be recorded in the Register of Gifts and Hospitality.

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. The Management Committee will view the register of gifts and hospitality received and given in the preceding year. This will provide an opportunity to review the maximum value for any

gifts and hospitality given or received, which will not be excessive.

## 11. Gifts and Hospitality Register

11.1 The Director has overall responsibility for maintaining the Gifts and Hospitality Register and for ensuring compliance with the Policy. The Register will be available for public inspection.

11.2 Individual employees and committee members are responsible for ensuring that the Director is notified of any offers of gifts or hospitality they make, accept or decline, so that the Register may be kept fully up to date.

## 12. Data Protection

12.1 On the 25th May 2018 the legislation governing data protection changed with the introduction of the General Data Protection Regulation (GDPR).

12.2 We hold a variety of Personal Data relating to individuals including tenants, waiting list applicants, factored owners, other service users, employees and Committee Members. Our Privacy Policy sets out the basis on which we can process and share such data with third parties, it also sets out how we will securely store individuals' data, whether electronically or in paper format. It also provides information on individuals' rights under GDPR including: to view personal data held about them by us; to request a restriction of processing of their data; the right to be forgotten and a right to object to us processing their data. In terms of the rights to be forgotten and to restrict or object to processing of Personal Data, any such requests will require to be considered on their own merits and legal advice will need to be obtained in some circumstances. We have the responsibility for accepting or refusing such requests and will do so in *writing*.

12.3 Under GDPR we are required to provide individuals whose Personal Data we hold with a Fair Processing Notice (also known as a Privacy Notice). The Notice sets out the Personal Data we process and the basis for doing so.

12.4 We will only keep and process Personal Data for the original purpose we gathered it for and we will not keep it for any longer than necessary. Attached to our Privacy Policy is a table of Retention Periods for Personal Data held and processed by us. We recognise that not all Personal Data can be processed and kept for the same period of time, and this will vary depending on the individual circumstances of each person whose Personal Data we hold.

12.5 The Privacy Policy sets out what should happen in the event of a Data breach e.g. does the breach require reporting to the Information



Commissioner's Office and whether the individual affected should be notified. Timescales are set out for dealing with data breaches.

12.6 A full copy of our Privacy Policy is available to employees through the Central Library, GDPR\Final Documents or from our website [www.rosehillhousing.co.uk](http://www.rosehillhousing.co.uk)

### 13. Risk Management

13.1 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 material risks which are regularly monitored by our Management Team and Audit Sub-Committee.

13.2 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.

13.3 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.

### 14. Review

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



