

Report of the Deputy Chief Executive

HOUSING REPAIRS POLICY1. Purpose of report

To recommend some minor changes to the Housing Repairs Policy.

2. Detail

The current Housing Repairs Policy was approved in March 2018 and is now due for its triennial review. No major changes are proposed but, for completeness and transparency a brief summary of changes is given below, with more detail in appendix 1 and the proposed policy itself in appendix 2.

- Removal or significant rationalisation of sections which duplicate other policies and procedures.
- Two additional tenant repair responsibilities.
- Rewording of how to contact the council for repairs.
- Removal of clause stating that rechargeable repairs must always be fully paid in advance.
- Confirmation that leaseholders are given the same priority as tenants for repairs the Council is obliged to undertake, but removal of a clause stating that additional services are available to leaseholders whereas the reality is that they are not.

3. Financial implications

There are none directly arising from this report.

Recommendation

Housing Committee is asked to RESOLVE that the revised Housing Repairs Policy be approved.

Background papers

Nil

APPENDIX 1

Policy Section	Change to previously approved policy	Reason for Change
All	Correction of any minor typos	Grammatical accuracy
4.0	Removal of reference to the Homes and Communities Home Standards.	These are not referred to in any other Broxtowe Housing policies, so removal is for consistency, not because the standards are unimportant.
5.1	Addition of “Replacing toilet seats” and “Repairing dripping taps (changing washers)” to the list of tenant responsibilities.	This accords with longstanding current practice and national legislation – although discretion is used in rare cases where, for example, a tenant is incapable of such a repair themselves and has no relative / friend etc. able to assist.
5.1	Re-ordering of the means of reporting repairs, and clarification that communication face to face may be less effective in some cases.	If tenants report repairs verbally to a non-housing repairs trained council employee it is possible that not all the required information may be gathered at that time, potentially leading to un-necessary delays or a mis-diagnosis.
5.4	Addition of note regarding Gas Safe and NICEIC accreditation.	To provide additional assurance relating to gas and electrical safety.
5.5	Reference to the mutual exchange policy rather than a summary of it.	To avoid repeating another policy with the potential to contradict that policy if changes are made to it.
5.6	Reference to the alterations and improvements policy rather than a summary of it.	To avoid repeating another policy with the potential to contradict that policy if changes are made to it.
5.7	Reference to the void management policy rather than a summary of it.	To avoid repeating another policy with the potential to contradict that policy if changes are made to it.
5.8	Removal of references stating that tenants must pay in full in advance before any rechargeable repairs are undertaken.	This is rarely achievable in practice and so is not a policy currently being implemented. New procedures on Recharges across housing are currently being prepared.

Policy Section	Change to previously approved policy	Reason for Change
5.11	Minor rewording relating to procurement.	Clarification that full procurement is not always possible in an emergency or urgency situation.
Ex 5.13	Complete removal of section relating to Asset Management.	A new asset management strategy is being prepared and is listed in section 6.
Ex 5.15	Complete removal of section relating to tenants with additional support needs.	This is covered by a separate policy.
5.14	<p>Note added about priority given to leaseholder repairs.</p> <p>Removal of note about additional services offered to leaseholders.</p>	<p>Reassurance that leaseholders have the same priority as tenants when it comes to repairs which must be undertaken by Broxtowe.</p> <p>The Council is currently unable to provide these additional services whilst meeting its statutory obligations.</p>
Ex 5.20	Complete removal of performance monitoring section	This section listed various performance indicators which are subject to change and updating. These are reported to council committees via other mechanisms and need not be repeated here.



REPAIRS POLICY

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1.0 Scope

This policy covers the repairs service provided by Broxtowe Borough Council to tenants and leaseholders. It applies to individual properties and communal areas. Gas, Legionella and Electrical Safety are covered by separate policies.

2.0 Purpose

The purpose of this policy is to set out the way in which Broxtowe Borough Council will carry out repairs to Council-owned properties and meet its legal obligations under Section 11 of the Landlord and Tenant Act 1985 and under its Tenancy Agreements and leases.

3.0 Aims and Objectives

The Council is committed to providing an excellent, cost effective housing repairs service which is responsive to the needs of our tenants and leaseholders. The aims of the repairs policy are to:

- Effectively manage the repairing obligations of Broxtowe Borough Council's housing stock for its residents.
- Ensure the Council provides an effective planned maintenance service through the Capital Works Team driven by a comprehensive asset management policy.
- Ensure that the Council complies with all legislative, regulatory and Health and Safety requirements and meets best practice.
- Set out the service standards that will be provided when a repair is reported.
- Ensure that our service is tailored to tenant's individual needs.

