

## Housing and Property Services

### **Repairs and Maintenance Policies**

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## 1. Purpose and scope

The aim of this document is to bring together all Portsmouth City Council housing repairs and maintenance policies into a single reference guide.

These policies apply to the repairs and maintenance service provided to the council's tenants and leaseholders. They define any rules to be applied but stop short of giving detailed procedural guidance as this may change.

In addition, reference should be made to the relevant tenancy agreement or lease document.

## 2. Document context

This document should be read in conjunction with:

- The relevant policy guideline document which outlines further detail when implementing a policy.
- The [Repairs and Maintenance Scope of Service](#) which outlines the purpose and value steps for each of the repairs and maintenance service lines. The document also summarises our principles of work, definitions of waste, decision making using PLAN<sup>i</sup> and our capability measures.
- The [Asset Management Strategy](#) which sets out a framework for the council's Housing & Property Services to make future decisions about its assets over the next 30 years.
- There are links to legislation related to the policies as necessary, however be aware that some changes to the legislation published may be outstanding and legal advice should be sought where appropriate.

## 3. Arbitration and escalation

Front-line staff requiring help interpreting and implementing the policies within this document should seek advice from their line manager in the first instance.

Where a decision requires arbitration or further escalation the following table outlines the escalation pathway.

Escalation	Job Title
First	Repairs & Maintenance team manager <sup>ii</sup>

<sup>i</sup> PLAN - Proportionate, Legal, Accountable and Necessary

<sup>ii</sup> Property Services Manager or Senior Building Surveyor or Planned Maintenance Manager

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Second	Repairs and Maintenance Manager
Third	Housing and Property Services Manager

In addition, a tenant or leaseholder can make a formal complaint using the council's complaints policy. In the first instance they should contact the person or section dealing with their problem and ask to register a complaint.

## 4. Charging for repairs

### 4.1. Purpose

This policy outlines the main responsibilities for looking after a tenant or leaseholder's home and how this relates to any decision to charge for repairs and maintenance work carried out by the council.

### 4.2. Scope

This policy covers all council Housing Revenue Account (HRA) dwellings, including leasehold properties and the common parts of blocks of flats and sheltered schemes.

The policy includes repairs to the dwelling while the resident is in occupation or those that become apparent at the end of a tenancy, including exchanges (dilapidation charges).

Any decision to charge for a repair must be considered within the context of our scope of service which is documented in the '[Repairs and Maintenance Scope of Service](#)'. In particular, the proportionality of charging for a repair given the specific circumstances of the tenant and the likely cost of collecting the charge must be considered.

### 4.3. Repair responsibility criteria

The responsibility for a repair is either with the council or the resident and is further described in the relevant tenancy agreement or lease.

For a tenanted property the council has full repair responsibility with the exception of internal decoration, private garden maintenance, household appliances and consumables, such as light bulbs.

For a leasehold property the council has full repair responsibility for the structure of the dwelling which includes property entrance doors and windows.

Further, the council is responsible when the repair is as a result of the item coming to the natural end of its life. However, the following circumstances may result in a charge being raised for the tenant or leaseholder:

- unauthorised changes to the dwelling
- deliberate damage, misuse or neglect of the dwelling, including its services, fixtures and fittings
- a repair outside the council's scope of service but deemed necessary to protect or minimise the risk to its dwellings



#### 4.4. Identification of a chargeable repair

Occasionally a resident will acknowledge that a repair is as a direct result of their family or a visitor's action. However, usually it will only be apparent once an operative or member of the repairs and maintenance team attend the repair and diagnose the cause first-hand.

#### 4.5. Charging

If charging for a repair is deemed proportionate then advice should be sought from the relevant area housing management or leasehold service team about its implementation. They will liaise with the local repairs and maintenance team manager to ensure that any charge is accountable and proportionate.

