



Entitlements, Payments and Benefits Policy

**Approval date – September 2018
Review date – September 2021**

This policy applies to

- | | | | |
|--|--|---|---|
| <input checked="" type="checkbox"/> Link Group | <input checked="" type="checkbox"/> Link Housing | <input checked="" type="checkbox"/> Link Living | <input checked="" type="checkbox"/> Link Property |
| <input checked="" type="checkbox"/> Horizon | <input checked="" type="checkbox"/> Larkfield | <input checked="" type="checkbox"/> West Highland | <input checked="" type="checkbox"/> Lintel Trust |

Policy Summary

The Policy sets out how Board members, volunteers and staff are required to observe policies and regulations designed to ensure that there is clear evidence of transparency honesty and propriety in all matters of entitlements benefits and payments to Board members and members of staff.

Equalities

Universal application and there is no impact on Equalities.

Privacy

Not relevant

Director of Finance and Corporate Services

Approved by

Link Group Board

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Version History		
Date	Changed made by	Changes approved by
August 2016	G Dougal	Link Group Board
March 2017	G Dougal	Senior Management Group
September 2018	N Hall	Link Group Board

1. INTRODUCTION

Link Group Limited is a Registered Social Landlord and the parent company to a number of subsidiaries. Link Group Limited is part of a sector which has a strong reputation for integrity and accountability to our customers and to the Scottish Housing Regulator and the purpose of this policy is to ensure that the entire Link group upholds the reputation of that sector. Consequently our staff, volunteers or Board members [“colleagues”] cannot benefit inappropriately from their connection with the organisation. This policy therefore applies to Link Group Limited and all subsidiary companies. Where the term “Link” is used throughout this document it means any Link group company.

This policy describes the entitlements, benefits and payments that colleagues 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.

The Scottish Housing Regulator [SHR] requires Link to have a policy that sets out what payments and benefits we permit and to ensure that these arrangements demonstrate transparency, honest and propriety. We must ensure there is no justifiable public perception of impropriety.

As a number of group members are Scottish charities, all of the Board members of these organisations must also ensure that they comply with the Office of the Scottish Charity Regulator [OSCR] guidance to charity trustees and charity legislation.

This policy is intended to be a practical document that supports Link in meeting all of the above requirements, ensuring that none of our colleagues benefit improperly or inappropriately from their involvement with us, but also that they are not unfairly disadvantaged. We expect our colleagues to act in good faith, and in applying the terms of the policy we will always take this into account.

As someone who is affected by this policy, you are personally responsible for ensuring that you are familiar with and comply with its terms.

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 Chair or Chief Executive (if you are a member of the governing board) or with your line manager (if you are a member of staff).

1.1 What this policy covers

This policy covers:

- Managing your interests
 - Registering and declaring interests
 - Entitlements, payments and benefits
- People connected to you
 - Who else should you consider when declaring interests

- What should you consider
- Use of Link contractors and suppliers by colleagues

1.2 Other relevant policies

The Code of Conduct is linked to this policy. Failure to comply with the terms of this policy will be regarded as a breach of the Code of Conduct.

You are also required to be familiar with and observe the terms of the Fraud and Bribery Policy. Link prohibits any attempt to induce the organisation of colleagues to offer preferential services or business terms and we will at all times comply with the Bribery Act 2010.

Policies relating to the following are also relevant to this document and must be complied with at all times:

- Allocations
- Repairs
- Adaptations
- Procurement
- Training and Development
- Expenses
- Recruitment and Selection
- Disposal of Assets
- Payments to Tenants

Please note that this list is not exhaustive and you are required to comply with all policies and procedures of the group company which employs you,

2. MANAGING YOUR INTERESTS

2.1 Registering and Declaring Interests

In order to protect Link's reputation and demonstrate that we conduct our affairs with openness, honesty and integrity, we maintain a Register of Interests. You must records in this register any interests that you or someone you are connected with (see Section 3) has which are relevant to our business. You will be required to confirm annually that your entry is accurate and up to date.

Where you have an interest in any matter that is being discussed or considered at a meeting, you must declare your interest and play no part in the discussion; you must withdraw from any part of a meeting where the interest arises.

The Code of Conduct also contains a section on declaring interests that you should comply with at all times.

An annual report will be made to the Board on the entitlements, payments and benefits that have been recorded in the register.

