



RCH Group Policy: Unlettable & Deactivated Property Policy

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Approval Body	Social Landlord Operations
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Contents

1. Scope	3
2. Introduction	3
3. Definitions	4
4. Policy Statement and Responsibilities	4
5. Equality, Diversity and Inclusion	9
6. Review	9

Appendix 1

Condition Survey Report Template.....	9
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This policy can be made available, in other languages, on request and in other formats such as large print, audio format and braille as required.

1. Scope

This is a Group policy and therefore applies to Staff, Board and Committee members of The RCH Group of companies. As at June 2024, The RCH Group consists of River Clyde Homes and its subsidiary, Home Fix Scotland Ltd.

2. Introduction

A summary of the legislation and guidance that impact this Policy is detailed below.

- Health and Safety at Work etc. Act 1974
- The Management of Health and Safety at Work Regulations 1999
- The Buildings Energy Performance Directive (January 2003)
- Gas Safety (Installation and Use) Regulations 1998
- Control of Asbestos Regulations 2012
- Building (Scotland) Regulations 2004 as amended by The Building (Miscellaneous Amendments) (Scotland) Regulations 2013
- Construction (Design and Management) Regulations 2015
- The Data Protection Act 2018
- The Equality Act 2010
- Housing (Scotland) Act 1987
- Housing (Scotland) Act 2001 and associated Regulations
- Housing (Scotland) Act 2006
- Housing (Scotland) Act 2010
- Housing (Scotland) Act 2014
- The Human Rights Act 1998
- HSE Publication - HSG65 – The Plan, Do, Check Act Cycle
- Scottish Housing Quality Standards (SHQS)
- Energy Efficiency Standard for Social Housing (EESH)
- Scottish Social Housing Charter (SSHC)

This Policy should also be read in conjunction with the following RCH Group policies, procedures and strategies:

- Estate Management Policy
- Anti-Social Behaviour Policy
- Mould and Dampness Policy
- Legionella Policy
- Asbestos Policy
- Electrical Safety Policy
- Fire Safety Policy
- Gas Safety Policy
- Maintenance & Rechargeable Repairs Policy
- Void Management Policy & Procedure

Related Documents

- The RCH Group Inspection of Vacant Properties Risk Assessment
- The RCH Group H&S Manual, including Risk Assessments, Method Statements and Permit to Work etc.
- The RCH Group Compliance Registers
- The RCH Group Employment Policies and Procedures

- The RCH Group Code of Conduct
- The RCH Group Drug and Alcohol Policy
- The RCH Group H&S Arrangements Procedure for Accident, Incident, Near Miss Reporting and Investigation
- The RCH Group Fire Aid Procedure
- The RCH Group COSHH Procedure
- The RCH Group Risk Assessment Procedure
- The RCH Group Health Surveillance Guidance
- The HFS Health & Safety Policy

3. Definitions

This policy complies with the guidelines set by The Scottish Government in the Social Housing Charter (SSHC). The Scottish Housing Regulator has identified a number of key indicators relevant to void management by which it will measure landlord performance, including the following:

- Quality of housing – tenants' homes as a minimum, when they are allocated are always clean, tidy and in a good state of repair, meet the Scottish Housing Quality Standard (SHQS), and any other building quality standard in place throughout the tenancy; and also meet the relevant Energy Efficiency and Zero Emission Heat Standard.
- Estate management, anti-social behaviour, neighbour nuisance and tenancy disputes – tenants and other customers live in well-maintained neighbourhoods where they feel safe.
- Value for Money – tenants, owners and other customers receive services that provide continually improving value for the rent and other charges they pay.

RCH Group defines unlettable and deactivated properties as follows:-

- **Unlettable properties** are properties that are not in a position to be let. If repairs are made, they would be in a position to be let.
- **Deactivated properties** are properties that RCH Group has decided will be demolished. They are not habitable and will not become habitable.

4. Policy Statement and Responsibilities

RCH Group recognises that all deactivated properties present a high risk. No access will be permitted to deactivated properties except in exceptional circumstances as detailed further below.

The risk presented by unlettable properties will vary on a property-to-property basis. Accordingly, the risk presented by individual unlettable properties will be assessed on a property-by-property basis and in the first instance will be confirmed in a property condition report prepared by RCH Group approved structural engineers. Following receipt of the property condition report, RCH Group will assess the risk posed by individual unlettable properties via suitable and sufficient risk assessments

recorded in writing. As part of the risk assessment process, risk control measures will be identified.