4.0 Regulatory Code and Legal Framework

The following legislation sets out our obligations as a landlord. The Council will ensure that the repairs service is delivered with reference to the following:

- Section 11 of the Landlord and Tenant Act 1985
- Housing Act 1985
- Environmental Protection Act 1990
- Secure Tenants of Local Authorities (Right to Repair) Regulation 1994
- Equality Act 2010
- Leasehold Reform, Housing and Urban Development Act 1993
- Common-hold and Leasehold Reform Act 2002
- Secure Tenants of Local Authorities (Compensation for Improvements) Regulations 1994
- Gas Safety (Installation and use) Regulations 1998
- Regulatory Reform (Fire Safety) Order 2005
- The Control of Asbestos Regulations 2012
- Health and Safety at Work etc Act 1974
- The Management of Health and Safety at Work Regulations 1999

- Control of substances hazardous to health regulations 2002
- Water Supply (Water Fittings) Regulations 1999
- Occupiers Liability Act 1957 and Occupiers Liability Act 1984
- The Construction (Design and Management) Regulations 2015
- Building Regulations Approved Documents
- IET Requirements for Electrical Installations 18th Edition 2018 4th Amendment (BS7671)
- Legionnaires' disease - The Control of Legionella Bacteria in Water Systems, Approved Code of Practice and Guidance L8 2013
- The Control of Legionella Bacteria in Hot and Cold Water Systems HSG274 2014

The Housing Repairs Team has published a "Customer Care and Workmanship Standard" which sets out the standards the Council will meet when delivering our services. The Council is committed to providing the best possible customer experience and will monitor our service delivery in accordance with the above document.

The Council requests that any external contractors working on behalf of the Housing Repairs Service adheres to the "Sub-Contractors Code of Conduct" which ensures our tenants receive a consistently high quality service.

5.0 Policy Outline

5.1 Day to Day Repairs

Repairing Responsibilities

Repairing liability is shared between the landlord and tenant as set out in legislation and within the terms of the Tenancy Agreement. The Council is responsible for repairing and maintaining the following:

- Structure and exterior of the property (including drains and gutters)
- Space and water heating equipment, if they have been installed by the Council
- Installations for the supply of gas, electricity, water and sanitation
- Common areas
- Plastering
- Kitchens and bathrooms
- External decoration

Where the Council receives notice of an actionable item of disrepair, fails to address the repair within a reasonable period of time and the tenant suffers a loss, there could be a case for a disrepair claim against the Council. In such cases, guidance within the "Pre-Action Protocol for Housing Disrepair" will be followed in conjunction with the Council's Legal team.

Tenants are responsible for undertaking and renewing minor repairs including:

- Replacing plugs and chains to sinks, baths and wash basins
- Minor cracks to plaster

- Re-pressurizing a boiler
- Easing doors over carpets
- Resetting fuses if they blow due to an appliance or light bulb fault
- Unblocking waste pipes to a sink, bath, shower or wash basin
- Replacing toilet seats
- Repairing dripping taps (changing washers)

Where access needs to be gained below a floor to undertake a repair and laminate flooring or carpets are fitted, it is the tenant's responsibility to remove and refit these items to enable the repair to be completed.

Repair Priorities

All repairs are given a priority, which allows us to effectively manage the Housing Repairs Service. The Customer Services team will diagnose the repair during the call with the tenant to ensure that the correct category is assigned.

The Council utilises the following 6 repairs categories:

- **Emergency X** – Attend and make safe within 4 hours where possible
- **Emergency A** – Attend and complete within 1 working day
- **Urgent B** – Attend and complete within 3 working days
- **Urgent C** – Attend and complete within 7 working days
- **Routine D** – Attend and complete within 20 working days
- **Planned E** – Repair will be carried out as part of a planned maintenance programme and will be completed within 1 year or as part of a programme of planned works

Some jobs (eg. requests for major works or damp related issues) may require a pre-inspection to establish the extent of the works before the appointment is confirmed. If required, our call answering staff will arrange for a pre-inspection to be carried out within 5 working days of the repair being reported.

The repair priority will be reviewed for Tenants with additional care and support needs and an additional priority can be agreed.

