



Linthouse Housing Association
Committee Members' Handbook



April 2019 edition

Welcome to Linthouse Housing Association’s handbook for committee members

Inside, you will find information about your responsibilities as a committee member, as well as summaries of all of LHA’s main policies and procedures on governance.

If there is anything in the handbook you would like more information about, please feel free to ask at any time.

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CHAPTER 1

RESPONSIBILITIES OF THE MANAGEMENT COMMITTEE

The Management Committee (MC) is LHA's governing body. It is responsible for making sure that LHA:

- Achieves its purpose and the overall strategy set by the MC
- Is accountable to our tenants, and that tenants receive high quality services that are good value for money
- Achieves high standards of governance and financial management, including staying solvent, meeting our obligations to funders, and making proper use of resources
- Meets all our legal and regulatory obligations.

In more detail ... six key responsibilities of the Management Committee

1. Setting and monitoring LHA's overall strategy for the future

- For example, by approving the Business Plan, and
- Monitoring closely how the Business Plan is put into practice.

2. Approving the policy of LHA

- The MC approves LHA's major policies and will delegate responsibility to the Policy Working Group to review and advise on such policy and to oversee an annual programme of policy review.
- The MC delegates scrutiny and approval of staffing related policy to the Staffing Sub-committee.

3. Making major financial decisions about the use of LHA's resources

- The MC is responsible for LHA's most important financial decisions, such as:
 - Approving the annual budget and rent increase
 - Approving new loans taken by LHA
 - Authorising contract acceptances for development projects.
- The **Audit and Assurance Sub Committee** supports the MC, by carrying out initial scrutiny of many aspects of LHA's finances, before these are then presented to the MC for discussion and approval.

4. **Overseeing the way the Association manages risk**

- The MC does this by considering risks to LHA's strategy when the Business Plan is approved and obtaining assurance about how these will be managed.
- Over the course of the year, the Audit and Assurance Sub Committee monitors any changes in strategic risks and the management of risks.
- The MC must still make sure it stays informed about LHA's most significant strategic risks – so it will receive information about the Audit and Assurance Sub Committee's activity.

5. **Acting as the employer of LHA's staff**

- The MC is responsible for approving LHA's arrangements for pay, conditions of service and pensions. Salary scales and terms and conditions are based on standard EVH arrangements.
- The **Staffing Sub Committee** monitors employment-related matters on behalf of the MC and has delegated authority to deal with a number of personnel decisions, for example staff re-gradings and conducting the initial stages of grievance or disciplinary hearings where committee involvement is required.

6. **Performance monitoring**

- The MC has ultimate responsibility for the quality of service tenants receive. The Customer Services Team will provide reports to help the MC understand the facts and make judgements about this.
- Almost all housing service delivery matters are delegated to staff, although the MC is responsible for deciding whether LHA should enforce decrees for eviction.

Who Does What?

LHA's **Scheme of Delegated Authority** sets out what decisions must be made by the MC, and what decisions and activities the MC has decided to delegate to a) the Audit and Assurance and Staffing sub committees, and b) the CEO and senior management.

Responsibility for managing the organisation and service delivery is delegated to the staff team under the leadership of the Chief Executive Officer (CEO). The CEO will ensure that the MC receives regular reports on LHA's performance and on all other matters that fall within the MC's governance role.

CHAPTER 2

HOW TO BE AN EFFECTIVE COMMITTEE MEMBER

Committee decisions affect the whole community and may involve large amounts of public money, so it's vital that committee members carry out their role competently.

The Standing Orders contain a formal description of your role. Following a few simple rules will help you to be effective and to make a difference.

1. Prepare for meetings

You should always read and think about the papers sent to you before committee meetings. This will help you contribute at meetings and help make meetings shorter and run better.

If committee members are not well prepared, they will not be able to contribute as well as they could. If a number of committee members are not prepared, this may result in too much time spent making sure everyone understands what is in the reports, or else decisions may just get nodded through.

Committee reports should be clear and concise, and sent to you a week before the meeting. If you think reports are hard to follow, or if you need any help in understanding them, you can speak to the chairperson or CEO about this.

Another option is to contact the author of a report before a committee meeting. This can be useful if you have a number of points you'd like to ask about. It allows your questions to be answered and helps ensure that by the time of the committee meeting all members have the opportunity to contribute.

2. Contribute at meetings

All committee members should try to contribute to discussions and decisions during committee meetings. This includes holding LHA's senior staff team to account in a constructive way.

This isn't about being critical for its own sake. Instead, effective challenge involves:

- Being satisfied that a proposal is consistent with LHA's aims and objectives
- Testing the assumptions or arguments on which a report or proposal is based
- Asking for clarification about the facts in a report, where this is needed
- Seeking assurance that reports are based on reliable information
- Having a clear understanding of the risks a proposal may involve.

3. Build up your knowledge and skills

If members don't keep their knowledge up to date, it's harder for the Committee to be in control of LHA and to make informed decisions that are based on facts.

