

Landlord Responsibilities Policy

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Owner:	Fiona Ross David Gray	Job Title:	Head of Housing Head of Asset Management
To be issued to:		Board of Management ARK Management All Staff	
Method of Delivery:		Email Policy Other	

Version Control

Date	Owner	Version	Reason for Change
October 2020	Fiona Ross	1.0	New policy to incorporate a range of housing management and asset management policies which Ark has responsibility for in the form of the Tenancy Agreement - HM05; HM07; HM08; HM10 M01; M02

Summary of Changes

Section	Change
Entire policy	Transfer to new format
1.0	Arks Values updated new brand launch
5.0	Key legislative references and good practice guidance for the 6 policies identified above incorporated into this policy to avoid duplication over the 6 policies.

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1.0 ARKs Values

Arks values are true to the core purpose of the organisation and the services we deliver. They determine our behaviours towards one another and what we should expect in our relationships with one another. Working within the following values will guide and help us deliver our vision and mission of Ark being an organisation where everyone is equal:

Trust

We have confidence in our people to deliver excellent services and trust in them to do so. We will develop trusting and honest relationships and our customers will feel assured that they can rely on us to deliver.

Respect

We treat everyone fairly and we listen. We are respectful of each person with whom we come into contact and expect our people to respond professionally and treat others as they would wish to be treated.

Understanding

We will operate with empathy and compassion and approach each situation with an open mind. We will question and challenge to ensure we achieve the right outcomes for customers and our people.

Equality

We believe everyone is equal and expect our people to create positive experiences where everyone feels valued and included.

Integrity

We will do the right thing and take responsibility for our actions. We will work together to uphold the highest standards of behaviour and practice.

2.0 Purpose

The purpose of this policy is to set out our roles and responsibilities as a Registered Social Landlord to abide by all our legal obligations required under the relevant housing legislation in the housing and maintenance services that we provide and to ensure compliance with the Scottish Social Housing Charter. The terms that we are responsible for are detailed within the Tenancy Agreements we provide to our tenants.

3.0 Policy Statement

Ark will put in place procedures to ensure that we comply with all relevant legal requirements associated with renting homes to tenants.

4.0 Scope

All Board of Management Members and employees are required to abide by this policy.

5.0 Legal/Regulatory Framework

This policy ensures we comply with the following:

- Legislation:
 - Housing (Scotland) Act 1987 as amended by Part 2 of Housing (Scotland) Act 2001 and the Housing (Scotland) Act 2014.
 - Housing (Scotland) Act 2010 which sets out the role of the Scottish Housing Regulator
 - Electricity at Work Regulations 1989
 - Gas Safety (Installation and Use) Regulations 1998
 - Control of Substances Hazardous to Health (COSHH) Regulations 2002
 - Legionnaires' disease. The control of legionella bacteria in water systems L8 Compliance (4th Edition)
 - Control of Asbestos Regulations 2012
 - Construction (Design and Management) Regulations 2015
 - Domestic fire detection and alarm system BS:5839-6 2019
- Regulatory frameworks – Standards of Governance and Financial Management for RSLs

- Key references – Scottish Social Housing Charter 2017
- Best practice guidelines by the Scottish Government
 - The Housing (Scotland) Act 2001 and 2010: repossession guidance for social landlords
 - A Guide to the Antisocial Behaviour etc. (Scotland) Act 2004
 - A Guide to Successful Tenant Participation
 - A tenant scrutiny practice guide for landlords and tenants
 - Scottish Secure and Short Scottish Secure Tenancies: guidance for social landlords
 - Streamlined eviction process - criminal or antisocial behaviour: statutory guidance for social landlords
 - Short Scottish Secure Tenancies for antisocial behaviour and miscellaneous changes: statutory guidance for social landlords
 - Recovery of possession of adapted properties: guidance for social landlords
 - Practical Fire Safety Guidance for existing Specialised Housing
- National Standards
 - The Scottish Housing Quality Standard (SHQS) Guidance
 - The Energy Efficiency Standard for Social Housing (ESSH)

6.0 Responsibilities

6.1 Board of Management

Arks Board of Management is responsible for consideration and approval of this policy, and for ensuring that where relevant its decisions are taken in accordance with relevant legislation, training and guidance.