2.2 Entitlements, Payments and Benefits

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

As a colleague, you potentially could be offered benefits over and above those to which you are contractually entitled, such as gifts or hospitality from external parties. Such offers would be as a direct result of you being a colleague and cannot always be accepted. We required that any such offers are managed and recorded very carefully to ensure the highest levels of probity in our organisation. Colleagues should not benefit – or seen to benefit – inappropriately from their involvement with us.

Apart from payments that colleagues are entitled to by contract, statute 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.

As we contribute to the economies of the areas 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 close to you (see Section 3) has with any of these businesses or organisations.

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.

Appendix A lists the entitlements that fall under this policy and states:

- Which could be permitted by Link
- Which will never be permitted by Link
- Which you require to declare in the register or interests
- Any other further requirements we have before permitting

3. PEOPLE CONNECTED TO YOU

3.1 Who else you should consider when declaring interests

Someone ‘closely associated’ to you includes family members and persons who might reasonably be regarded as similar to family members even where there is no relationship by birth or law.

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 associated. Who you should consider, and our expectations of you to identify and declare such actions are outlined in the following table.

Group	Required Response
<p>1. Members of your household</p> <p>This includes:</p> <ul style="list-style-type: none"> • 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 	<p>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.</p>
<p>2. Partner, Relatives and friends</p> <p>This includes:</p> <ul style="list-style-type: none"> • Your partner (if not part of the household) • Your relatives and their partners • Your partner's close relatives (i.e. parent, child, brother or sister) • Your close friends • Anyone you are dependent upon or who is dependent upon you • Acquaintances (such as neighbours), someone you know socially or business contracts/ associates 	<p>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 to identify, declare and manage these actions.</p> <p>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 go to unreasonable lengths to identify any relevant actions. However, if you become aware of relevant actions by such individuals, then these should be declared and managed as soon as possible.</p>

3.2 What you need to consider

The following are the relevant actions/ involvement by those to whom you are closely connected that you should consider, declare and manage as per the expectations outlined in the above table.

- A significant interest in a company or supplier that we do business with. A significant interest means ownership (whole or part) or a substantial shareholding in a business that distributes profits, not 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 we do business with.
- Involvement in the management of any company or supplier we do business.
- Involvement in tendering for, or management of, any contract for the provision of goods and services to us.

- Application for employment to us
- Application to join our Board or any of its subsidiaries
- Application to be a tenant or service user of us
- If they are an existing tenant or service user of us

4. USE OF OUR CONTRACTORS AND SUPPLIERS

In order to help Link maintain its 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. The list of contractors is available as an appendix to this policy document on the Link Intranet, Linkipedia.

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 the 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 those contractors/ suppliers outlined on Linkipedia, 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.

Approval to use those contractors listed on Linkipedia is at the discretion of the appropriate officer from each subsidiary, as per the table below. In order to be granted approval, you will be required to demonstrate that there is no reasonable alternative contractor/ supplier providing the same service required in your local area, and you will receive no preferential treatment in terms of service or cost (which you would be required to demonstrate through quotations and receipts).

Approving Officers

Subsidiary	Approving Officer
Link Group, Link Housing, LinkLiving, Link Property and Lintel Trust	Company Secretary
Horizon	Managing Director
Larkfield	Area Manager
West Highland	Chief Executive

If you are looking to purchase goods or services from any contractor/ supplier on this list then you must make a declaration in the register outlining:

- That you have received approval from the appropriate approving officer prior to the commencement of works
- That you received no preferential treatment in terms of the service or cost (which you will be required to demonstrate through quotations and receipts)
- Where you inadvertently use a contractor on the list in an emergency situation, you must notify the approving officer as quickly as possible thereafter and

enter an appropriate declaration in the register

Any contractor/ supplier not included on the list can be used without the need for any declaration/ further action. The list on Linkipedia represents the majority of the contractors that we use, but does not include any of our suppliers that:

- Only provide services of a small value (e.g. local window cleaners or sandwich shops)
- Have a large national or local standing that no favour could ever realistically be gained (e.g. utilities, BT, banks or national chains)

Guidance for approving officer: the approving officer will have an appropriate level of seniority, in accordance with our scheme of declaration. In making your decision you should consider the level of potential reputational risk or any potential conflict of interest that may arise by granting approval and, if granting approval, consider the steps required to mitigate against future conflict of interest, such as ensuring that the individual is not involved in any transactions with or decisions about the contractor/ supplier in question on behalf of the organisation. You should maintain a clear audit trail of every approval to use any of our contractors listed on Linkipedia. The total number of colleagues 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 the Board.

