

CLOCH HOUSING ASSOCIATION LIMITED

Report to : Board

Report from : A Thomson, Housing Services Manager

Subject : Entitlements, Payments and Benefits

Date : 27 November 2019

Executive Summary

The main purpose of this report is to advise the Board of a potential allocation of a property to a relative of a staff member and seek approval for this allocation.

The key recommendations in the report are as follows –

1. Provide feedback where appropriate and otherwise approve the allocation and entry to be placed within the Control of Payments and Benefits register.

Financial Implications	No direct financial implications however, ensuring that properties re-let quickly has an impact on the Association's overall cashflow and financial performance.
Risk Considerations	Increased void times and delay in void turn around identified as a key risk. In addition, there is a risk that if allocations linked to staff and Board members are not considered and approved in line with our policy there is the risk of adverse publicity and accusations of nepotism.
Legal Implications	There are no direct legal implications other than that of the rights of the applicant as covered by the Housing (Scotland) Act 2001.
Health & Safety Issues	None
Equalities Assessment	No Issues

Key Issues to Consider

1. Feedback sought on the content of the report.
2. Approval sought for the allocation and entry within Control of Payments and Benefits register.

1 Regulatory Background

- 1.1 The Housing (Scotland) Act 2010 does not restrict or prohibit payments and benefits to governing body members and employees. This is a shift from the former Schedule 7 of the 2001 Act which required approval by the Board of any such perceived payment or benefit. The Association adopted its own Entitlements, Payments and Benefits Policy in October 2015 which covers all aspects formerly covered by the Schedule 7 regime. This report is presented in line with the requirements of the policy.

2 Case Background

- 2.1 The Association is due to make an allocation which is subject to approval in accordance with our Entitlements, Payments and Benefits Policy.
- 2.2 The Association have received a succession application from a close relative of a staff member – their Uncle. This staff member has had no influence on the current allocations process, the uncle is legally entitled to succeed the tenancy as per the Housing (Scotland) Act 2001 and 2014 provisions. Therefore, the applicant's niece or anyone connected to the applicant is involved in any way or in any part of the allocation process
- 2.3 **A two-bedroom flat in Greenock** is available and meets the need of the Staff members' uncle as detailed in the application. The Staff members' uncle has applied for a succession to this property after the death of his mother who was the tenant and he was also registered as living within the property for the prescribed period.
- 2.4 Therefore the property will be offered to the Staff Member's Uncle subject to approval by the Board.
- 2.5 Should the allocation proceed; the undernoted details are required to be recorded as an interest in the Control of Payments and Benefits register held by the Association within 5 days of the date of entry.

**Name of Beneficiary: Mr Philip Lindsay
Will be entered in the register**

**Designation:
Staff Members Uncle**

**Description of Benefit to be granted:
Allocation of property Succession of Flat 0/2 15 Carwood Street
Greenock**

**Date of Board or Sub-Committee Meeting when the Benefit was
agreed:
27 November 2019**

3 Recommendation

- 3.1 It is recommended that the Board approve this report and ratify entry into the Control of Payments and Benefits register.