Taking part in training and other learning activities is essential for every committee member and will help the committee to make good decisions. There are many ways of learning, and LHA will ensure that committee members receive quality training and support.

4. Follow the Code of Conduct

Committee members need to meet high standards of personal conduct, to give tenants and the wider public confidence that LHA is a well-run and well-managed organisation.

The Code of Conduct sets out the main rules everyone is expected to follow. If it is alleged that a committee member has breached the Code of Conduct, the Committee may instruct an investigation and vote to remove a committee member, if there has been a serious breach. Members who are the subject of an investigation will be asked to take a leave of absence until any investigation has been completed.

5. Attend regularly, and let us know about any absences from committee meetings

LHA will issue a committee calendar shortly after the beginning of the new year, including meeting dates for the next 12 months. **Please be sure to put the dates in your diary.**

If you can't attend a particular meeting, please contact the office so that your apologies can be noted.

If you are going to have problems attending meetings over a period of time (for example, due to ill health or family matters), please let the Chairperson or CEO know. They can pass on a **request for a leave of absence** for the Committee to approve.

LHA's Rules state that your committee membership will end if you have missed four consecutive Management Committee meetings, unless you have been granted a leave of absence.

LHA will contact you before you have missed three meetings in a row, to remind you about the "four meetings rule" and to find out if you might need to make a request for a leave of absence.

CHAPTER 3

MAKING COMMITTEE MEETINGS COUNT

Signs of an effective committee	Signs that things could be better
Preparing for committee meetings	
<ul style="list-style-type: none"> • Members are well-prepared for meetings • Reports are clear and concise and sent out on time • Members ask for clarification about anything they don't understand in reports 	<ul style="list-style-type: none"> • Not all members have read their papers • Meetings take longer than they need to • Members suffer in silence if they don't understand a report
Meetings are orderly, run to time and give all committee members the chance to speak	
<ul style="list-style-type: none"> • Staff member introductions are generally brief (<i>but major items may sometimes need a longer introduction or presentation</i>) • All committee members contribute to discussions over the course of the meeting • Committee members indicate to the Chair that they would like to speak and wait for the Chair's instruction to do so • Staff members will answer any direct questions put to them, otherwise they will also speak through the Chair • For example, the Chair may decide to ask staff to respond to the various points made, at the end of the committee's discussion • At the end of the discussion, everyone is clear what has been decided • Everyone respects the authority of the Chair 	<ul style="list-style-type: none"> • A few members do most of the talking • Discussions dominated by staff members • Committee members who wanted to speak don't get the chance • Important decisions may be taken without proper discussion • Confusion, poor communication or conflict
Did we discuss the right things?	
<ul style="list-style-type: none"> • Committee spends most of its time on the major issues put before it • Committee always gives careful consideration to reports about strategic issues, performance, risks and LHA's finances 	<ul style="list-style-type: none"> • Committee spends too much of its time on less important issues • Confusion, poor communication or conflict

Signs of an effective committee	Signs that things could be better
<ul style="list-style-type: none"> • Committee gives clear guidance to senior staff on matters needing a committee decision 	
Did we deal appropriately with the business before us?	
<ul style="list-style-type: none"> • Committee members challenge and ask staff questions about reports. • For example, questions about risks (“what are the risks if we make this decision?”) or seeking assurance (“what is our legal advice about the recommendations in this report?”) • Committee members provide challenge in a constructive way • Good teamwork between committee members, and between committee and staff • The Chair sums up the discussion, and asks the Committee to endorse the recommendations from staff (which may be amended, to reflect the Committee’s discussion) • If the Committee’s discussion has been very lengthy and/or if committee members have expressed different views, the Chair may propose taking a vote 	<ul style="list-style-type: none"> • A committee which routinely “rubber stamps” staff recommendations on major issues, without proper discussion

The Management Committee should talk about the effectiveness of its meetings from time to time, to find out:

- How well members feel that the Committee is carrying out its job
- Whether anything could be improved
- What help or support committee members or staff might need, to make improvements.

LHA will address these issues as part of the annual round of committee annual appraisal process.

CHAPTER 4

ASKING QUESTIONS ABOUT COMMITTEE REPORTS

SOME PRACTICAL TIPS

The MC and sub-committees receive a wide range of reports from staff - everything from strategic or policy decisions, LHA's performance, LHA's finances, major asset management decisions and regulatory compliance, to name just a few.

The following tips home in on some of the main issues you could ask about. You don't have to be an expert to ask any of the questions that are set out.

Reports about Strategy or Policy Issues

Many of the questions the committee might ask will be based on the specific issue being discussed, but there are a number of common themes that tend to apply across the board.

These are reflected in the following questions, which are typical of the kind of things the MC would want to be assured about.

You can use these questions in two ways. First, as a checklist of things to look out for when you are reading committee reports before a meeting. Second, as questions you might want to ask at the meeting itself.

