

Rechargeable Repairs Policy

**Reviewed: 2024
Next Review:2027**



Rechargeable Repairs

1. Introduction

This policy sets out the circumstances under which Rosehill would recharge the tenant the cost of carrying out certain repairs/works and the systems used to charge tenants and recover the monies.

2. Legal and Regulatory Framework

Whilst this Policy sets out to explain Rosehill's approach to rechargeable repairs it must do so in the context of legal and regulatory requirements. Therefore the following relevant legislation has been taken into account in the development of this Policy:

- Housing (Scotland) Act 1987 and (amended) Act 2001
- The Housing (Scotland) Act 2014

The legislative requirements include the need to comply with the range of health and safety duties imposed upon landlords; and various landlord responsibilities set out in the Housing (Scotland) Act 2001 as amended, to ensure that a duty of care to our tenants is maintained.

3. Repair Responsibilities

Rosehill's Responsibilities

Rosehill is responsible for carrying out any repairs necessary to a tenant's house to ensure the house is tenable, wind and watertight and in all other respects reasonably fit for human habitation. Such repairs are required to be carried out before a tenancy begins and during the course of a tenancy.

Tenants' Responsibilities

The tenants are responsible for internal decoration and carrying out minor repairs. Further information on this can be found in the tenancy agreement, the Provision of Reactive Repairs Service Policy and on the website www.rosehillhousing.co.uk

4. The Scottish Social Housing Charter

The Social Housing Charter came into effect in April 2012 and was reviewed in 2017. This sets the standards and outcomes that all social landlords should aim to achieve when performing their

housing activities. The Charter replaces the Performance Standards and the outcomes relevant to this Policy are:

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.

2. Communication

Social landlords manage their businesses so that tenants and other customers find it easy to communicate with their landlord and get the information they need about their landlord, how and why it makes decisions and the services it provides.

3. Participation

Social landlords manage their businesses so that tenants and other customers find it easy to participate in and influence their landlord's decisions at a level they feel comfortable with.

4. Quality of Housing

Social landlords manage their businesses so that tenants' homes, as a minimum, meet the Scottish Housing Quality Standard (SHQS) by April 2015 and continue to meet it thereafter, and when they are allocated, are always clean, tidy and in a good state of repair.

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.

11. Tenancy Sustainment

Social landlords ensure that tenants get the information they need on how to obtain support to remain in their home; and ensure suitable support is available, including services provided directly by the landlord and by other organisations.

13. Value for Money

Social landlords manage all aspects of their businesses so that tenants, owners and other customers receive services that provide continually improving value for the rent and other charges they pay.

Social landlords are responsible for meeting the standards and outcomes set out in the Charter. The Scottish Housing Regulator is responsible for monitoring, assessing and reporting on how well social landlords, individually and collectively, achieve the outcomes.

In line with the regulatory principles, the Regulator's approach to monitoring landlords' achievement of the outcomes and standards in the Charter will be based on the landlords' performance information and their own assessment of their performance.

Therefore, for each year end, we will be expected to:

- Measure and assess our performance in progressing towards or achieving the Charter outcomes and standards
- Provide the Regulator with some key performance information on our achievement of the outcomes and standards
- Report our performance to tenants and other service users who use our services.

5. Organisational Values

Our Vision:

"We will provide excellent quality affordable and efficient homes in neighbourhoods that are well managed and maintained; we will contribute to sustaining communities where people feel safe and want to live by providing housing and other services and working with our voluntary and statutory partners."

Our Values:

Our Core Values are:

We Will

- Invest and Support

We will be

- Engaged and Responsive
- Accountable and Compliant

- Fair and Approachable
- Efficient and Responsible
- Excellent and Committed

6. Rechargeable Repairs

The aim is to ensure that Rosehill is not funding from rents, repairs which are the responsibility of individual tenants and to deter neglect and vandalism of our properties.