The repair charge will include:

- cost of labour, materials and plant to undertake the repair
- the service provider's profit and overhead
- council's management cost at 12½ %
- VAT as appropriate

The council will endeavour to provide an estimate in advance of work being undertaken but this may be impractical where the repair is to prevent damage or for health and safety reasons.

## **5. Repairs and maintenance allowance**

### **5.1. Purpose**

This policy enables competent residents to undertake general internal maintenance of their home.

### **5.2. Scope**

This policy covers all council Housing Revenue Account (HRA) dwellings where there is a secure tenant.

It covers the internal decoration and other minor maintenance in the following situations:

- identified as part of the void visit with the prospective tenant
- resulting from an earlier repair, e.g. after water damage

### **5.3. Allowance criteria**

The following criteria must be met:

- pre-inspection of the repair by the council (at the void visit or separately by a member of the repairs and maintenance team)
- the allowance only covers the cost of materials
- cost effective for council when compared with employing a contractor
- the tenant, or labour organised by them, has the competence to carry out the work

### **5.4. Allowance payment**

The allowance can be paid to the tenant in cash vouchers or cheque through their local area housing office.

## 6. Special decorations

### 6.1. Purpose

This policy enables tenants who are unable to maintain the decoration of their homes to have the work carried out by the council.

### 6.2. Scope

This policy covers all council Housing revenue Account (HRA) dwellings where there is a secure tenant.

### 6.3. Special decoration criteria

All of the following criteria must be met:

- internal decoration has deteriorated over time and is in a poor condition
- tenant is in receipt of Housing Benefit or assessed as being unable to pay for the decorations themselves
- tenant is over state retirement age or registered disabled
- no other able bodied people in the household or supporting family who have the capability to undertake decorations.

### 6.4. Gaining approval

The tenant will contact their local area housing office where the criteria will be assessed by their housing officer and a member of the repairs and maintenance team.

### 6.5. Organising the work

If approved the member of the repairs and maintenance team will specify a detailed repair order for the appropriate service provider to carry out the necessary<sup>iii</sup> decoration work at the tenant's convenience.

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<sup>iii</sup> Only the decoration required which may not be the whole room, e.g. walls only

## 7. Tenant or leaseholder improvements and alterations

### 7.1. Purpose

This policy details the council's approach for tenants or leaseholders making improvements and alterations to their home.

### 7.2. Scope

The policy covers all council Housing Revenue Account (HRA) dwellings where there is a secure tenant and leasehold properties.

This policy includes equipment purchased by tenants, such as mobility scooters, that may require alterations to the dwelling or common parts of blocks of flats and sheltered schemes.

### 7.3. Approval criteria

Tenants must seek prior written approval from their local area repairs and maintenance team manager<sup>iv</sup> who will ensure any requests for proposed improvements and alterations is evaluated.

Leaseholders must seek prior written approval from the leasehold & commercial team who will ensure any requests for proposed improvements or alterations to the structure that the council is responsible for, are evaluated by their local area repairs and maintenance team manager.

Before work commences the tenant or leaseholder must provide details of:

- drawings of proposed changes, if appropriate
- specifications of work and materials to be used
- details of who will undertake the work
- planning or building regulations permission, if required

Permission will not be unreasonably withheld.

If the request is approved the local area repairs and maintenance team manager will write to the tenant or the leasehold & commercial team will write to the leaseholder and:

- give conditional permission
- outline the conditions, e.g. conforms with legislation such as planning or building regulation approval or health & safety requirements as necessary, tenant makes certificates and guarantees available

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<sup>iv</sup> Property Service Manager / Senior Building Surveyor or their successors

- confirm maintenance responsibility based on the council's normal repair responsibility and scope of service, i.e.:
  - council, e.g. showers, property entrance doors, windows, kitchens, structural improvements
  - tenant<sup>v</sup>, e.g. aerials, satellite dishes

In addition, when approved the local repairs and maintenance team manager will set up a repair order to record the agreed scope of works and update the order throughout the project as required.