- How does the report fit with the overall strategy in our Business Plan/or for this service?
- What will the benefits be for our tenants? Will there be any adverse effects on tenants?
- What are the risks of going ahead, or not going ahead?
- What are the most significant risks, and how would we manage these?
- What effect would this proposal have on our cashflow and our borrowing needs?
- Would this proposal have any impact on our covenants with LHA's lenders?
- How could this proposal affect our reputation? Would it be positive or negative?
- What do tenants and the Association's partners think about our plans/or this proposal?
- Are there any aspects of the proposal our lenders or regulators might be concerned about?

Reports about Performance

Performance reports will usually compare current performance with the targets or key performance indicators the committee has set previously.

Where performance results are on track or better, this will generally just be noted without the need for questions. Remember to acknowledge good performance by staff – this is important!

If performance isn't meeting the targets set, asking some of the following questions can help the committee understand why.

The answers to these four questions are maybe the most important in helping the committee to decide whether there is a serious performance problem it needs to probe in more detail:

- What is the impact on tenants and the quality of our services?
- What level of customer complaints are we receiving about this service – are complaints increasing?
- Does our performance create any significant financial issues?
- Are we still meeting our legal obligations?

If the committee does want to probe more deeply, the following additional questions could be considered:

- What are the underlying reasons for the performance results that are being reported?
- Are any problems relatively new, or are they part of a trend over a longer period?
- What things are standing in the way of making improvements?
- What actions are being taken by staff to improve performance, and when can we expect to see results?
- How does LHA's performance compare with other housing associations that are similar to us?
- Do staff need the committee to make any decisions to support improvements?

CHAPTER 5

LHA'S RULES AND OTHER GOVERNANCE DOCUMENTS

Policies and other documents can make governance seem complicated. In practice:

- The Rules are the foundation of LHA's governance and must always be complied with. The Rules cannot be changed without the approval of LHA's members.
- The Management Committee will approve a set of governance policies, to describe in more detail how the governance of LHA will operate. The Committee has full authority to approve these policies but must make sure the policies are consistent with the Rules and regulatory standards.

The key governance documents for LHA are shown below:

STANDING ORDERS

- Procedures for how committee meetings are run
- Role and remit of the MC and sub committees
- Role and responsibilities of LHA's committee members and office bearers
- What office bearers and sub committees can do or decide, without prior approval by the MC

SCHEME OF DELEGATED AUTHORITY

- The MC delegates responsibility to sub committees or senior staff for specified decisions/activities
- Sets out who can make different types of decisions
- Minutes and performance reports keep the MC informed about what has been done
- Helps prevent MC meetings getting bogged down in operational detail

RULES

- All of the MC's actions must be consistent with the Rules
- The MC can only change the Rules after approval from LHA's members at a general meeting

The Rules cover things like:

- Membership of LHA and voting at general meetings
- Nomination and election of committee members
- The size of the MC and quorum needed for meetings to go ahead
- Eligibility to become a committee member, and committee election procedures
- Broad powers of the MC and how it conducts its meetings

CODE OF CONDUCT

- Standards of personal conduct that all committee members must meet
- Allows for removing a committee member who breaches the Code

GOVERNANCE POLICIES

LHA's governance policies include policies on:

- Committee members expenses
- Gifts and hospitality
- Confidentiality
- Anti-bribery
- Whistleblowing
- Payments or benefits made by LHA to employees, committee members and people closely connected to them

CHAPTER 6

SUMMARY OF THE CODE OF CONDUCT FOR COMMITTEE MEMBERS

The Code of Conduct sets out the standards that all committee members must meet. You must provide a signed acceptance of the Code of Conduct each year, as soon as possible after the AGM. Alleged breaches may lead to an investigation and the removal of a committee member.

Committee Members' Obligations under the Code of Conduct

Selflessness

1. Always act in LHA's best interests and uphold its objectives and values.
2. Accept shared responsibility for the MC's decisions, even those you may personally disagree with. If you are unable to support in public a decision that the MC has properly reached, you should resign.
3. Never use your influence for personal gain or advantage, or for the benefit of someone to whom you are closely connected. Nor should you abuse your position to influence decisions that are the responsibility of staff.
4. Treat other committee members and staff and their opinions with respect. Always respect the authority of the chair in meetings.

Openness

5. Since LHA is a charity, you must exercise reasonable skill and care in your role.
6. Help to make sure LHA meets its legal obligations relating to data protection and freedom of information.
7. Adhere to the Scottish Housing Regulator's standards and guidance on governance and other regulatory codes that apply to LHA.
8. Respect confidentiality of information. If you are told that information is confidential, you must not discuss it or pass it on to anyone who is not entitled to receive it.
9. Help to make sure that LHA has an open approach to providing tenants and others with information that they are entitled to receive.

Honesty

10. Uphold LHA's policies on equality and diversity and anti-bribery.
11. If you are concerned about any suspected wrongdoing, you should report your concerns to the Chairperson or CEO, as described in the whistleblowing policy.
12. Comply with LHA's policies and procedures regarding any personal use you make of the Association's funds and resources.

