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## **Blue Triangle (Glasgow) Housing Association Ltd**

### **Maintenance Policy**

**DM 004 REV 2**

**28 Nov 2019**

### **Our Mission Statement**

***“Blue Triangle exists to support, accommodate and assist vulnerable people achieve better lives.”***

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**Revision history**

Rev No.	Rev. Date	Consultation Requirements (See Section 4 – Consultation)	Lead Officer	Committee	Approved by COM
0	04/07/12	Review and new template	FS/DS	04/07/12	02/08/12
1	29/07/15	Review	FS/DS	05/08/15	17/11/15
2	23/10/18	Review and new template	FS/DS	23/10/18	28 Nov 2019

**Chairman**



**28 November 2019**

**Signed:**.....

**Dated:**.....

**Chief Executive Officer**



**28 November 2019**

**Signed:**.....

**Dated:**.....

## **Section 1 Introduction**

### **1.1 Rationale for the policy**

This policy explains how we maintain our buildings to the best possible standards.

### **1.2 Risk assessment statement**

This policy relates to a medium area of risk within the Association because our reputation as a Registered Social Landlord and provider of supported accommodation for vulnerable people could be at stake if we don't have adequate resources in place to maintain our buildings.

### **1.3 Policy context**

In accordance with our Mission Statement and Strategic Objectives, we endeavour to:

- Maintain our premises in good repair, for the safety and enjoyment of our service users, visitors and staff;
- Satisfy the requirements of relevant standards and legislation;
- Sustain the market value of owned buildings, as key business assets;
- Arrange finance for planned and reactive repairs and replacements to be effected, in fulfilment of the above aims;
- Administer maintenance in ways that respect the rights of service users, as set out in our various policies and codes;
- Ensure that all maintenance expenditure is clearly accounted for and that good value is received for the expenditure;
- Apply principles of good governance.

We maintain our own buildings in a structurally safe and weather-tight condition, but where we lease premises from others, we generally rely on the building owner, or the head lease-holder, to keep the building safe and weather-tight in accordance with the wording of our lease.

## **Section 2 Legal and regulatory standards**

### **2.1 Legal framework**

There are numerous Acts relating to the maintenance of building and law around properties being fit for purpose.

For further information on Licensing of Houses in Multiple Occupation, please refer to the statutory guidance for Scottish Local Authorities, August 2011, updated January 2012.

## **2.2 Regulatory standards: the Scottish Housing Regulator (SHR) (Governance and Financial Management)**

### **Assurance requirements**

- √ Notify the Regulator of any tenant and resident safety matters which have been reported to, or are being investigated by the Health and Safety Executive, or reports from regulatory or statutory authorities, or insurance providers, relating to safety concerns

### **Regulatory standard 2**

The RSL is open and accountable for what it does. It understands and takes account of the needs and priorities of its tenants, service users and stakeholders. And its primary focus is the sustainable achievement of these priorities.

- 2.1 The RSL gives tenants, service users and other stakeholders information that meets their needs about the RSL, its services, its performance and its future plans
- 2.2 The governing body recognises it is accountable to its tenants, and has a wider public accountability to the taxpayer as a recipient of public funds, and actively manages its accountabilities
- 2.4 The RSL seeks out the needs, priorities, views and aspirations of tenants, service users and stakeholders. The governing body takes account of this information in its strategies, plans and decisions

### **Significant performance failures**

The Scottish Housing Regulator (SHR) has a duty to consider issues raised with them about “significant performance failures”. A significant performance failure is defined by the SHR as something that the landlord does or fails to do that puts the interests of tenants at risk, and which the landlord has not resolved. That is something that is a systemic problem that does, or could, affect all of a landlord’s tenants. Examples of a significant performance failure could be if social landlords are not:

- delivering the outcomes and standards in the Scottish Social Housing Charter over a period of time; or
- achieving the regulatory standards on governance or financial management

## **2.3 OSCR (Office of the Scottish Housing Regulator)**

Charity trustees’ duties are set out in The Charities and Trustee Investment Act (Scotland) 2005. OSCR sets out in their guidance “Guidance and Good Practice for charity trustees, June 2016” what charity trustees must consider, so that they meet legal requirements and ensure that their charities are well run. There are specific duties around:

- acting in the interests of the charity and its purposes
- acting with due care and diligence
- reporting to OSCR
- financial records and management
- providing information to the public