Tenants are responsible for reporting their repairs and the Council offers the following repairs reporting options (in order of preference):

- By telephone on: **0115 9177777**
- By email to: housingrepairs@broxtowe.gov.uk
- Webform:
<https://selfservice.broxtowe.gov.uk/renderform.aspx?t=21&k=3DAC3AC6F63810876D36550B14640A9C918372E0>
- By letter

The following method can also be used, but may be less effective if the Council employee taking the information is not trained in housing repairs:

- In person

All repairs are coordinated by the Customer Services Team who are available between 8.30am and 5.00pm Monday to Thursday and 8.30am to 4.30pm on a Friday.

Call answering staff aim to arrange an appointment for the repair with the tenant during their initial contact with us. The following appointment times are available:

- 8.30am – 12noon
- 12noon – 5pm
- Saturday morning appointments (gas servicing only)

Timed appointments are available for tenants with additional and support needs.

Appointments are agreed with the tenant and confirmed in writing. Operatives will call the tenant in advance of their appointment to confirm their availability. Missed appointments cost money and create inefficiencies so the Council may charge a tenant for missing a second confirmed appointment.

Tenants may be able to claim for compensation if the Council fails to attend an appointment which has been agreed in writing. The Council expects repairs to be completed to the standards within our “Customer Care and Workmanship Standards” document. If the Council fails to achieve these standards, tenants and leaseholders can complain using our complaints policy, if they are not satisfied with the works.

5.2 Out of Hours

Repairs telephone calls received outside of the times stated above will be classed as “out of hours” and are coordinated by a third party. Repairs that cannot wait until the next working day will be defined as an “emergency out of hours’ repair” and the Council will seek to attend this repair in accordance with our listed priorities. Tenants who report a repair out of normal office hours which is not classed as an emergency will be advised why the Council will not be able to attend, how they might be able to assist themselves and how to report the repair the next working day.

If an operative attends an emergency out of hours’ repair and the tenant is not at home the Council may charge an abortive callout charge. This may also be the case if the reported emergency is a routine repair when the Council attend.

5.3 Follow-on Works

The Council aims to complete the vast majority of jobs during the first visit. If the operative or contractor is unable to complete the repairs during the first visit, they will advise the tenant of the reasons why and will arrange a further visit by contacting the Repairs Department from site. Follow-up works will be dealt with if we were unable to complete the originally logged works on the first visit.

5.4 Quality Control

To maintain quality, the Council will complete a minimum of 10% quality control checks across all trades. These will comprise of monitored inspections whilst the works are being carried out and post inspections following completion of the work.

An external company is used to undertake audits of gas, electrical and legionella related works. These checks are carried out as part of the above. A list of jobs is referred to the external auditor on a monthly basis where these checks will be completed. Additional to this, an annual audit will be commissioned to confirm compliancy. The Council's in-house gas and electrical processes are also subject to appropriate governing body approval (currently Gas Safe and NICEIC respectively).

5.5 Mutual Exchanges

The Council's approach to mutual exchanges is outlined in the Tenancy Management Policy.

5.6 Improvements and Alterations

The Council's approach to alterations and improvements is outlined in the Alterations and Improvement Policy.

5.7 Voids

The Council's approach to voids is outlined in the Void Management Policy.

5.8 Rechargeable Repairs

If the Council has to replace or repair items due to the wilful damage or neglect of the Council's property by a tenant, their family or a visitor then the tenant will be charged the full cost of the repair.

Where rechargeable repairs are identified following vacation of a property, the previous tenant will be sent a letter and invoice. Photographic evidence will be provided to substantiate the recharge. This process will be carried out in conjunction with the pre-termination procedure.

For all recharges, there will be an appeals process as documented in the recharges procedure, where tenants / former tenants are provided with the opportunity to query the charge.

5.9 Contents Insurance

The Council are not responsible for tenants' contents and recommends that tenants arrange their own contents insurance. However, if damage is caused to a property, our fixture and fittings, a shared area or a neighbouring property by the tenant, a member of their household or a visitor, including pets, the tenant is responsible for making good the damage. This includes both accidental damage and deliberate damage, for example, flooding caused by a washing machine or deliberate damage caused to an internal door. This is because these items are not covered by the tenants' contents insurance.

5.10 Use of Sub Contractors/Contractors versus in-house

To assist in the completion of repairs, the Council will use a range of external contractors. Regardless of who is allocated the works though, our tenants should receive the same levels of customer care, service delivery and workmanship. If

works are allocated to a contractor or sub-contractor for completion, our call answering staff will make the caller aware of who is visiting them. Contractors undertaking repairs will be expected to adhere to the standards set out in the "Contractor standards" booklet.