Objectivity

13. Prepare for meetings by reading your papers in advance. Attend meetings regularly and contribute constructively to proceedings.
14. Review information in reports critically and always take decisions in the best interests of LHA, our tenants and service users and in accordance with the legal and regulatory requirements LHA is required to meet.
15. Make your decisions independently, based on the available facts. If necessary, you should help to make sure that the MC requests and receives independent advice.
16. Help to make sure the MC's decisions consider risks, value for money and LHA's financial well being.
17. Attend relevant training sessions and events, so that you keep your knowledge and skills up to date and can make a good contribution as a committee member.

Integrity

18. Declare any personal, business and financial interests you have that could overlap or conflict with LHA's work. This could also include the interests of your close relatives or others to whom you are closely connected. If you have a continuing personal interest that conflicts with our activities, you should resign.
19. Carry out your responsibilities in accordance with the Role Profile for committee members in LHA's Standing Orders.
20. Be aware of the controls on payments and benefits that may affect you and others to whom you are closely connected. Always follow LHA's policy on these matters.
21. Avoid using LHA's contractors or consultants to do work for you privately. If you feel this is unavoidable, you must notify the Chairperson first, before you commit to using a LHA contractor or consultant.
22. Don't accept any offers of gifts or hospitality, unless allowed by LHA's policy. Always be aware that tenants and other people could see this as a way of trying to influence your decisions.

Accountability

23. Monitor LHA's performance carefully, helping to identify and address any weaknesses or failures.
24. Take part in annual review meetings to discuss your own contribution to LHA's work, and how the Committee as a whole is doing its job and how it can improve.
25. Don't speak or comment in public on our behalf unless you have received specific authority to do this.

Leadership

26. Be informed about the needs and views of LHA's tenants and other customers and help to make sure the MC's decisions take these into account.
27. Always act in a way that helps to preserve LHA's good reputation.
28. Be a positive ambassador for LHA – for example, if you are attending external meetings or events.
29. Don't criticise in public LHA, other committee members or LHA staff members. This covers all communication methods, including activities on social media, blogs and networking sites.

CHAPTER 7

COMMITTEE MEMBERS' OBLIGATIONS ON CONFIDENTIALITY

It is vital that LHA is **open and accountable** to our stakeholders, particularly tenants and other service users. We do this in several ways, such as:

- Providing tenants with regular information about LHA, our performance and our major decisions (for example in newsletters, annual review reports and letters)
- Actively promoting resident consultation and participation
- Regularly dealing with information requests from tenants and other people.

It is equally important that everyone (committee and staff) knows what type of information is confidential and does not pass on such information to anyone who does not have a need or right to know it.

If you are in any doubt about whether information is confidential, you should ask the Chairperson or CEO for advice before passing on the information.

Generally, you should always treat these types of information as confidential:

- Information about individuals (tenants, staff, other customers and committee members).
- Information about formal employment matters such as selection and recruitment, and grievance and disciplinary action.
- Any other information that the Committee has agreed is confidential or sensitive, or where a committee report has been marked as confidential.
- Information about tenders or commercial contracts.

What if someone asks me for information?

As a committee member, other tenants may sometimes ask you for information.

If you are asked to comment on somebody's personal situation, you should **always** refer the person(s) to the office.

If you are asked for more general information about committee decisions, you can usually pass this on once the minutes of the relevant committee meeting have been approved. But, if you have been told that the information is confidential, you should not pass it on, and you should refer the person asking for information to the Model Publication Scheme and Guide to Information in the LHA website.

CHAPTER 8

DECLARATIONS OF INTERESTS

The Code of Conduct requires you to declare any personal, business or financial interests you have that are relevant to LHA's activities. The Code also asks you to declare any interests relating to people to whom you are closely connected, but only where these interests are directly relevant to LHA's activities.

The purpose of the declarations is to allow LHA to show that committee members are acting objectively, and avoid any impression that they may be acting for personal motives, or for the benefit of family, friends etc. A declaration of interest also helps LHA manage situations where a committee member or someone closely connected to them is applying for a house, job etc. with LHA – see Chapter 9 on the Policy on Payments and Benefits.

What kind of interests do I have to declare?

The Code of Conduct provides examples of the various interests you should consider when making your declaration. Common examples are things such as:

Your own interests

- Being a tenant of LHA, or seeking to be rehoused by LHA
- Membership, directorships or senior management roles in other organisations that LHA works with. This covers “not for profit” organisations as well as private companies.
- Financial or business interests in companies that do or may seek to do business with LHA
- Ownership of land or property in our area
- Unresolved disputes with LHA
- Elected membership of Glasgow City Council
- Personal relationships with other committee members or employees.

The interests of people to whom you are closely connected

- Being a LHA tenant or service user, or seeking rehousing by LHA
- Seeking to be employed by LHA
- Significant shareholding or management position in a profit-distributing company that we do business with, or that is on our approved list (this includes nominated sub-contractors)
- Involved (or could become involved) in tendering for or the management of any contract for the provision of goods or services to LHA

You should declare your interests in two ways

- 1) You will be asked to **complete a declaration of interests form** each year, usually after the AGM. After that, it's your responsibility to tell LHA of any changes soon as they occur.
- 2) You should also **notify the chairperson of a meeting**, if you have an interest in any business that is to be discussed at a meeting of the MC or a sub-committee.