## **2.4 The Scottish Housing Charter and Indicators**

### **The customer/landlord relationship**

Charter standard 1: Equalities

Social landlords perform all aspects of their housing services so that:

- every tenant and other customer has their individual needs recognised, is treated fairly and with respect, and receives fair access to housing and housing services

Charter standard 4: Quality of housing

Social landlords manage their businesses so that:

- tenants' homes, as a minimum, meet the Scottish Housing Quality Standard (SHQS) when they are allocated; are always clean, tidy and in a good state of repair; and also meet the Energy Efficiency Standard for Social Housing (ESSH) by December 2020

Charter standard 5: Repairs, maintenance and improvements

Social landlords manage their businesses so that:

- tenants' homes are well maintained, with repairs and improvements carried out when required, and tenants are given reasonable choices about when work is done

Charter standard 13: Value for money

Social landlords manage their businesses so that:

- tenants, owners and other customers receive services that provide continually improving value for the rent and other charges that they pay

### **Scottish Social Housing Charter Indicators**

- 7 Percentage of stock meeting the Scottish Housing Quality Standard (SHQS)
- 8 Percentage of properties at or above the appropriate NHER (National Home Energy Rating) or SAP (Standard Assessment Procedure) ratings specified in element 35 of the SHQS, as at 31 March each year
- 9 Percentage of tenants satisfied with the standard of their home when moving in
- 10 Percentage of existing tenants satisfied with the quality of their home

- 11 Average length of time taken to complete emergency repairs
- 12 Average length of time taken to complete non emergency repairs
- 13 Percentage of reactive repairs carried out in the last year completed right first time
- 15 Percentage of properties that require a gas safety record which had a gas safety check and record completed by the anniversary date
- 16 Percentage of tenants who had repairs or maintenance carried out in last 12 months satisfied with the repairs and maintenance service
- 34 Percentage of rent lost through properties being empty during the last year
- 35 Average length of time taken to re-let properties in the last year

## **2.5 Care Inspectorate**

### Health and Social Care Standards

- 5. I experience a high quality environment if the organisation provides the premises

My environment is safe and secure (5.17)

My environment is relaxed, welcoming, peaceful and free from avoidable and intrusive noise and smells (5.18)

## **Section 3 Policy content**

### **3.1 Content**

#### **3.1.1 Principles**

We will meet all our legal obligations and apply good practice throughout.

We will maintain our premises to a high standard, to meet our obligations to service users, to minimise reactive repair work and to maximise the life of the buildings.

We operate planned maintenance and replacement programmes, covering all the building elements for which we are responsible, including services, fittings furniture and furnishing, on annual, triennial and longer time-scales as appropriate.

We set standards for the work and quality of service that contractors must meet, if they are to be considered for any contracting opportunities

We set appropriate time-scales for repairs and replacements and report performance by categories.

We ensure that repair work is carried out effectively and efficiently, to achieve value for money.

We seek to recover any repair charges that may be due from occupants.

We seek the views of our service users, and staff about the quality of maintenance and contractor services, through the following methods:

- Comments on Building Repair Sheets

- Service User Meetings
- Satisfaction surveys
- Evaluation of formal complaints

Our staff members are selected and/or trained to understand and operate this policy and the relevant procedures, as appropriate to their role.

We take complaints seriously and follow our “Complaints Procedure” to address them as quickly as possible.

We monitor and seek to improve repair performance, by acting upon reports (as listed in Sub Section 5).

We administer maintenance in accordance with our relevant policies and procedures, not least the Sustainability Strategy.

### **3.1.2 Repair Obligations**

We recognise the important link between keeping accommodation in a good state of repair and the health and welfare of our service users. Our repair obligations and commitments are outlined in the current Occupancy Agreement, which is signed by each resident service user, as follows:

- a) We ensure that our supported accommodation is, both on commencement and throughout the occupancy, wind and water-tight and in all other respects reasonably fit for human habitation;
- b) We are responsible for maintaining the supported accommodation both inside and outside in accordance with legal and good practice standards;
- c) We will, wherever possible, give occupiers reasonable notice when access is required to their rooms;
- d) We keep our premises fully insured against loss of damage caused by fire and the other risks covered by normal buildings insurance.