5. REVIEW

Rules require the Link Group Board to set Link's policy on payments and benefits and keep it under review. This policy has been approved by the Board and is consistent with the requirements of our Codes of Conduct for Board Members and for Staff. These Codes have been confirmed by the Scottish Housing Regulator as meeting their regulatory requirements.

Appendix A

Example	Can this be permitted?	Further action necessary before this will be permitted
<p>Human Resources and Recruitment</p> <p>All entitlements arising from your contract or employment with Link or one of our subsidiaries, including (but not restricted to):</p> <ul style="list-style-type: none"> • Payment of salary to staff • Access to car or travel loan or salary advances where specified in the employment contract • Pension and/ or private health care package provided as part of the remuneration package • Performance related pay or bonus award in accordance with contractual terms • Books and equipment in connection with employment or training in accordance with agreed policies and/ or contractual terms • Reimbursement of professional fees 	<p>Yes</p>	<p>Any entitlement in the terms of your contract is always permitted without the need to record in the register of interests. There are Human Resources processes in place for this purpose.</p>
<p>Payment to a member of the Board for their role as a Board member, in accordance with the terms of the letter of appointment</p>	<p>Yes</p>	<p>The Board has agreed that in the case of some Board Members whose roles require a significant time input and commitment beyond that of other Board Members, that it would be appropriate to consider and, when deemed appropriate in relation to the role undertaken, to make payment. At all times Link will ensure it complies with charity</p>

		law which prevents payments being made to a majority of Board Members at any one time and Link will also take account of legal advice and independent assessment of appropriate remuneration levels.
Example	Can this be permitted?	Further action necessary before this will be permitted
All payments made in accordance with the terms of our expenses policy including: <ul style="list-style-type: none"> • Payment of permitted out of pocket expenses • Reimbursement of travel costs including car mileage rates • Loss of earnings when attending Board meetings or on Board business • Childcare costs when attending Board meetings or on Board business. 	Yes	Entitlements in connection with your role as a colleague are set out in our Expenses Policy are always permitted and do not need to be declared provided claims are made in accordance with our procedures.
Provision of a loan by the organisation to one a colleague	No	This is not permitted unless in connection with the contractual terms of employment and which includes staff car loans and corporate clothing loans. We cannot make any other loans to individuals.
Ex gratia payments, compensation payments and redundancy payments	Yes	Redundancy We can make redundancy payments, whether arising from a compulsory or voluntary redundancy, in line with the statutory scheme. In addition, we may but are not obliged to make enhanced redundancy payments whether arising from a compulsory or voluntary redundancy in accordance with our

		<p>Redundancy Policy provided always that such enhanced payments (a) are stated to be inclusive of the employee's statutory redundancy entitlement; (b) are linked to the statutory redundancy formula; and (c) do not exceed twelve months' full pay for any employee under any circumstances; and (d) are approved by the Link Group Board.</p> <p>Ex Gratia and compensation payments</p> <p>In exceptional circumstances we may make ex gratia or compensation payments to employees which are not contractual in nature. Such payments may be made where an employee has raised or may raise claims or grievances arising from their employment or the termination of their employment. Such payments may only be made if authorised by the Chair as delegated under Chair's Actions and will usually only be made where the employee has entered a settlement agreement or COT3 agreement. Such payments will not exceed, in the opinion of our legal advisor, the total cost of proceedings by the employee in a court or employment tribunal (including the likely value of any award that might be made and the associated expenses likely to be incurred by the organisation in defending such proceedings). For the avoidance of doubt if the employee's claims or prospective claims include a claim for a statutory or enhanced redundancy payment, there will be no 'double recovery' as between payment to that employee of a redundancy payment and any compensation payment or ex gratia payment.</p>
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Example	Can this be permitted?	Further action necessary before this will be permitted
An offer of employment (temporary or permanent) to someone who is closely connected to a member of staff	Yes	This is permitted as long as: <ul style="list-style-type: none"> • There has been an open recruitment exercise in accordance with our policy that you have not played any part in and • You have no direct or indirect line management or supervision responsibility and • The offer of employment complies with our policy and is approved by Link Group’s Director of Human Resources and Business Support. and • You record your connection to the successful applicant in the register within five days of their acceptance of the offer
The offer of employment to someone who is, or who has been in the last twelve months, a member of our Board or anyone who is related to a member of the Board.	No	This cannot be permitted
Appointment of one of our staff members to the Board	No	This cannot be permitted in accordance with the Rules of the organisation
Nominations to join the Board from people who are connected to a serving member.	No	This cannot be permitted in accordance with the Rules of the organisation
Colleagues as tenants or service users		
The offer of a tenancy or lease in one or our or any of our subsidiaries’ properties to a colleague or someone who is closely connected to them.	Yes	This can be permitted as long as <ul style="list-style-type: none"> • It is in accordance with our allocations policy and • Neither the applicant or anyone connected to the applicant is involved in any way or in any part in the allocations process and • The offer is approved by the Board and • The tenancy is recorded in the register of interests within five days of the tenancy commencing •