In relation to unlettable properties identified as high risk, access to those properties will not be permitted except in exceptional circumstances as detailed further below.

Access to unlettable properties, whether classified as high risk or otherwise, will only be permitted following the implementation of risk control measures identified via the risk assessment process summarised above.

Responsibilities

The Property Services Director has overall responsibility for overseeing the implementation of this Policy. In particular, the Head of Property Services, along with the Asset Manager, have responsibility for ensuring that all unlettable and deactivated properties are suitably and sufficiently risk assessed and that an inspection regime is implemented.

The Asset Manager and Customer Services Void Team Leader have the responsibility to communicate effectively on the status of unlettable properties. The Housing Teams update the system when the status of the property changes, for instance from unlettable to lettable or from unlettable to deactivated.

The Asset Manager and/or the Senior Compliance Manager is responsible for notifying all contractor/s that have been issued work orders/instructions of (1) the condition of the property, of (2) the risks identified and (3) the risk control measures to be implemented prior to any such works being carried out by employees and/or contractors requiring access to the property. The Asset Manager and/or the Senior Compliance Manager must provide the contractor/s with the relevant risk assessment document/s in advance of any such works at the property.

The Area Housing Manager has responsibility for notifying the Customer Services Void Team Leader if keys are received for a void property that is to be placed under the unlettable category or deactivated category.

Home Fix Scotland (HFS) and other appointed contractors have responsibility for the implementation of the repair/servicing elements of this Policy.

With regards to repairs/servicing undertaken by HFS, the HFS Operations Manager is responsible for managing the elements of the repairs, safety checks, repairing the property to the Lettable Standard and post inspections. The Business Operations Manager is also responsible for monitoring the performance of all subcontractors used in the undertaking work under this Policy.

All contractors that have been issued works must report any additional repairs required and/or health and safety issues within the property to the Asset Manager within 2 working days of identification. The Asset Manager will arrange for a follow up inspection and issue make safe works within 5 working days of the report from the contractors.

Unlettable Properties - Process and Procedures

The processes that RCH Group adopt to ensure unlettable properties are safe and secure are detailed in this section of the Policy.

Properties can be classed as unlettable for several reasons, the criteria for a property becoming unlettable is below. The list is not exhaustive.

- Identified by the RCH Void Team that the property is in a condition where works are extensive and are out with the normal void repairs scope of works. In this instance, the property is transferred within 1 working day to Property Services for the management of the asset and if necessary, identification of repair works.
- Identified by the Property Services Team that properties have an insurance claim due to fire/flood damage.
- Properties awaiting major repairs/structural work where it is unsafe to be occupied.
- Identified by the Property Services Team that major improvement or modernisation works that means occupation is not reasonable.
- Identified by the Property Services Team that due to the condition of the property the existing tenant needs to be decanted permanently.
- Any properties subject to an RCH Group decision that deems them as surplus or to be transferred, disposed of or demolished.
- Identified by Customer Services that a property/area that is unlettable for a reason not related to the property condition (Long term no demand/Major Intervention Area).

For each of the scenarios, a property condition report is completed by the relevant Directorate within 5 working days of identification. (see Appendix One – Condition Survey Report Template).

Where a property is to be passed to the Property Services Team, the Housing Officer will immediately update its status on the Housing Management System Active H as unlettable.

Once a property is set to unlettable, the Customer Services Void Team will arrange for the following works where appropriate to be carried out within 2 working days:

- Clear Out.
- Deactivation of services and supplies.
- Gas cap / Necessary gas safety works.
- Lock change.
- Make safe electrics.

The works noted above will only be carried out following a suitable and sufficient risk assessment of the property in question and following the implementation of identified risk control measures.

Once the above works are completed, keys are passed to Property Services Team to be logged and managed by the Property Services Team.

Property Services will arrange for an initial property condition survey to be completed within 5 working days of the transfer and thereafter a 6 monthly property condition report will be completed for all unlettable properties. All property condition reports will be uploaded to Asset Management Database. An exception to this would be if further information is obtained from a customer or a contractor which necessitates an earlier survey.

Where there is a significant change recorded, Property Services will instigate repairs. Make safe repairs will be instructed within 2 working days and the timeframe for other repairs will be dependent on the type of repair required.

