



Loreburn Group

Entitlement, Payments & Benefits Policy

Policy	Entitlements, Payments & Benefits Policy					
Version reference	5					
Approved by	MC	X	LET		MT	
Date of approval	February 2023					
Review period	3 Years or sooner as required by guidance and legislation					
Review due	February 2026					
Policy champion	Chief Executive					

1 Introduction

- 1.1 Loreburn H A is 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, partners and funders. We must ensure that the organisation upholds its reputation and that of the sector. Our people cannot benefit inappropriately from their connection to us.

2 Who this Policy Affects

- 2.1 This Policy is aimed at people who are:
- ▶ All members of our Management Committee and of the Board of any of our subsidiaries
 - ▶ Everyone who works or volunteers for us or any of our subsidiaries.
- 2.2 For the remainder of this policy the above will be referred to as “our people.”

3 About This Policy

- 3.1 This policy describes the entitlements, payments and 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.
- 3.2 Our Rules require that we have a policy dealing with payments and benefits. 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. This policy is based on the SFHA's Model Entitlements Payments and Benefits Policy, which the SHR have confirmed meets their regulatory requirements.

- 3.3 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 Trustees¹ and charity legislation.
- 3.4 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 (or is seen to benefit) 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.
- 3.5 As someone who is affected by this Policy, you are personally responsible for ensuring that you are familiar with and comply with its terms.
- 3.6 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 Convener or CEO (if you are a member of the Management Committee or subsidiary Board) or with your line manager (if you are a member of staff).

4 What This Policy Covers

- ▶ Managing Your Interests
 - Registering & Declaring Interests
 - Entitlements, Payments & Benefits

¹ Office of the Scottish Charity Regulator (June 2016) Guidance and Good Practise For Charity Trustees section 4

- ▶ People Connected To You
 - Who Else You Should Consider When Declaring Interests
 - What You Should Consider

- ▶ Use of Our Contractors/Suppliers By Our People

5 Other Relevant Policies

- 5.1 The Code of Conduct is linked to this Policy for staff and Management Committee/Board members. Failure to comply with the terms of this Policy may be regarded as a breach of the Code of Conduct.
- 5.2 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.
- 5.3 Our policies relating to the following are also relevant to this document and must be complied with at all times:
- ▶ Allocations
 - ▶ Repairs & Improvements
 - ▶ Adaptations / Alterations
 - ▶ Procurement
 - ▶ Training
 - ▶ Expenses
 - ▶ Recruitment
 - ▶ Sale/ Disposal of our Property
 - ▶ Decoration Allowances / Prizes
 - ▶ Gifts and Hospitality

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

6 Managing Your Interests

6.1 Registering & Declaring Interests

- 6.1.1 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 Section 8) has which are relevant to our business and/or activities. You will be required to maintain the accuracy of the interests you declare and to confirm annually that your entry is accurate and up to date via the submission of the Payments, Benefits and Entitlements Form which is available on People HR for staff or as included as Appendix 2 for Management Committee Members (Form is available at Appendix 2).
- 6.1.2 Should you become aware of any Interests throughout the year that were not disclosed on your annual return you must update the form on People HR as soon as you become aware of the Interest so that the register can be updated.
- 6.1.3 Where you have an interest in any matter that is being discussed or considered, including at a meeting, you must declare your interest and play no part in the consideration, discussion and decision making; you must withdraw from any part of a meeting where the interest arises and play no part in the discussion. Our Rules require that any Board/Committee member who has an interest in a matter that is being considered withdraws from all discussions and plays no part in decision-making.
- 6.1.4 The Codes of Conduct which our Management Committee/subsidiary Board and staff are required to uphold contain requirements about Declaring Interests that you should comply with at all times.

6.1.5 An annual report will be made to our Management Committee on the entitlements, payments, benefits that have been recorded in the Register(s) by our people. Registers will be available for view by the Chief Executive, the Assistant to the Chief Executive, the People & Culture Team and the Head of Governance & Assurance. Information contained with the registers will be shared with relevant Directors and Heads of Service where required to ensure interests are managed appropriately.

6.2 The following are examples of the kind of interest that you must declare. Please note that this list is not exhaustive, and there may be other interests that you should also declare.

- Tenancy of a property (by you or someone closely connected to you) of which we are the landlord.
- Occupancy or ownership of a property (by you or someone closely connected to you) which is factored or receives property related services from us.
- Receipt of care or support services from us.
- Membership of a community or other voluntary organisation that is active in the area(s) we serve.
- Voluntary work with another RSL or with an organisation that does, or is likely to do, business with us.
- Membership of the governing body of another RSL.
- Being an elected member of any local authority where we are active.
- Membership of a political party, campaigning or other body whose interests and/or activities may affect our work or activities.
- If you purchase goods or services from us.