Example	Can this be permitted?	Further action necessary before this will be permitted
<p>Where a colleague (or someone connected to a colleague) is a tenant and received a repair, improvement or adaptation to their home</p>	<p>Yes</p>	<p>Repairs carried out in accordance with our policy do not need to be recorded</p> <p>Adaptations must comply with our policy and be approved by Link Group's Director of Development and Asset Management. The adaptation should be recorded in the register of interests within five days of approval.</p> <p>Improvements must be carried out as part of an approved programme and in accordance with our policy. The person affected should declare their interest if/ when the programme is being discussed and the improvement recorded in the register of interests within five days of completion</p> <p>(Improvements means individual property improvements where these are not included in general replacement and upgrading programmes.)</p>
<p>When a colleague (or someone connected to a colleague) is a tenant and receives a payment of a decoration allowance, tenant award/ incentive as part of an agreed scheme or prize.</p>	<p>Yes</p>	<p>Payment of decoration allowances or incentive/ reward payments must be made in accordance with our policies and procedures and recorded in the register within five days of receipt.</p> <p>Prizes or awards in competitions open to all tenants in the same community (e.g. garden competitions) can only be given if the selection process for giving the award/ prize has been carried out by someone who is independent. Receipt of the award and the circumstances surrounding it must be recorded in the register within five days of receipt.</p>

Example	Can this be permitted?	Further action necessary before this will be permitted
Training and Events		
Attendance at training events or seminars (e.g. SFHA Conferences) or opening/similar events hosted by other RSLs	Yes	There is no requirement to declare and record in the register of interests
Example	Can this be permitted?	Further action necessary before this will be permitted
The organisation paying for accommodation in connection with attendance at relevant conferences or events that you are attending on behalf of or in connection with your role with us or our subsidiaries	Yes	Accommodation that is part of a conference or training package does not need to be receded in the register, but attendance will be recorded on the relevant individual training plan. Residential conferences are important in ensuring that colleagues have the necessary skills, knowledge and experience to make an effective contribution to our activities.
Attendance by you at events to mark awards, achievements or other significant milestones relevant to our business	Yes (where not exceeding £500)	<p>The Board must approve attendance prior, and will only do so if:</p> <ul style="list-style-type: none"> • The organisation or a colleague (because of their role with us) has been nominated for an award; or • Attendance is in recognition of achievement or in pursuit of appropriate business development; or • We can demonstrate that attendance of participation is directly related to furthering our aims and objectives <p>Where we ask you to represent us at such an event, this should be recorded in the register along with any associated costs (including travel, accommodation and the costs of attendance at the event within five days of attendance.</p> <p>The total cost should not exceed £500 per person and we will make all arrangements in advance.</p> <p>Where costs would exceed £500 you will not be permitted to attend unless there is a clear, viable business case for attending. In such a case, specific approval from the Board</p>

		would be required.
Example	Can this be permitted?	Further action necessary before this will be permitted
Gifts and Hospitality		
Gifts received from tenants and external sources	Yes (not exceeding £25)	<p>Small gifts (e.g. a box of chocolates, pens, folders, paperweights) can be accepted if:</p> <ul style="list-style-type: none"> • The value does not exceed £25 • You do not receive more than one such gift from the same source in a twelve month period • You record receipt of the gift in the register <p>You should not normally accept other gifts and should decline any gifts with a value of more than £25 unless to do so would cause offence or otherwise damage our reputation. In these cases you must:</p> <ul style="list-style-type: none"> • Advise the donor that the gift will be donated to charity or will form part of our annual charity fundraising activities • Record the gift and the action taken in the register within five days <p>You should not regularly accept gifts from the same source and never more than once from the same source within a twelve month period.</p> <p>You should also record any offers that you decline and the reasons for this, in the register within five days.</p>