What people are covered by the term “closely connected”?

This is covered in the Code of Conduct and includes the following people:

<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>2. Partner, Relatives and friends</p> <p>This includes:</p> <ul style="list-style-type: none">• 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
<p>In all cases:</p> <ul style="list-style-type: none">• We <u>do</u> expect you to be familiar with the actions of members of your household and of people with whom you are in close or regular contact.• We recognise that you may not always be in close or regular contact with everyone in the definition of “closely connected”.• We <u>do not</u> expect you to go to unreasonable lengths to identify the actions or involvement of others, or to conduct research into the employment, business interests and other activities of all persons to whom you are closely connected.	

What happens if I declare an interest?

If you have declared an interest, you cannot take part in LHA's decision-making on any matters that could be affected by that interest. You must leave any meeting at the point where the matter is discussed, while the remainder of the committee reach a decision.

If you have a major conflict of interests, the rest of the Committee may ask you to resign. For example, a committee member can never have a financial or business interest in any profit-distributing company that is seeking to enter into a business relationship with LHA, nor can LHA offer a contract of employment to a committee member or anyone who is related to a MC member.

CHAPTER 9

SUMMARY OF LHA'S POLICY ON PAYMENTS AND BENEFITS

Purpose of the Policy

This Policy is a requirement of LHA's Rules and of our regulators. The Policy sets out controls that we will use if we are making payments and granting benefits to our people (this means **committee members and employees** of LHA).

In some cases, controls also apply to **people who are closely connected** to a committee member or employee (this is defined in Chapter 8, on declarations of interest).

The aims of the Policy are:

- To prevent any preferential treatment for people associated with LHA
- To prevent our people and those closely connected to them from being unfairly disadvantaged in LHA's housing and other decisions
- To promote community confidence that we make decisions openly and with integrity.

The main payments and benefits that are controlled under the Policy

- A tenancy to a house
- Work to houses, such as repairs, improvements and adaptations
- Staff recruitment
- Payments/benefits to staff that are not covered by their employment contract
- Payments to committee members (other than out of pocket expenses)
- Contracts between LHA businesses that distribute their profits
- Purchase or sale of property owned by employees or committee members
- Gifts and hospitality
- Private use of our contractors and suppliers by employees or committee members

A brief description of how the various types of payments and benefits are treated under the Policy is provided at the end of this section, under the heading "**What is allowed and what's not**".

There is a crossover between declarations of interest and controlling payments and benefits.

This is because an interest declared by a committee member could mean it's necessary to apply controls to any payment or benefit.

Example

A committee member notes on her declaration of interests form that:

- She is a board member of a local charity that LHA may enter into a contract with.
- Her sister has applied to LHA for a house.

In the first example, it would be quite right to declare the interest, but the Policy on Payments and Benefits **would not apply**. This is because a charity does not distribute profits to its members, and there would be no financial or personal benefit to the committee member if the contract with LHA goes ahead.

In the second example, the Policy does apply. The committee member's sister can still be housed, but LHA would need to follow special procedures, described in the Policy as "controls".

The controls applied by LHA will vary depending on what type of payment or benefit is involved. Typically, the controls include:

- Ensuring that the relevant policies and procedures have been followed in full (for example, the committee member's sister can only be offered a house if her application has been assessed against the Allocations Policy and she has priority for rehousing under the Policy)
- Obtaining committee approval before LHA makes a payment or grants a benefit
- Recording the payment or benefit in a Register that is open to public inspection.

Complying with the Policy: Top Tips

- Always be aware that the Policy **could** apply if you or someone closely connected to you is having dealings with LHA – such as applying for a job or a house, or selling your home to LHA to carry out major repairs that you cannot afford to have done
- If this is the case, be sure to update your entry in the Register of Interests
- If you are unsure whether the Policy applies or how it might affect you or someone you are closely connected to, seek advice from the CEO.
- The rules on payments and benefits can be quite complicated. You don't need to keep all of the detail in your head. The important thing is to declare any personal, business or financial interests you have that are relevant to LHA's activities, and seek advice from staff about whether the Policy on Payments and Benefits could apply to the circumstances you have declared.

PAYMENTS AND BENEFITS

WHAT IS ALLOWED, AND WHAT'S NOT?

1) TENANCIES OR SERVICE AGREEMENTS

Allowed, if our procedures are followed

- Granting a tenancy to a committee member, employee or someone closely connected to them, as long as they have priority under the Allocations Policy
- Carrying out repairs, improvements or adaptations to the home of a tenant who is a committee member or employee

2) PAYMENTS TO COMMITTEE AND STAFF

Not allowed

- ✘ Payment for being a committee member or for providing paid advice to us

Allowed, if our procedures are followed

- Out of pocket expenses, in line with our policy and procedures
- Costs relating to training events, conferences etc. where attendance is approved in advance and we pay the costs direct
- Costs associated with representing us at an awards ceremony or other special event where the costs of attending exceed £500; provided the Governing Body considers there is a clear and viable business case for attending and have formally approved the attendance.