There are certain situations where Rosehill is not responsible for repairs or other works and is entitled to charge the tenant if such repairs/ works, are carried out including:

- Repairing damage caused wilfully or negligently or by vandalism by the tenant, anyone living with the tenant or visitors to the house.
- Undertaking work/repairs, which are the responsibility of the tenant e.g. garden maintenance
- Use of the out-of-hours emergency service for work that was not an emergency or was the tenant's responsibility.
- Rectification of works carried out by the tenant that are not deemed to meet the appropriate lettable standard required by Rosehill.
- If Rosehill has to use the powers within the Scottish Secure Tenancy Agreement to force access in an emergency or to ensure safety the full cost of the forced access will be recharged. This will include the cost of the Sheriff Officer serving the notice.

From time to time disputes will arise over liability for a rechargeable repair. On these occasions the Technical Services Officer will be responsible for trying to reach a resolution at the earliest opportunity. Where this is not possible Rosehill's Complaints process will be followed.

7. Uneconomical Recharges

If the total rechargeable repair cost (this could be for a single repair or multiple repairs) will be/ is less than £100 inc VAT then Rosehill will not pursue to recover the cost. Setting this level helps prevent Rosehill from expending more resource and ultimately cost that the actual cost of the repair.

These recharges will still be recorded on our systems but tenants will not be pursued for payment.

8. Recharging Process

Notifying and Charging the Tenant

At the time the repair is reported, if applicable, or at the pre- inspection if staff determine the repair is rechargeable, the tenant will be advised there and then and will be asked to sign a disclaimer accepting the cost of the repair.

Recovering the Costs

The 'urgency' of the repair will determine whether staff are able to obtain some monies from the tenant in advance of the work being carried out. Where possible tenants will be required to pay 50% of the estimated costs in advance of the work being carried out and a suitable repayment agreement should be set up for the remaining balance.

The advanced payment of 50% may be varied at Management Team members discretion to take account of factors such as the tenant's income, payment history and track record of rechargeable repairs.

Tenants will be warned that having an outstanding debt may affect any application they have to move house either within Rosehill or to another landlord. The Allocations Policy will be adhered to in all cases.

If the tenant persists with non-payment, Rosehill will pursue recovery of the debt through the simple procedure in the Sheriff's Court or use the services of a Sheriff Officer or other debt collection agent.

9. Equal Opportunities

Rosehill operates an Equal Opportunities Policy, which applies to all aspects of Rosehill's work such as service provision to ensure fair and non-discriminatory practice.

Rosehill is committed to removing any barriers to communication. Therefore if required this Policy can be produced in another format e.g. braille, large print, etc. In addition where English is not the tenant's first language, Rosehill will provide on request written information in the first language.

10. Complaints

We aim to get things right first time and provide a good quality service to our tenants. However, we acknowledge that things can go wrong and that some tenants may be unhappy with the service provided.

We promote our Complaints procedure through our website and periodic

articles in our newsletters. In addition we initially issued all of our tenants with a copy of the new Procedure introduced in October 2012. This information leaflet is also issued to all new tenants as part of the signing up pack.

11. Data Protection

On the 25th May 2018 the legislation governing data protection changed with the introduction of the General Data Protection Regulation (GDPR). Following the UK's exit from the EU, and the end of the transition period which followed, the GDPR formed part of the retained EU law and became the UK GDPR which together with the Data Protection Act 2018 constitute the UK's data protection legislation.

12. Tenant Participation

One of our strategic objectives is to engage effectively with tenants and service users so that our service delivery meets their requirements. In order to ensure we do this effectively we have a tenant participation strategy. Tenants are encouraged to engage with the operational design of services.

Further details of this can be found in our Tenant Participation Strategy. Copies of this are available in our office or online at www.rosehillhousing.co.uk

13. Risk Management

In all the key areas of our business we need to consider any risks which may arise. To this end we have in place a robust Risk Management Policy and from this flows our Risk Register. We have identified our strategic risks which are regularly monitored by our Management Team and Audit and Risk Sub-Committee.

Key to the mitigation of the risks associated with allocations issues and the subsequent impact on the reputation of Rosehill and possible litigation risk is having a comprehensive policy in place to govern the management of allocating our properties and ensuring we meet our statutory and community obligations.

14. Policy Review

This policy will be reviewed on a three yearly cycle. The purpose of policy review is to ensure that policies still reflect current thinking and practice

continue to comply with Raising Standards and Performance Standards and comply with any relevant legislative changes.



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