Entitlements, Payments, and Benefits Policy

1. Introduction

1.1 This policy is aimed at:

- All members of our Board and of the Board/Committee of any of our subsidiaries
- Everyone who works or volunteers for us or any of our subsidiaries

1.2 For the remainder of this policy the above will be referred to as "our people."

About This Policy

1.3 We are 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 our Regulators, partners and funders. We must ensure that our organisation upholds its reputation and that of the sector. We have to ensure that our people cannot benefit or be seen to benefit inappropriately from their connection to us. Equally, we must protect our people from unjustified criticism and ensure that, wherever possible, no one is unfairly disadvantaged by their connection to us.

1.4 This policy describes the entitlements, payments and benefits that our people are able to receive. It also describes what is not permitted (and why) and the arrangements that we have in place to ensure we are transparent and accountable in how we comply with the requirements of this policy and our regulators.

1.5 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.

1.6 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 Trustees and charity legislation.

1.7 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.

1.8 As someone who is affected by this policy, you are personally responsible for ensuring that you are familiar with and comply with its term. You are also responsible for ensuring that the Register of Interests is always up to date: declaring interests that are relevant to your role with us is key to the effective implementation of this policy.

1.9 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 entitlements, payments and benefits you should consult with our CEO or with your line manager.

What this Policy Covers

1.10 This policy covers:

- Managing Your Interests
  - Registering and Declaring Interests
  - Entitlements, Payments & Benefits
- People Connected to You
  - Who Else You Should Consider When Declaring Interests
  - What You Should Consider
- Use of Our Contractors/Suppliers by Our People

Other Relevant Policies

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

1.12 You are also required to be familiar with and observe the terms of our Anti-Bribery and Fraud 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.

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

- Allocations
- Maintenance Policy
- Adaptations
- Procurement
- Staff Training & Development
- Recruitment
- Sale/Disposal of our Property
- Gifts and Hospitality

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

2. Managing Your Interests

Registering and Declaring Interests

2.1 Being open about any interests that our people have that are relevant to their role with us is critical to protect our reputation. Our Register of Interests helps to ensure and demonstrate that we conduct our affairs with openness, honesty and integrity. You must record in this register any interests that you or someone connected to you has which are relevant to our business and /or our 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.

2.2 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 member who has an interest in a matter that is being considered withdraws from all discussions and plays no part in decision-making.

This requirement does not apply to Board/Committee members who are tenants where matters are being considered that relate to policy implementation affecting all or a substantial number of the association's tenants (e.g. rent increases. The requirement to withdraw relates to matters in which someone affected by this policy has an individual interest e.g. where they are the tenant of a property that is being considered for exceptional treatment (e.g. associated with RAAC) and that a decision will have an individual and personal impact on. If a GBM who has a conflict of interest shares factual information about the matter with the Chair (or any other GBM), outwith the meeting to inform discussion, that must be declared that to the meeting and the Chair must ensure that it does not influence the outcome and decision-making.

2.3 Constitutional Standard 23 requires a RSL to "*…have a clear process to identify and address any conflicts of interest*"[1]. This policy has been endorsed by the SHR and so complies with regulatory requirements.

2.4 The Codes of Conduct which our Board and staff are required to uphold contain requirements about Declaring Interests that you should comply with at all times.

2.4 An annual report will be made to our Board on the entitlements, payments, benefits that have been recorded in the Register(s) by our people.

2.5 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 of which we are the landlord
- Occupancy or ownership of a property 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.
- If you purchase goods or services from us.
- If you purchase goods or services from one of our contractors or suppliers (see section 4).
- 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.
- 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 you and the organisation.

Entitlements, Payments and Benefits

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

2.8 As one of our people, you potentially could be offered benefits over and above that to which you are 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.

2.9 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.

2.10 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 3) has with any of these businesses or organisations.

2.11 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.

2.12 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

3. People Connected to You

Who Else You Should Consider When Declaring Interests

3.1 Someone 'closely connected' to you includes members of your household, family members and other relatives and your friends.

3.2 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. If you are in any doubt about whether or not a declaration is required, you should consult the Chair, CEO or, for staff, your line manager.

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 ● 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	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. 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.

What You Need To Consider

3.3 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 Board or any of its subsidiaries
- Application to be a tenant or service user of OVHA or any of its subsidiaries

4. Use of Our Contractors & Suppliers

4.1 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. This is included at Appendix B.

4.2 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 those contractors/suppliers outlined at Appendix B, 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.

4.3 Approval to use those contractors listed at Appendix B is at the discretion of the approving officer (in accordance with our scheme of delegation). 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)

4.4 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 service or cost (which you will be required to demonstrate through quotations and receipts).
- Where you inadvertently use a contractor on the list at Appendix B in an emergency situation, you must notify the approving officer as quickly as possible thereafter and enter an appropriate declaration in the register.

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

- Only 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)

4.6 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.

4.7 OVHA will maintain a clear audit trail of every approval to use any of our contractors listed at Appendix B. 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 - will be formally reported annually to our Board.

5. Review

5.1 Our Rules require the Board to set our policy on payments and benefits and keep it under review. This policy has been approved by our Board and is based on the Model published by the SFHA. It 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.

Maryjane Elder
Review Date: January 2026
Next Review Due Date: January 2028