3) OFFERS OF EMPLOYMENT

Not allowed

- ✘ Employing someone who is a LHA committee member, or has been in the last 12 months
- ✘ Employing someone who is related to a LHA Management Committee member (the 12 month restriction does not apply in this case)

Allowed, if our procedures are followed

- Offering a job to someone closely connected to an existing LHA employee, as long as there has been an open recruitment process and no direct or indirect line management responsibility will be created

4) HUMAN RESOURCES MANAGEMENT

Not allowed

- ✘ Payments or benefits that are not provided for in a staff member's employment contract
- ✘ Making loans to employees, unless allowed for in the employment contract

Allowed, if our procedures are followed

- Redundancy payments that are provided for in a staff member's employment contract or under employment law
- Voluntary severance payments to employees outside their contract of employment, if our policy and procedures are followed (highly exceptional, and detailed conditions must be met)

6) SALE/PURCHASE/LEASING OF LAND OR PROPERTY

Not allowed (other than in very exceptional circumstances which must be described in LHA's policy)

- ✘ Buying or selling land or property from/to someone who is (or has been in the last 12 months) a committee member or employee; or from/to someone who is closely connected to a current committee member or employee

Allowed, if our procedures are followed

- ✓ Low cost home ownership sales and leasing of commercial property to a committee member or employee, or to someone closely connected to them
- ✓ Mortgage to rent purchase of properties in accordance with LHA policy and procedures

7) CONTRACTS WITH BUSINESSES TRADING FOR PROFIT

Not allowed (in almost all cases)

- ✘ LHA entering into a contract for goods or services with **a relevant business**
This refers to a business trading for profit where a committee member or someone closely connected to them has significant control (such as being a principal proprietor or shareholder or being directly involved in the management of the business).
- ✘ A committee member or employee entering into **private arrangements for the purchase of goods or services** with one of our contractors or suppliers, unless they have notified the LHA Chairperson in advance and have provided a written declaration about the arrangement they wish to enter into.

CHAPTER 10

SUMMARY OF LHA'S POLICY ON "WHISTLEBLOWING"

Purpose of the Whistleblowing Policy

LHA's policy allows any staff or committee member with serious concerns about possible wrongdoing within the organisation to report their concerns.

Who can report concerns under the Policy?

Staff or committee members can report concerns. But remember that the law on whistleblowing covers employees only. LHA (like most housing associations) also allows committee members to report serious concerns, as long as the concerns cannot reasonably be raised through our established committee and office bearer structures.

What sort of wrongdoing can be reported and investigated?

LHA does not set any limits on the types of suspected wrongdoing that can be reported. We will assess allegations under the Whistleblowing Policy using the following criteria, which are in line with the legal conditions for making protected disclosures if the following conditions are met.

The person making the disclosure reasonably believes that:

- ❖ **One of the following types of wrongdoing has already taken place or is likely to occur:**
 - Criminal activity or offences (for example, abuse of vulnerable people and financial impropriety such as fraud, bribery or corruption)
 - Breach of a legal obligation (for example breach of a contract, unlawful discrimination or breach of any other legal duty)
 - A miscarriage of justice
 - Endangering of someone's health and safety
 - Damage to the environment
 - Deliberately covering up information in any of the above categories; **and**
- ❖ **The disclosure of the wrongdoing is in the public interest.**

"Reasonably believes" means that a person's concerns should be based on more than unsubstantiated opinion or rumour. The person raising concerns is not expected to prove

beyond doubt the truth of an allegation, but they should be able to demonstrate the grounds for their concerns and that these are reasonable.

“In the public interest” means that the concerns must affect others, such as tenants or employees. Personal grievances will not normally meet this test and so will generally be dealt with using LHA’s policies on grievance, dignity at work etc.

Making and Responding to Concerns

The law allows employees to report their concerns to certain external regulatory bodies, and employees can do this without raising the matter internally, if they prefer to do this. LHA committee members may also do this.

Concerns can be raised verbally and/or in writing, and will be subject to an initial review to decide the best course of action (for example, an internal investigation or referral to the Police if appropriate).

Guidance for committee members

If a committee member chooses to report matters to the media without making any attempt to raise their concerns internally or to a listed external regulatory body, this will be deemed to be a serious breach of the Code of Conduct, unless the Management Committee is satisfied that it was reasonable for the member to adopt that course of action.

If a committee member is approached by a staff member expressing concerns:

- Remember that employees have a legal right to raise concerns and must not be victimised.
- Never ignore any concerns that are expressed to you concerning other committee members or staff. You must tell the CEO and Chairperson immediately – making sure that the staff member or committee member knows you intend to do this.
- If the concerns are about the CEO, tell the Chairperson who will seek external advice about dealing with the complaint. If the concerns are about the Chairperson tell the CEO.
- If you are told about whistleblowing complaints in confidence, you must not breach that confidentiality. Always double-check whether the individual is willing for you to pas on the concern to someone who can deal with it and for their identity to be disclosed. Your actions should be guided by the staff member’s wishes.