- If you purchase goods or services from one of our contractors or suppliers (see section 9).
- Significant shareholding in a company that we do business with (or are considering doing business with).
- Membership of any other body whose interests and/or activities may directly affect our work or activities..
- Ownership of land or property in our areas of operation. This excludes property for the purpose of your own residential use (i.e. there is no requirement for you to declare any house in which you currently live).
- Unresolved dispute relating to the provision of services in connection with a tenancy or occupancy agreement or a contractual dispute over the provision of goods or services with us.

6.3 You should note that in some circumstances, declaration of an interest may not be sufficient, and that it may be necessary for the organisation to take additional measures to deal satisfactorily with the situation so as to protect the probity and reputations of both yourself and the organisation.

7 Entitlements, Payments & Benefits

7.1 Many of the interests you will be required to declare can be classed as entitlements, payments or benefits.

- 7.2 As one of our people, you potentially could be offered benefits over and above that to which you are contractually entitled (as a result of policy or contractual terms), 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.
- 7.3 Apart from payments that our people are entitled to by contract, statute, policy 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 explains the payments we can and cannot make in more detail.
- 7.4 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 (see Section 8) has with any of these businesses or organisations.
- 7.5 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.
- 7.6 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

8 People Connected To You

Who Else You Should Consider When Declaring Interests

- 8.1 Someone ‘closely connected’ to you includes members of your household and other relatives and your friends.
- 8.2 As well as considering your own actions, you must be aware of the potential risk created by the actions of people to whom you are closely connected. Who you should consider, and our expectations of you to identify and declare such actions are outlined in Table A below. If you are in any doubt about whether or not a declaration is required, Management Committee/Board members should consult the Convener or CEO and for staff, you should consult your line manager in the first instance before seeking further guidance from the Head of Governance & Assurance as required.

Table A

Group	Required Response
1. Members of your household This includes: • Anyone who normally lives as part of your household (whether related to you or otherwise) • Those who are part of your household but work or study away from home	We expect you to be aware of and declare any relevant actions of all people in your household. You must take steps to identify, declare and manage these.
2. Partner, Relatives and friends This includes: • Your partner (if not part of household) • Your relatives and their partners	Where you have a close connection and are in regular contact with anyone within this group, we expect you to be aware of and declare any relevant actions. Under these circumstances, you must take steps

• Your partner's close relatives (i.e. parent, child, brother or sister) • Your friends • Anyone you are dependent upon or who is dependent upon you	to identify, declare and manage these actions. Where you do not have a close connection and regular contact with someone in this group, we do not expect you to be aware of or to go to unreasonable lengths to identify any relevant actions. However, if you happen to become aware of relevant actions by such individuals, then these should be declared and managed as soon as possible.
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What You Need To Consider

8.3 The following are the relevant actions /involvement by those **to whom you are closely connected** that you should consider, declare and manage as per our expectations outlined in Table A (please be aware that this list is not exhaustive or exclusive):

- A significant interest in a company or supplier that we do business with (or are considering doing business with). A significant interest means ownership (whole or part) or a substantial shareholding in a business that distributes profits, but does not include where an individual has shares in large companies such as banks, utility companies or national corporations, i.e. where owning shares would not give the individual any significant influence over the activities of that organisation.
- Where the individual may benefit financially from a company with which we do business (or are considering doing business with)
- Involvement in the management of any company or supplier with which we do business (or are considering doing business with)
- Involvement in tendering for or the management of any contract for the provision of goods or services to us.
- Application for employment with us.

- Application to join our Management Committee or Board or any of its subsidiaries
- Application to be a tenant or service user of the organisation or any of its subsidiaries
- If they are an existing tenant or service user of the organisation or any of its subsidiaries

9 Use of Our Contractors & Suppliers

- 9.1 In order to help us maintain our excellent reputation, where possible you should avoid using the organisation's contractors / suppliers for your own personal purposes. We have made a list available to all of our people which outlines the contractors and suppliers that fall under the terms of this policy. Please refer to Loreburn's List of Key Contractors/Suppliers for further information.
- 9.2 We recognise that there could be certain circumstances where it might not be possible for you to avoid the use of all the contractors / suppliers on this list, such as where market conditions in your local area make it difficult to obtain a reasonable selection of potential contractors or suppliers. Under such circumstances you could be permitted to use Loreburn H A contractors/suppliers, provided you are able to demonstrate that you received no preferential treatment in terms of price, quality or any other aspect of service delivery due to your involvement with us.
- 9.3 Approval to use Loreburn H A contractors is at the discretion of the Approving Officer (Finance and Procurement Team Manager) in accordance with our authorisation limits set out in the Financial Regulations. In order to be granted approval, you will be required to demonstrate that there is no reasonable alternative contractor/supplier providing the service required in your local area, and that you will receive no preferential treatment in terms of service or cost (which you will be required to demonstrate through quotations and receipts)