Example	Can this be permitted?	Further action necessary before this will be permitted
<p>Gifts given from us to a colleague or received by a colleague from external sources to mark special occasions</p>	<p>Yes (not exceeding a value of £25)</p> <p>The Chairperson of the Board, acting under delegated authority in term of “Chair’s Actions”, will be permitted to increase the amount to a maximum £250 if the Chairperson concludes that in the circumstances it would be appropriate to do so.</p>	<p>Gifts from the organisation to a colleague can be permitted in cases where it is to mark a special occasion or significant event including:</p> <ul style="list-style-type: none"> • Family event (marriage, milestone birthday, birth of a child) • Retirement • Leaving the organisation <p>This must be recorded in the relevant register and the value of such gifts will not normally exceed £25.</p> <p>Please note that this does not include collections by colleagues using their own personal funds to mark special occasions. These are always permitted with no requirement to declare.</p>
<p>Hospitality associated with our business and that of its partners</p>	<p>Yes (when not exceeding the value of £50)</p> <p>The Chairperson of the Board, acting under delegated authority in term of “Chair’s Actions”, will be permitted to increase the amount to a maximum £250 if the Chairperson concludes that in the circumstances it would be appropriate to do so.</p>	<p>Modest hospitality, such as a sandwich lunch or networking event, is permitted and does not need to be recorded.</p> <p>All other hospitality up to the value of £50 is permitted but must be recorded in the register, along with an estimation of the value of hospitality received, within five days of attendance.</p> <p>You should not accept invitations with a value that is greater than £50, unless you have prior approval from the Board (this includes “Chair’s Actions”). The type of hospitality offered will also be taken into consideration, e.g. we would not normally accept invitations to sporting events, concerts, golf tournaments etc.</p>

		In this case, the reason for acceptance must also be included in the register and countersigned by the Chairperson or the Chief Executive (or subsidiary senior officer)
Example	Can this be permitted?	Further action necessary before this will be permitted
Colleagues seeking donations from our contractors/ suppliers when fundraising for charity.	Yes	This is permitted provided: <ul style="list-style-type: none"> • Approval is gained from an employee's Line Manager prior to making any approach • Any donations are recorded in the register <p>We recognise our social responsibility and promote charity fundraising by the organisation and colleagues.</p>
Procuring Goods and Services		
Sale of a property under Right To Buy to someone affected by this policy.	Yes	This is permitted with no requirement to declare in the register. The normal process for valuation and sale should be followed and our normal policy would be applied.
Sale our interest (whole or part) in a property to someone affected by this policy via LIFT, HomeBuy, Help to Buy or other low cost home ownership scheme.	Yes	This is permitted provided: <ul style="list-style-type: none"> • Our policy and procedures are followed • The prospective purchaser should play no part in the processing of the transaction by the organisation • It is declared and recorded in the register within five days of the missives being concluded confirming the process followed.
The organisation entering into a contract with an organisation where a colleague, or someone connected with them has significant control.	No (in almost all cases)	This is not permitted in almost all circumstances. We could only consider this where: <ul style="list-style-type: none"> • The person affected by this policy is not involved in any part of the procurement process of decision • The appointment is approved by the Board which is satisfied that the appointment is reasonable • There is no reasonable alternative (e.g. because of geography or the specialist nature of the goods/ service

Example	Can this be permitted?	Further action necessary before this will be permitted
The purchase of land or other assets from anyone who is, or has been in the last twelve months, a colleague or who is connected to a colleague	No (in almost all cases)	<p>This cannot be permitted in almost all cases.</p> <p>The only exception would be if you were referred to us under the Scottish Government's Mortgage to Rent scheme, where this would be permitted provided:</p> <ul style="list-style-type: none"> • Our policy and procedures were followed • The prospective seller plays no part in the decision to purchase the property or the processing of the transaction by the organisation • It is declared and recorded in the register within five days of the sale
The purchase of goods/ services from our suppliers/ contractors by a colleague	Yes	This should normally be avoided, and will only be potentially permitted if the procedure identified in section 4 is followed.