CHAPTER 11

SUMMARY OF LHA'S POLICY ON COMMITTEE MEMBERS' EXPENSES

When can you claim expenses?

You can claim expenses for attending MC or sub-committee meetings, or when you attend conferences, training, or other meetings on behalf of LHA.

You **can't** claim expenses for any items already included in the attendance fee for an event, if they have already been paid for by LHA, or if they are provided free of charge.

What type of expenses can you claim?

a) Travel costs

Expenses can be claimed for standard class fares on public transport and car mileage. If you are using taxis or private cars, share your journey with other committee members if possible. You will be paid a standard mileage allowance if you have used your own car for LHA business. If you need to use a taxi, this must be provided using LHA's account. You will not normally be able to claim expenses for a taxi fare that you have paid yourself.

b) Accommodation, meals and overnight allowances

If you are attending a conference, the full cost of your accommodation and meals will be paid for in advance by LHA where possible. If you do have to pay for any meals yourself, we will pay you a standard amount, based on how long you were away from home – so you do not have to provide a receipt for this. If you stay overnight at a residential conference, you will receive a standard amount to allow you to take part in social activities.

c) Care of Children and Other Dependent Relatives

You can claim expenses if you need to pay for a child or other relative to be looked after while you are attending committee meetings or carrying out other duties for LHA. Further details are available in the Committee Member Expenses Policy.

d) Loss of earnings

You can receive payment for any earnings you lose, if you have to attend non-routine LHA meetings. The full Expenses Policy provides more information about this.

How do you make an expenses claim?

With the exception of meals/overnight allowances or mileage claims, you must provide receipts for your expenses. Give your receipts to a member of staff, or fill in an expenses

claim form, which you can get from the office. Remember that it is a serious disciplinary offence to make a false claim for expenses, or to claim expenses you are not entitled to.

CHAPTER 12

SUMMARY OF LHA'S POLICY ON ACCEPTING GIFTS & HOSPITALITY

Purpose of the Policy

The rules on accepting gifts and hospitality are set out in LHA's Policy on Entitlements, Payments and Benefits. The Policy deals with situations where LHA committee members are offered a gift or hospitality by a third party, i.e. people or organisations outside LHA.

Why do we need a Policy?

To protect LHA's good reputation, we expect committee members to meet the highest standards of personal integrity and accountability. If inappropriate gifts and hospitality are accepted, this can send out the wrong message about our values and how we work, and about the standards of conduct practiced by committee members. In extreme cases, accepting gifts or hospitality could be construed as bribery, which is a criminal offence.

Keep yourself right by following these principles

- Never solicit gifts, hospitality or inducements
- Never place yourself under any obligation to an external party
- Always treat with caution any gifts or hospitality offered to you – seek advice before accepting the offer if you are at all unsure
- Refuse any offers that could be seen by others as influencing your or LHA's decisions
- Inform the CEO or Chairperson of any offer made to you, even if you did not accept it
- Notify the Corporate Services Team promptly of any offer made to you, so that this may be recorded in the Register of Gifts, Hospitality and Donations.

Gifts – what can be accepted

Small gifts (e.g. a box of chocolates, pens, folders, diaries) can be accepted if:

- The value does not exceed £25
- You record receipt of the gift in the Register of Gifts and Hospitality

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:

- Tell the donor that the gift will be donated to charity or LHA's charity fund raising activities
- Record the gift and the action taken in the Register within five days

Regardless of the value of a gift that is offered to you:

- You should not regularly accept gifts from the same source and never more than once from the same source within a 12-month period.

Regardless of whether you accepted a gift that has been offered to you:

- You should record any offers that you decline and the reasons for this, in the Register within five days.

Hospitality – what can be accepted

Modest hospitality (such as a sandwich lunch, or refreshments when attending a networking event, is permitted and does not need to be recorded.

All other hospitality up to a value of £50 may be permitted but must be approved in advance by the CEO and recorded in the Register of Gifts and Hospitality, along with an estimate of the value of the hospitality received, within five days of attendance.

You should not accept invitations with a value that is greater than £50, unless you have prior approval from the Management Committee. The type of hospitality offered will also be taken into consideration, e.g. we will not normally accept or approve invitations to sporting events, concerts, golf tournaments etc. because these are not directly related to LHA's business.

In this case, the reason for acceptance must also be included in the Register and countersigned by the CEO.