During the work the tenant or leaseholder is responsible for ensuring:

- planning, building regulations and health & safety is complied with
- gas and electrical works are carried out by competent tradesperson
- records are kept, including receipts for work, certificates and guarantees

If the request is declined the local area repairs and maintenance team manager will write to the tenant or the leasehold & commercial team will write to the leaseholder and:

- decline permission
- state the reasons, e.g. makes the property unsafe, reduces property's value, makes it harder to let, future maintenance costs excessive, work will impact on fire safety of the block of flats

#### **7.4. Completion of tenant improvements and alterations**

Once the work is completed the local repairs and maintenance team is responsible for ensuring:

- the tenant or leaseholder used suitable qualified and competent tradesperson
- work is inspected and approved
- the tenant or leaseholder has provided copies of certificates and guarantees
- the council can accept repair and maintenance responsibility<sup>vi</sup> when applicable

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<sup>v</sup> Tenant responsible items must be maintained by them and removed when the tenancy ends. Tenant is responsible for any reinstatement works after removal.

<sup>vi</sup> The city council will maintain until uneconomic to do so, at which point it will replace with standard materials

Once the work has been approved and accepted the local repairs and maintenance team manager will:

- ensure tenancy or leaseholder records are updated
- complete the repair order with appropriate details
- update the stock database as appropriate
- confirm acceptance and repair and maintenance responsibility in writing to the tenant or leaseholder.

### **7.5. Unapproved or non-conforming improvements and alterations**

If a tenant or leaseholder makes alterations without gaining permission in advance from their local repairs and maintenance team manager or completes the works without meeting the conditions in the approval, the alterations may be the subject of a requirement to reinstate the dwelling to its previous state, at the tenant's or leaseholder's cost.

The local repairs and maintenance team manager will assess the works and may grant retrospective permission although this can't be guaranteed. If permission is denied then the tenant or leaseholder must reinstate the dwelling.

In addition, if the unapproved or non-conforming alterations make the dwelling unsafe or the local repairs and maintenance team manager assesses that the tenant or leaseholder is not capable of reinstating the work undertaken satisfactorily, then the council reserves the right to instruct a contractor to make the property safe or reinstate the property and these costs will be recharged to the tenant or leaseholder.

### **7.6. End of tenancy**

At the end of the tenancy the outgoing tenant may be eligible for compensation for the residual life of any improvements they made to their home during their secure tenancy under this policy.

The details of what is eligible and the compensation criteria are contained in [The Secure Tenants of Local Authorities \(Compensation for Improvements\) Regulations 1994<sup>vii</sup>](#) and will be assessed by the local repairs and maintenance team manager when requested.

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<sup>vii</sup> <http://www.legislation.gov.uk/ukxi/1994/613/regulation/4/made>

## 8. Right to repair

### 8.1. Purpose

This policy outlines how the council meets its obligations under the 'right to repair' legislation as enacted in [The Secure Tenants of Local Housing Authorities \(Right to Repair\) Regulations 1994<sup>viii</sup>](#).

### 8.2. Scope

The policy covers all council Housing Revenue account dwellings where there is a secure tenant.

### 8.3. Right to repair criteria

The legislation covers repairs to key elements of a tenant's home, such as the provision of water services, power and heating.

The qualifying defects are detailed in the schedule to the above act which can be found here [Right to repair schedule<sup>ix</sup>](#). The schedule also details the prescribed period for their resolution.

### 8.4. Council repairs service

The council operates a demand led service which is designed to conduct repairs at convenient dates and times, requested by the tenant when they contact the council to report a repair (see '[Repairs and Maintenance Scope of Service](#)').

This may result in a repair classified in the schedule being completed earlier or later, but crucially, at the tenant's convenience.

An exception will be made when the council identifies a need to attend a repair to prevent damage or for health and safety reasons.

### 8.5. Claims for compensation

The tenant can make a claim under 'Right to Repair' through their local area housing office.

