

# Landlord Responsibilities Policy

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<b>Effective date:</b>	August 2024	<b>Review date:</b>	August 2027
<b>Approved by P&amp;PRG:</b>	June 2024	<b>Approved by Finance Sub:</b>	August 2024
<b>Owner:</b>	Fiona Ross	<b>Job Title:</b>	Head of Housing & Customer Experience
<b>To be issued to: (check as needed)</b>			
<input type="checkbox"/> Board of Management <input type="checkbox"/> All Staff <input type="checkbox"/> ET/SLT <input type="checkbox"/> Head Office Managers <input type="checkbox"/> Head Office Staff <input type="checkbox"/> Finance <input checked="" type="checkbox"/> Housing <input checked="" type="checkbox"/> Asset <input type="checkbox"/> ICT		<input type="checkbox"/> OD <input type="checkbox"/> Compliance <input type="checkbox"/> All Care & Support <input type="checkbox"/> C&S Managers (RM, OM, CSM) <input type="checkbox"/> C&S Staff <input type="checkbox"/> Contractors <input type="checkbox"/> Agency Staff <input type="checkbox"/> Unite the Union <input type="checkbox"/> Employee Voices Group <input type="checkbox"/> Other: _____	
<b>Method of Delivery: (check as needed)</b>			
<input checked="" type="checkbox"/> Learn Pro <input type="checkbox"/> Board Portal <input type="checkbox"/> Line Manager to Share (e.g. Agencies)		<input type="checkbox"/> Policy Owner to Notify (e.g. Contractors) <input type="checkbox"/> Other: _____	
<b>Stakeholder Consultation Completed (check as needed)</b>			
<input type="checkbox"/> Board of Management <input type="checkbox"/> All Staff <input type="checkbox"/> ET/SLT <input type="checkbox"/> Head Office Managers <input type="checkbox"/> Head Office Staff <input type="checkbox"/> Finance		<input type="checkbox"/> OD <input type="checkbox"/> Compliance <input type="checkbox"/> All Care & Support <input type="checkbox"/> C&S Managers (RM,OM, CSM) <input type="checkbox"/> C&S Staff <input type="checkbox"/> Contractors	

<input checked="" type="checkbox"/> Housing <input checked="" type="checkbox"/> Asset <input type="checkbox"/> ICT	<input type="checkbox"/> Agency Staff <input type="checkbox"/> Unite the Union <input type="checkbox"/> Employee Voices Group <input type="checkbox"/> Other: _____
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## Version Control

Date	Owner	Version	Reason for Change
June 2024	Fiona Ross	V2.0	3 yearly review

## Summary of Changes

Section	Change
2.0 & 7.0	Reference to 'maintenance' changed to assets
4.0	Board Members removed and housing and asset staff added in
5.0	<b>Legislation:</b> <b>Addition of the:</b> <ul style="list-style-type: none"> <li>- The Energy Performance of Buildings (Scotland) Regulations 2008</li> </ul> <b>Key References:</b> <ul style="list-style-type: none"> <li>- Scottish Housing Charter updated from 2017 to Nov 2022</li> <li>- New reference to Damp &amp; Mould</li> </ul>
6.3	'Senior' removed from Leadership Team
12.1 & 12.2	Head of Housing updated to Head of Housing & Customer Experience. Additional text added in to support the learning and understanding of staff who will be working with this Policy.

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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 asset 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 staff members delivering housing and assets services 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
  - The Energy Performance of Buildings (Scotland) Regulations 2008
  
- Regulatory frameworks – Standards of Governance and Financial Management for RSLs

- Key references:
  - Scottish Social Housing Charter November 2022
  - Putting Safety First , A Briefing Note on Damp & Mould for Social Housing Practitioners produced by ALACHO, Chartered Institute of Housing Scotland, SFHA (the Scottish Federation of Housing Associations) and the Scottish Housing Regulator
  
- 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 Leadership Team

Arks 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

Managers within the Housing and Assets team will be responsible for the effective implementation of this policy, and the Procedures 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 employees within the Housing and Asset teams are required to familiarise themselves with this policy, and associated Procedures which supports it, and comply with its provisions, as well as undertake any training implemented in association with this policy.

#### 6.6 Third Parties

Housing and Asset Managers will ensure that relevant third parties are familiar with, and abide by, the terms of this policy as necessary. This will be an annual agenda item for the joint meetings held between the two parties.

### 7.0 Policy Specific Section

Ark 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 asset services.

Ark will ensure that our asset 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:

- AM01a Reactive Repairs
- AM01c Rechargeable Repairs
- AM01d Right to Repair
- AM01e Cyclical Painting
- AM01f Tenants requests to undertake alterations and improvements
- AM01g Inspection, servicing of gas heating appliances
- AM01h Electrical Safety Checks
- AM01i Control of Asbestos
- AM01j Legionella and Water Hygiene Management
- AM01k Fire Safety Equipment
- AM01l Servicing of Specialist Equipment
- AM01n Planned Maintenance and Major Repairs
- AM01o Compensation for Improvements
- AM01p Landscape Maintenance
- HM01d Changes to a tenancy
- HM02/HM03 Rents and service charges and collection of these
- HM06 The management of empty properties
- HAM01a Abandonments
- HAM01b The management of estates
- HAM01c Dealing with neighbour disputes and anti-social behaviour
- HAM01e Hoarding Procedure
- HAM01g Running a Business
- HAM03a Tenancy sustainment
- 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:

- Housing and Asset staff.

## 12.0 Monitoring and Review

### 12.1 Monitoring

The Head of Housing and Customer Experience is responsible for ensuring that this Policy is implemented. This will be undertaken by adding it to the training and learning plan for all asset and housing staff and ensuring that staff demonstrate that they understand it and comply with its implementation.

### 12.2 Review

The Head of Housing and Customer Experience will ensure that this Policy is reviewed at least every 3 years.