- 9.4 If you are looking to purchase goods or services from any contractor/supplier used by Loreburn H A then you must make a declaration in the Entitlements payments & Benefits register outlining:
- That you have received approval from the appropriate approving officer (Finance & Procurement Team Manager) prior to the commencement of works
 - That you received no preferential treatment in terms of service or cost (which you will be required to demonstrate through quotations and receipts).
 - Where you inadvertently use a contractor on Loreburn's List of Contractors/Suppliers in an emergency situation, you must notify the approving officer (Finance & Procurement Team Manager) as quickly as possible thereafter and enter an appropriate declaration in the Register.
- 9.5 Any contractor/supplier not used by Loreburn H A can be used without the need for any declaration/further action. Contractors/suppliers who provide services of a small value (e.g. local window cleaners or sandwich shops) or have such a large national or local standing that no favour could ever realistically be gained (e.g. Amazon, utilities, BT, banks or national chains) are not included in these regulations / requirements.
- 9.6 The approving officer will have an appropriate level of seniority, in accordance with our scheme of delegation. In making their decision, the approving officer will consider the level of potential reputational risk or any potential conflicts of interest that may arise by granting approval and, if granting approval, consider the steps required to mitigate against future conflicts of interest. This includes ensuring that the individual is not involved in any transactions with or decisions about the contractor/supplier in question on behalf of the organisation.

- 9.7 The Finance & Procurement Team Manager will maintain a clear audit trail of every approval to use any of our contractors. The total number of our people to use contractors and suppliers, including the reasons for approval, and confirmation that no advantage was gained due to an individual's role within the organisation should be formally reported annually to our Management Committee.

10 Provision of Goods or Services

- 10.1 Lorebrun Group staff are prohibited from providing goods or services to another member of Loreburn Group staff or someone closely connected to them in exchange for money (including but not limited to services such as babysitting, decorating, joinery/electrical/plumbing works or the provision of any materials/supplies).
- 10.2 Lorebrun Group staff are prohibited from providing goods or services to a Loreburn Group tenant in exchange for money (including but not limited to services such as babysitting, decorating, joinery/electrical/plumbing works or the provision of any materials/supplies).
- 10.3 Loreburn Group staff must declare details of any second jobs via the Entitlements Payments and Benefits Form. This includes details of any service where a member of staff receives money in exchange for the provision of goods or service – no matter how infrequently this takes place. This includes any paid work whether it is linked to a casual, temporary or permanent contract arrangement. Loreburn need to be aware of any such arrangements as it may impact the Working Time Requirements and, if not recorded and managed appropriately may pose a risk to yourself, your colleagues and our tenants. Any change to circumstance regarding second jobs must be declared throughout the year; for example, if you do not have a second job at the time of the Entitlements, Payments and Benefits Form being issued but you later carry out any works/service in exchange for money then this must be declared and an updated form completed. Loreburn equipment

and/or property (including intellectual property) **cannot** be used in any capacity in connection with a second job.

12 Staff Training and Development

- 12.1 The success of Entitlements, Payments and Benefit Policy and proper implementation depends on the knowledge and skills of managers and staff implementing it.
- 12.2 This policy will be covered as part of the induction process for new starts and lien managers will provide regular reminders about the requirements of the policy for existing staff.

13 Responsibilities Chart

- 13.1 The chart below illustrates the responsibilities of all staff pertaining to this Policy:

Responsibilities	MC/ CEO	LET	Management Team	Team Managers	All Staff
To set the policy and direction with regards to entitlements, payments and benefits	✓				
To monitor, manage and mitigate corporate risk associated with entitlements, payments and benefits	✓				
Day to day operation of the entitlements, payments and benefits policy and actions			✓	✓	

Ensure the approach meets the requirements of the Scottish Housing Regulator	✓				
Policy Champion	✓				
Ensure Loreburn H A has a robust understanding and application of entitlements, payments and benefits policy		✓	✓		
Ensure effective and clear communication with key stakeholders		✓	✓		
Working with People & Culture to arrange appropriate inductions and training as required for entitlements, payments and benefits		✓			
Ensure entitlements, payments and benefits forms part of MC & staff inductions		✓	✓		
Provide timely and accurate information to allow interests to be managed appropriately	✓	✓	✓	✓	✓
Ensure complaints feedback is used to improve service			✓	✓	
Ensure policy is reviewed three yearly or as necessary due to legislative changes	✓				
Ensure E&D guidance is adhered to	✓	✓	✓	✓	✓

14 Review

- 14.1 Our rules require the Management Committee to set our policy on payments and benefits and keep it under review. This version of the policy was been approved by our Management Committee and is based on the Model published by the SFHA. It is consistent with the requirements of our Codes of Conduct for Management Committee and subsidiary Board members and for Staff. These Codes have been confirmed by the Scottish Housing Regulator as meeting their regulatory requirements.
- 14.2 This Policy was adopted by our Management Committee. It will be reviewed not later than February 2026 and three yearly thereafter unless guidance and legislation necessitates an earlier review.
- 14.3 This review will be undertaken by the Policy Champion and circulated to Management Committee for approval.

15 Appendices

- Appendix 1: Entitlements, Payments & Benefits that come under this policy explained
- Appendix 2: Payments, Entitlements & Benefits Form