The local repairs and maintenance team manager will assess the claim on its merits and if successful authorise compensation based on the formula in the regulations.

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<sup>viii</sup> <http://www.legislation.gov.uk/uksi/1994/133/body/made>

<sup>ix</sup> <http://www.legislation.gov.uk/uksi/1994/133/schedule/made>

## 9. Asbestos

### 9.1. Purpose

This policy outlines the council's approach to the management of asbestos and its obligations with regard to the [Control of Asbestos Regulations 2012](#), [The Health and Safety at Work etc. Act 1974](#) and their successors.

### 9.2. Scope

The policy covers all council Housing Revenue Account (HRA) assets, including dwellings, common parts of blocks of flats and sheltered schemes, garages and other assets where the council has a repair and maintenance responsibility.

### 9.3. Management of asbestos criteria

The council operates a risk based approach to the management of known ACM. The two elements that inform the risk are:

- Condition of the ACM, i.e. damaged vs. undamaged
- Location of the ACM, e.g. likelihood of disturbance

ACM condition / location	Treatment
Undamaged and unlikely to be	Leave in place and monitor
Good condition and not readily accessible	Seal
Slightly damaged and not readily accessible	Repair and seal
Any other condition or location	Removal by appropriately licensed ACM contractor

Inspection regime for ACM located:

- within communal areas will be annually
- within dwellings will be inspected at every change of tenancy

### 9.4. Carrying out repairs and maintenance

Asbestos is hazardous when airborne but staff and contractors will not be affected if they leave ACM undisturbed. Staff and contractors can prevent inadvertent exposure if they:

- Review the asbestos register before commencing work



- Proceed with caution even when no ACM recorded
- Arrange an asbestos management survey that complies with the current legislation/guidance when ACM is suspected OR
- Treat as ACM and remove when appropriate/economic to do so, e.g. Artex™, Floor Tiles
- Apply the agreed control measures that are in place when carrying out any work that will disturb ACM
- Report any damage or deterioration of ACM to the relevant contractor for remedial action

### **9.5. Planned schemes and asbestos**

When undertaking any planned maintenance scheme the surveyor will ensure:

- a refurbishment/demolition survey is undertaken
- relevant information is included in the Health and Safety tender documentation

### **9.6. Asbestos register**

The council will maintain a record of asbestos containing material (ACM) identified through management surveys in its asbestos register. The register is a shared IT system which is accessible to staff and contractors.

The register is managed by the Property and Construction (Health and Safety) Manager.

### **9.7. Communicating with residents after a positive ACM survey**

Following any asbestos survey the Property and Construction (Health and Safety) Manager will write to the resident informing them of the presence of asbestos within their home and providing appropriate advice when undertaking DIY.

### **9.8. Change of tenancy**

On a change of tenancy, including an exchange, a management survey will be undertaken to confirm that any ACM previously located and recorded on the asbestos register is in a good condition as well as to confirm the location of ACM that may not have been previously recorded on the asbestos register.

The housing team responsible for managing the change of tenancy must ensure that the new tenant is made aware of any known ACM in their new home and given advice as described after a positive ACM survey.

## 10. Fire safety

### 10.1. Purpose

This policy outlines the council's approach to the management of fire safety and its obligations with regard to the [Regulatory Reform \(Fire Safety\) Order 2005](#), [Housing Act 2004](#) and their successors.

### 10.2. Scope

The policy covers all council Housing Revenue Account (HRA) dwellings including the common parts of blocks of flats and sheltered schemes.

It also includes all other HRA assets as appropriate such as offices.

### 10.3. Fire risk assessment criteria

The council will undertake Fire Risk Assessments (FRA) to all relevant properties under the Regulatory Reform (Fire Safety) Order 2005 and implement appropriate fire measures to the common parts of all blocks of flats to minimise the risk of injury or loss of life in the event of a fire.