To comply with good practice guidance, in meeting our repair obligations, we recognise:

- a) Our duty under the Occupiers’ Liability (Scotland) Act 1960 to show reasonable care to people entering our premises;
- b) All health and safety obligations of Registered Social Landlords, for example, regular maintenance of gas appliances.

In signing the current Occupancy Agreement, resident service users undertake to:

- a) Notify us promptly of any repairs which are necessary;
- b) Allow our staff or agents access to the room at reasonable hours, to carry out these (or any other) repairs and for the inspection of conditions and servicing of glass and electrical installations;
- c) In the case of emergencies, permit immediate access to their room, without prior notice;
- d) Keep their room and common areas clean and tidy and ensure that noise is kept to a level that we can accept;
- e) Repair or replace items which are damaged through neglect, carelessness or deliberate actions by themselves or their visitors.



### 3.1.3 Work Practice

This section summarises how we implement this policy.

Our Property Manager is responsible for the day-to-day operation of this policy, in liaison with the Operational Managers and the Finance Director.

Maintenance programmes and budgets are prepared under three headings:

- Major Repairs and Replacements – This refers to the replacement of major elements of the building<sup>2</sup> as required to meet current standards.
- Cyclical Maintenance – This includes those planned redecoration, repairs and replacements that reoccur on time-scale of five years or less.<sup>3</sup>
- Reactive Repairs – These are the repairs and replacements that arise in an unplanned way, including vandalism and heavy wear and tear.

**Reactive repairs** and replacements are sub-divided into the following types which are further explained in Appendix 2: “Typical Repairs”<sup>4</sup>.

- Emergency
- Urgent
- Normal

In some instances, an emergency or urgent repair may be a temporary measure, so that time is gained to finish the job to the appropriate standard. For example, broken windows may be boarded up as an emergency repair, with subsequent reglazing categorised as an urgent repair, to give the glazier time to obtain and fit glass of the right size and quality.

Serious damage, such as flooding, may require extensive remediation which would take time to organise and complete. In such circumstances, alternative accommodation would be offered to any service users whose rooms are uninhabitable, until the repairs are complete. Temporary accommodation should be of a similar standard to the service user’s normal rooms.

**Response times** – Contractors and our directly employed team are required to carry out repairs and replacements by the dates agreed for each particular job. This work is reported to Committees under the headings shown in the table below.

<b>Category of repair:</b>	<b>Time targets:</b>
Emergency	Make safe in twelve hours
Urgent	Complete work within three working days
Routine	Complete within twenty working days
Cyclical & Major	The agreed works programme

**Information** – When possible, service users are advised in advance if access to their accommodation is needed for inspections and maintenance, or if services they use (such as water and electricity) may be interrupted.

**Contractors** – In addition to the directly employed In-House Maintenance Team, our maintenance work is undertaken only by contractors who we have approved through procedures for contractor selection and tendering.

**Contracts** – Standard forms of contract are used for works exceeding £50,000 in value (excluding VAT). Smaller maintenance contracts are issued in the form of Works Orders and where appropriate the correct contract pertaining to the relevant works will be implemented.

### **3.1.4 Performance Management**

To monitor performance and secure continuous improvements in the quality of work, services and the value obtained for expenditure, the Quality and Performance sub-Committee requires the following annual reports:

- A maintenance programme (limited to the coming 5 years), including budget estimates for the cost of proposed major replacements, cyclical maintenance and unplanned repairs;
- A review of reactive repairs in the previous financial year, showing the number of repairs carried out in each category and the number of repairs not completed within the category time-scales;
- The performance of contractors

To the same ends, the Committee also require:

- A quarterly report, one month in arrears, indicating the progress of works shown in the maintenance plan, quarterly budget variance report and monthly vandalism reports;
- Any formal complaint made about the condition of a premises, the quality of repairs or the service from contractors.

A company may be removed from any current or future contracting opportunities if it fails to complete work to the required standards and/or within target times, or if inordinate attention is needed from our staff to ensure compliance with these requirements.

### **3.1.5 Rechargeable Repairs and Complaints**

**Rechargeable repairs** – If a service user or someone visiting with their consent deliberately damages our property. We may seek to recover the repair or replacement cost from the service user. In deciding whether or not to pursue the claim, we consider the relevant circumstances of each case, including the service user's welfare.

We are not obliged to repair damage in rooms that continue to be occupied by the service user who was responsible for the damage, until the reasonable repair costs are met, except if the damage presents a hazard to health or safety.