However, the majority of repairs will be carried out by our team of multi-skilled and single trade in-house operatives.

5.11 Procurement

Where there is a need for works to be contracted out, these will be procured in accordance with the Council's procurement framework. Where value for money can be demonstrated, the use of procurement frameworks will also be considered. In the case of emergency and urgent works this may not always be possible.

5.12 Approach to value for money

The provision of a service that demonstrates value for money is one of our key objectives. Productivity and performance reports will be generated to demonstrate this objective through the effective use of the Housing Management System, Vehicle tracking solution, one-to-one's Performance Appraisals and individual accountability reports.

5.13 Health and Safety

Another key objective is to ensure the Council adhere to Health and safety legislation and guidance.

Our in-house team of operatives will be issued with risk assessments, method statements, known locations of asbestos, any known risks on site and policies / procedures related to a variety of recognised health and safety risks. We will provide external contractors with pre-construction information including asbestos reports, any residual risks within the curtilage of the property and any information held on the Council's Employee Protection Register.

At tenancy commencement, tenants will be issued with any known locations of asbestos, the gas safety certificate and electrical test certificate.

5.14 Leaseholders

Broxtowe Borough Council has a number of leaseholders and as the freeholder, the Council are responsible for keeping the structure of the building, any common parts of a block and all common external areas in a good state of repair. Repairs undertaken for the benefit of leaseholders are recharged to the leaseholder with the annual service charge. The Council will comply with the requirements of the Commonhold and Leasehold Reform Act 2002, which sets out in detail how leaseholders must be consulted and charged for works.

Repairs for leaseholders will be given the same priority as repairs for tenants.

5.15 Right to Repair

Qualifying repairs, up to the value of £250, are urgent works that can affect health, safety or security. Examples of these repairs are a total loss of power, water or heating, a bad leak which cannot be isolated, an insecure or dangerous property.

The Council will attend to urgent qualifying repairs (See Appendix A) within the timescales set by Secure Tenants of Local Authorities (Right to Repair) Regulations 1994.

Should the Council fail to attend to such a repair within the required timescales, tenants may be entitled to claim compensation.

5.16 Right to Compensation

Section 99A of the Housing Act 1985 and the Secure Tenants of Local Authorities (Compensation for improvements) Regulations 1994 apply to improvements carried out by secure tenants.

Tenants may be able to claim compensation for certain improvements that have been made when the tenancy ends. The compensation is calculated to take into account wear, tear and depreciation. Tenants can claim compensation for the cost of materials (but not appliances such as cookers and fridges) and labour costs.

Sometimes damage will be caused to a tenant's property, fixtures or fittings during the completion of repairs works. Where an operative or contractor acknowledges that damage has been caused the Council will inspect the damage and agree any compensation due. This will be approved by the appropriate Head of Service. If the matter is disputed, then it will be referred to the Council's Insurance Department who will determine if the Council are liable for compensating the tenant.

If a property is damaged following a roof leak, water leak or other unforeseen circumstance, then a tenant will be asked to complete an insurance claim form and any liability will be assessed by the Council's insurers.

5.17 Right to Buy

If a tenant has exercised their right to buy the property, the Council will continue to undertake qualifying repairs only. Routine and planned repairs will not be carried out.

6.0 Related Policies, Procedures and Guidelines

This policy should be read in conjunction with the:

- Tenancy Agreement
- Leasehold Agreement
- Asset Management Policy
- Void Management Policy and associated procedures
- Void / empty property lettable standard
- Gas Safety Policy, associated procedures and access process

- Electrical Safety Policy, associated procedures and access process
- Tenancy Management Policy
- Alterations and Improvements Policy
- Corporate Complaints Policy
- Asbestos Code of Practice and associated procedures
- Legionella Code of Practice and associated procedures
- Mutual Exchange policy
- Customer Care and Workmanship Standards
- Contractor standards
- Schedule of costs for recharges
- Pre-termination procedure
- Rechargeable repairs procedure
- Secure Tenants of Local Authorities (Right to Repair) Regulation 1994.
- Pre-Action Protocol for Housing Disrepair
- Customers with additional support needs

7.0 Review

This policy will be reviewed at the following times:

- Every three years unless there are changes in legislation or other supplementary policies are affected

8.0 Appendices

8.1 – Appendix A – Right to repair leaflet

9.0 Document History and Approval

Date	Version	Committee Name
14/03/2018	A	Housing Committee
8/9/2021	B	Housing Committee