A Type 1 non-destructive survey to the common parts of blocks of flats using the PAS79:2012 template will be used to undertake all FRA assessments.

A new FRA assessment will be undertaken every 10 years or when a planned maintenance evaluation is undertaken.

A review of an FRA will be undertaken whenever a significant change has occurred to a block of flats or a minimum of every two years for high rise blocks of flats (six storeys and above) and every three years for low and medium blocks of flats (five storeys and below).

### 10.4. Stay put policy

If a fire starts within residents flat, the occupants should alert others within the flat, make their way out of the building and contact the fire and rescue service.

If a fire starts in the common parts, anyone in these areas should make their way out of the building and contact the fire and rescue service.

All other residents within a block of flats not directly affected by the fire are expected to 'stay put' and remain in their flat unless directed to leave by the fire and rescue service.

### 10.5. Means of escape routes

Fire separation and compartmentalisation between the common parts and individual properties will be maintained and actions undertaken as appropriate.

Where property entrance doors open directly onto a single communal escape route then a minimum of a 'notional fire door ' should be installed for low rise blocks (up to two storeys). An 'upgraded fire door' should be installed for medium rise blocks (three to five storeys) and 'replacement FD30s' for high rise blocks (six storeys and above).

With regard to residents possessions within the common parts of blocks of flats a 'managed use' approach will be undertaken with an assessment of the hazards or risks for each particular block. In all circumstances a minimum 800mm walkway must be maintained at all times or the width defined in Part B of the fire safety building regulations, whichever is greater.

Mobility scooters may only be stored in the common parts of a block of flats providing all the following points are complied with:

- block of flats have more than one escape stair, if a block has only one escape stair a maximum of two scooters can be stored
- storage area is adequately ventilated
- block of flats have an active restricted access door entry system
- mobility scooter cannot be charged in common parts under any circumstances
- escape route is not obstructed and a minimum 800mm width is maintained

Emergency lighting will be installed to all means of escape routes as appropriate and will be regularly tested. A standard test will be undertaken monthly and a discharge test will be undertaken annually.

Decorated surfaces will be to class 'O' standard to prevent the spread of flame.

## **10.6. Smoke detectors**

All council dwellings, including those of leaseholders, will be fitted with at least one mains operated smoke detector with a battery back-up on each dwelling floor level as appropriate which will be replaced in accordance with manufacturer's instructions by the expiry date. If on inspection the smoke detector is within one year of the manufacturer's expiry date it will be replaced.

We will regularly test smoke detectors installed within our council dwellings. However leaseholders will be responsible for testing smoke detectors within their own dwelling.

## 11. Requests to improve our properties

### 11.1. Purpose

This policy outlines the council's approach to dealing with requests to improve our property and make them suitable homes when needed.

### 11.2. Scope

The policy covers all council Housing Revenue Account (HRA) dwellings including the common parts of blocks of flats and sheltered schemes.

The policy is intended to cover the improvement work such as:

- showers
- additional rooms such as bedrooms
- scooter stores
- parking facilities

The cost of improvements will be the responsibility of the council.

### 11.3. Improvement criteria

Requests for improvements should be sent to the local repairs and maintenance team manager and include:

- details and evidence of demand, e.g. number of resident requests and benefits
- what facilities, services or improvements are required
- consequences, financial and otherwise, of not providing the improvement
- any relevant legislation

### 11.4. Improvement request approval

The local repairs and maintenance team manager will consider the request. The decision will be informed by:

- opportunities to transfer/exchange to more suitable property
- cost of undertaking works is proportionate
- budget availability considering other priorities
- legislation, such as planning and health and safety
- resource availability to manage the work

If the request is approved the local area repairs and maintenance team manager will inform the resident and arrange for the work to be undertaken as appropriate.

If the request is declined the local area repairs and maintenance team manager will write to the tenant and:

- decline the request
- state the reasons, e.g. makes the property unsafe, reduces property's value, makes it harder to let, not within scope of service, capital cost or maintenance cost of work not proportionate, insufficient demand or other alternative more suitable asset available

## 12. Electrical certificates

### 12.1. Purpose

This policy outlines the council's approach to conducting and maintaining in date electrical certificates.