6.2 Executive Team

Arks Executive Team is responsible for ensuring that this policy is reviewed in accordance with Arks schedule for review of policies, or sooner if required.

6.3 Senior Leadership Team

Arks Senior Leadership Team is responsible for review of the policy, and for ensuring that relevant measures are put in place in order to implement its requirements.

6.4 Managers

Ark Managers will be responsible for the effective implementation of this policy, and the Leases and Protocols Procedure which supports it, within their area of responsibility. They must also ensure that each member of their staff, through induction and e-learning, is made aware of this policy and participates in relevant training.

6.5 All Staff

All Ark employees are required to familiarise themselves with this policy, and the Leases and Protocol Procedure which supports it, and comply with its provisions, as well as undertake any training implemented in association with this policy.

6.6 Third Parties

Ark will ensure that relevant third parties are familiar with, and abide by, the terms of this policy as necessary.

7.0 Policy Specific Section

Ark will have clear standards which adhere to legislative requirements, codes of good practice and guidance from the Scottish Government, Scottish Housing Regulator, Scottish Social Housing Charter, Care Inspectorate and any other relevant agencies or statutory authorities, so that tenants know what to expect from the wide range of housing management and maintenance services.

Ark will ensure that our maintenance activities and housing activities support our current business plan and comply with our sustainability, equality & diversity, and asset management plans.

Ark will liaise with third parties where necessary to ensure they fulfil their contractual and/or statutory responsibilities.

Ark will allocate work only to contractors who are suitably qualified, competent, financially sound and who can achieve the standards we require.

Ark will provide a 'value for money' service by means of competitive tendering processes for all contractual work and by utilising procurement frameworks and national procurement methods. Ark may also look to develop 'partnering' arrangements with contractors who are able to deliver a high standard of service.

Ark will seek tenants' views on the services and amenities provided and involve tenants to review the service provision.

We will provide regular reminders to tenants in relation to their responsibilities in terms of their tenancy agreements. This may take the form of verbal or written reminders and general reminders in quarterly newsletters.

8.0 Related Policies & Procedures

This policy is supported by detailed procedures relating to:

- Reactive Repairs – M11
- Rechargeable Repairs – M13
- Right to Repair – M14
- Cyclical Painting – M15
- Inspection, servicing of gas heating appliances – M16
- Electrical Safety Checks – M17
- Control of Asbestos – M18
- Legionella and Water Hygiene Management- M19
- Fire Safety Equipment – M20
- Servicing of Specialist Equipment – M21
- Planned Maintenance and Major Repairs – M23
- Tenants requests to undertake alterations and improvements – M24
- Compensation for Improvements – M25
- Landscape Maintenance – M26
- Changes to a tenancy – HM24
- Running a Business – HM26
- Abandonments – HM29
- The management of empty properties – HM30
- The management of estates – HM31
- Dealing with neighbour disputes and anti-social behaviour – HM32
- Rents and service charges and collection of these – HM33 to HM37
- Tenancy sustainment – HM48
- Hoarding Procedure – HM49
- Customer engagement Strategy
- Value for Money Strategy
- Asset Management Strategy

9.0 Equality Impact Assessment (EIA)

No potential equalities issues have been identified in relation to the development of this policy, and consequently an EIA has not been completed.

10.0 Data Protection Impact Assessment (DPIA)

No potential high risk data protection implications have been identified in relation to the development of this policy and consequently a DPIA has not been completed.

11.0 Stakeholder Consultation

In developing this policy the following groups were consulted:

- Ark Board of Management;
- Ark Executive Team;
- Ark Senior Leadership Team;
- Housing and Maintenance staff.

12.0 Monitoring and Review

12.1 Monitoring

The Head of Housing Services is responsible for ensuring that this procedure is implemented.

12.2 Review

The Head of Housing Services will ensure that this procedure is reviewed at least every 3 years.