**Complaints** – Our Complaints Procedure will be followed in response to any formal complaint from service users, staff or others, for example, where:

- It is alleged that repairs were not done within a reasonable time, or were carried out poorly;

- A discourtesy or misdemeanour, by a person carrying out or assisting maintenance work, is alleged.

#### **Section 4 Consultation**

Section 54 of the housing (Scotland) act 2001 stipulates a requirement of RSL's to consult their tenants on policies and procedures which significantly affect their tenants. BTHA has no tenants but considers this a right which should be given to its service users. The occupancy agreement that we use, therefore, includes a clause which indicates our commitment to consult with service users.

The regulatory standards (Care and Housing) also stipulate that service providers should have robust consultation processes in place in order to comply. This means that if there are proposals or policies which could significantly impact on service users such as those in relation to housing management, repairs and maintenance or more strategic changes that we endeavour to notify service users of this and listen to any concerns. The main vehicle for this will be our service users' forum.

We also operate a policy on consulting with staff and taking feedback on board. Service users/residents and staff will not be consulted on all policies – an assessment will be made at policy review as to what level of consultation (if any) will take place.

#### **Section 5 Monitoring and review/ link with KPIs**

Policies will be reviewed on a three yearly cycle by the Committee of Management according to a policy programme provided on an annual basis at the start of the financial year. All policy reviews will take into account our equality impact assessment toolkit requirements. Committees will report on performance to committee of management at the end of the year. We use a small number of key performance indicators (KPIs) which monitor critical success factors. Our policy monitoring framework tracks any policies which impact on KPIs. Other policies may have indicators which are monitored at departmental level.

The policy and its implementation will be reviewed by the Committee of Management

#### **Section 6 Publishing and availability of policy**

This policy is available in electronic format or hardcopy to all staff, service users, Committee members and other customers, as appropriate.

#### **Section 7 Accessibility**

We are committed to promoting accessible services that address the needs of individual service users and employees, as appropriate. For example, our policies can be provided in other formats such as in larger print or in audio-format.

## **Section 8 Other relevant policies and procedures**

The Association has a wide range of policies covering corporate services (covers the entire association) and operational services (covers only specific operational areas). It is important that this policy is not viewed in isolation but consideration is given to the wider context in which it operates.

This policy must be read in conjunction with the following documents and any subsequent amendments to them. Note that, in the event of a discrepancy, any requirement in law takes precedence over our own policies and procedures.

Law:

- Building (Scotland) Act 2003
- The Gas Safety (Installation and Use) (Amendment) Regulations 2018
- Statutory Instrument 1998 No. 2451
- The Construction Act 1996
- Construction (Design and Management) Regulations 2015
- Civic Government (Scotland) Act 1982 (Licensing of Houses in Multiple Occupation) Amendment Order 2002
- The Occupiers' Liability (Scotland) Act 1960

Documents produced by the Blue Triangle (Glasgow) Housing Association:

- Occupancy Agreement
- Residents' Guide
- Minimum Standards Booklet
- Complaints Procedure
- Health and Safety Policy
- Equal Treatment Policy
- Sustainability Strategy
- Vandalism Staff Directive

## **Section 9 Complaints**

We follow the Model Complaints Handling System that has been developed by the Scottish Public Services Ombudsman (SPSO). This is a comprehensive procedure that allows for complaints to be dealt with in either one of two stages.

Complaints must be dealt with in line with set timescales so that complaints are dealt with quickly.

If still dissatisfied after Stage 2 has been completed, a dissatisfied customer can take their complaint to the SPSO.

Any service user wishing to complain should ask for a copy of our complaints procedure. A service user, alongside their right to complain to the SPSO, can also complain to the Care Inspectorate, the Local Authority or other commissioner of the service, and they may have the right to complain to the Scottish Housing Regulator. To take their complaint further, a service user generally needs to go through our internal complaints procedure in the first instance.

Employees, service users and other individual customers may also complain to the Information Commissioner's Office. Information about this right is provided to all

individuals whose personal data we process. This is done in our privacy notices and information leaflet on rights.

## **Section 10 Impact Assessments**

Equality and Privacy Impact Assessments are required when developing or amending or reviewing policies. This is to ensure that the impact of any policy is understood in terms of EO and data protection requirements