### 12.2. Scope

The policy covers all council Housing Revenue Account (HRA) dwellings including the common parts of blocks of flats and sheltered schemes.

### 12.3. Conducting electrical inspections

All electrical inspections condition reports (EICR) and domestic visual inspections (DVI) must be undertaken by a qualified electrician.

When undertaking EICRs the objective is to undertake any work necessary to ensure that its expiry date is:

- ten-years for dwellings
- five-years for communal areas

At the end of a tenancy (void or exchange) a DVI may be undertaken as long as the existing EICR is less than two years old. Its expiry cannot be longer than the original EICR. Only one DVI can be conducted after an EICR, so subsequent inspections must be an EICR.

During the electrical inspection the opportunity to inspect, and replace where necessary, any mains smoke detectors that meet the criteria in the fire safety policy (see section 10.6). This includes installing mains operated smoke detectors where there are none.

### 12.4. Conducting electrical inspection condition reports (EICR)

The council will actively identify EICRs that are due to expire and utilise other repairs and maintenance appointments to undertake inspections when the expiry date is less than one year or make a convenient appointment. If a resident doesn't allow access or make an appointment action will be undertaken in accordance with their tenancy or lease agreement.

### 12.5. Unauthorised, unsafe electrical work

Any unauthorised electrical work, i.e. outside the council's scope of service, that is identified as unsafe will only be disconnected or made safe, as appropriate.

## 13. Disabled adaptations

### 13.1. Purpose

This policy outlines the council's approach to the [Housing Grants, Construction and Regeneration Act 1996](#) with particular reference to disabled facilities grants (DFG).

### 13.2. Scope

The policy covers all council Housing Revenue Account (HRA) dwellings including the common parts of blocks of flats and sheltered schemes where there is a secure tenant within the administrative boundary of Portsmouth City Council.

Havant Borough Council has its own policy for Portsmouth council house dwellings within its administrative boundary.

### 13.3. Type of disabled adaptation criteria

After a tenant makes a request for disabled adaptation through their housing officer, an occupational therapist (OT) will assess their, or member of their household's, needs.

If the estimated cost of works is at or below £1000 a DP15 form will be completed by the OT. The form will be sent to the local repairs and maintenance team manager, who will review the form and liaise with the OT as required. A repair order will be raised with the scope of works agreed between the local repairs and maintenance team manager and OT.

If the estimated cost of works is over £1000, the local repairs and maintenance team manager will identify, assess and decide the most suitable option to meet the assessed needs by liaising with the resident, OT and the housing officer. If major works are proposed, the planned maintenance manager and area housing manager will also be consulted.

Options include:

- Wait for existing suitable alternative accommodation.
- Wait for alternative accommodation that can be more easily adapted.
- Adapt tenant's current dwelling/communal area.

### 13.4. DFG funding criteria

If an adaptation is proposed for more than £1000 it may be subject to financial eligibility criteria, by a means test, to determine how the work will be funded.

If the work is for a disabled child or to a communal area no means test is required. Otherwise, the OT will send the tenant a grant application form to complete which will be used for the means test. The council must give its decision within six months of the application.

If the grant awarded doesn't meet the full cost of the works the housing officer will liaise with the tenant to establish an agreed payment profile for their contribution.

### **13.5. Organisation and ownership of adaptations**

Although, the majority of tenants will want the council to organise the adaptation works and take ownership this cannot be assumed. As the works are funded through a grant the tenant can organise the works themselves and maintain ownership on completion.

Where a tenant wishes to organise the works themselves the details in the Tenant or leaseholder improvements and alterations policy will apply (see section 7) Otherwise, the local repairs and maintenance team manager will organise the works using the appropriate repairs and maintenance team resources.