Jargon Buster

Abbreviations, words and phrases used in the Committee Members Handbook

	What it means
Assurance Statement	RSLs need to provide the Scottish Housing Regulator with an Assurance Statement by 31 st October each year which provides assurance that their organisation is compliant with the Regulatory Standards of Governance and Financial Management.
Auditors	Professional consultants who work for LHA. The external auditors oversee LHA's financial accounts. The internal auditors check that LHA's policies and procedures are being put into practice correctly and effectively.
Budget	The document that sets out LHA's income and expenditure for the coming year. The Management Committee approves the budget, and the Audit and Assurance Sub Committee receives regular reports (the management accounts) on how actual income and expenditure compare with the budget.
Business Plan	LHA's main planning document, setting out its aims and priorities for the next 3 years and including information about financial resources and possible risks. Also includes budgets and long-term financial projections.
Code of Conduct	A document that sets out the standards of conduct every committee member must follow. LHA also has a code of conduct for staff members.
Collective responsibility	Once the Management Committee has made decisions, every committee member is equally responsible for sticking to those decisions.
Conflict of interests	A situation where a committee member's ability to be objective could be affected, because they have outside or personal interests in a matter being decided by LHA.

Declaration of Interests	Management Committee and staff members must place on record whether they have any personal, business or financial interest that could affect their duties with LHA. It may also be necessary to make a declaration relating to other people to whom the committee or staff member is closely connected.
Expenses	Money that committee members can claim, if they are out of pocket as a result of being a committee member.
Governance	The arrangements for leadership and control of LHA. The Management Committee is responsible for the governance of the Association, supported by the senior staff team.
Policy	A document that sets out the objectives and standards LHA aims to meet, for a particular service or activity. LHA has policies for all of its services and major activities. These are approved by the Management Committee and put into practice by the staff team.
Regulatory Standards of Governance and Financial Management	Guidance published by the Scottish Housing Regulator, which all registered social landlords (RSLs) must meet. A new set of Standards took effect from 1 April 2019.
Risk Management	<p>The action LHA takes to:</p> <ul style="list-style-type: none"> • Identify things that could go wrong, and the possible consequences • Reduce or eliminate the likelihood or impact of things going wrong. <p>Overseeing strategic risks is a key part of the Management Committee's role.</p>
Policy on Payments and Benefits	A policy that controls payments and benefits (such as tenancies, jobs or commercial contracts) to people who are committee members or employees, and people closely connected to them.
Scheme of Delegated Authority	A document included in LHA's Standing Orders. It states what decision making powers the Management Committee has delegated to staff or to sub committees.
Solicitors	Legal advisers to LHA.

Standing Orders	A document that sets out the procedures to be followed at committee meetings, the remit of sub-committees, and the responsibilities of LHA's office bearers.
Sub-committee	A committee set up by the Management Committee, with responsibility for agreed aspects of LHA's affairs.
The Rules	LHA's constitution.
Whistleblowing	A situation where somebody who is concerned about wrongdoing within an organisation reports his or her concerns.

A list of abbreviations that committee members might come across

AAS	Annual Assurance Statement
AASC	Audit & Assurance Sub-committee
AGM	Annual General Meeting
ARC	Annual Return on the Charter
ASCRIP	Assurance Statement – Continuous Review & Improvement Plan
BME	Black and Minority Ethnic (also “BAME” which stands for Black, Asian and Minority Ethnic)
CCHA	Community Controlled Housing Association
CPP	Community Planning Partnership
DPA	Data Protection Act 2018
DWP	Department of Work and Pensions <i>The UK Government department responsible for social security policy and administration, including welfare reform measures</i>
EESH	Energy Efficiency Standard for Social Housing
EHA	Elderpark Housing Association
EIR	Environmental Information Regulations
EVH	Financial Conduct Authority
FCA	Employers in Voluntary Housing
FOI	Freedom of Information
FOISA	Freedom of Information (Scotland) Act 2002
GCC	Glasgow City Council
GDPR	General Data Protection Regulations
GHA	Glasgow Housing Association <i>but also</i> Govan Housing Association

GWSF	Glasgow and West of Scotland Forum of Housing Associations
HB	Housing Benefit
HR	Human Resources
IT	Information Technology (also “ICT” which stands for Information and Communications Technology)
JNC	Joint Negotiating Committee (collective bargaining between EVH and staff side)
KPI	Key Performance Indicator
MC	Management Committee
NPRP	Notice of Proceedings for Recovery of Possession
NRS	Neighbourhoods, Regeneration and Sustainability <i>The department of Glasgow City Council that provides LHA with funding for building, refurbishing or adapting homes</i>
OSCR	Office of the Scottish Charity Regulator
PWG	Policy Working Group
QS	Quantity surveyor
RSL	Registered Social Landlord
SCS	Stock Condition Survey
SFHA	Scottish Federation of Housing Associations
SG	Scottish Government
SHAPS	Scottish Housing Associations’ Pension Scheme
SHARE	Scottish Housing Associations Resources for Education
SHIP	Strategic Housing and Investment Plan
SHQS	Scottish Housing Quality Standard
SHR	Scottish Housing Regulator
SSC	Staffing Sub-committee
SSST	Short Scottish Secure Tenancy
SST	Scottish Secure Tenancy
TP	Tenant Participation
TPAS	Tenant Participation Advisory Service
UC	Universal Credit
WHSA	West of Scotland Housing Association