No compliance works will be undertaken at unlettable properties. If essential works are required (such as essential repairs), full details of the condition of the property will be provided by the Asset Team to the contractor as per the property condition survey and the property specific risk assessment. Any request for essential works must be authorised/approved in writing by the Asset Manager and/or the Senior Compliance Manager before the property keys are provided and prior to any works being carried out. Where works are approved, the Asset Manager and/or the Senior Compliance Manager will provide the instructed contractor with the risk assessment for the property and the risk control measures that have been implemented. In addition to the risk assessment provided by RCH, a further risk assessment will be created by the contractor. It will be a requirement of entry that at least two individuals attend the property. Sole attendance is not permitted by RCH Group staff and both staff must be in possession of GPS lone worker devices fitted with SOS functions and worker down alert.

In the event of an access concern in relation to an unlettable property, such as unauthorised access, RCH Group will contact the emergency services, for instance Police Scotland.

Property Services will run a monthly unlettable properties status report and engage with Customer Services Void Team regarding any changes to the status. Any changes to the status of properties will be recorded in writing.

Unlettable Returning to Lettable Status

If an unlettable property is being returned to lettable stock, the property condition report must be reviewed by the Asset Manager, Customer Services Void Team Lead and Repairs and Area Housing Manager, prior to marketing.

If there is demand for a property classified as unlettable, the Area Housing Manager will notify the Customer Services Void Team Leader who will request the property condition report from Asset Manager. The decision to proceed with scoping and issuing repair works lies with the RCH Void Team Lead Asset Manager and Area Housing Manager.

Deactivated Properties

Any properties subject to an RCH Group decision that deems them as surplus or to be transferred, disposed of or demolished the following process will be followed.

On receipt of keys, the Customer Services Void Team will arrange for the following works within 2 working days:

- Clear Out
- Deactivation of services and supplies
- Gas cap / Necessary gas safety works
- Lock change
- Make safe electrics

Thereafter, keys are passed to Property Services and the Asset Manager will take ownership of these properties/blocks including arranging the following:

- Securing windows and doors
- Removal of downpipes where required
- Provision of security e.g. cameras where required
- Security inspection regime, frequency to be determined by the property risk factors, such as potential vandalism or unauthorised access attempts.

No compliance works will be undertaken at deactivated properties. If essential works are required (such as essential repairs), full details of the condition of the property will be provided by the Asset Team to the contractor as per the property condition survey and the property specific risk assessment. Any request for essential work must be authorised/approved in writing by the Asset Manager and/or the Senior Compliance Manager before the property keys are provided and prior to any works being carried out. Where works are approved, the Asset Manager and/or the Senior Compliance Manager will provide the instructed contractor with the risk assessment for the property and the risk control measures that are in place. In addition to the risk assessment provided by RCH, a further risk assessment will be created by the contractor. It will be a requirement of entry that at least two individuals attend the property. Sole attendance is not permitted by RCH Group staff and both staff must be in possession of GPS lone worker devices fitted with SOS functions and worker down alert.

In the event of an access concern in relation to a deactivated property, such as unauthorised access, RCH Group will contact the emergency services, for instance Police Scotland.

Timescale For Major Works and Repairs

The timescales for any void properties where works have been identified that will allow the property to be brought back to a lettable standard, will be determined as follows.

- Properties where works are categorised as repairs required to bring the property back to a lettable standard and do not require extensive structural or major repair works. The normal priority time scales for void repairs will apply. The timescales are 10, 20 and 40 days and will be dependent on the scope of works required.
- Properties that have extensive defects and will require major works internally and/or to the external fabric, durations for the completion of works will be out with the void priority times and will be determined by the extent of the repairs.

Governance

The Social Landlord and Operations Committee and the Board will receive regular updates on the Unlettable Properties.

RCH will comply with all Scottish Housing Regulator requirements and adhere to the Notifiable Events Guidance in relation to this policy.

5. Equality, Diversity and Inclusion

The RCH Group will apply this policy fairly and consistently. In implementing this policy, we will not directly or indirectly discriminate against any person or group of people because of their race, religion or belief, gender, disability, age, sexual orientation, or any other grounds. Our commitment to equality and fairness will apply irrespective of factors such as age, disability, gender reassignment, marital or civil partnership status, pregnancy or maternity, race, religion or belief, sex, sexual orientation, or other personal attributes.

6. Review

This policy will be reviewed in its entirety every 3 years, unless an earlier review is required due to changes in legal, regulatory or best practice requirements, or because monitoring and reporting reveals that a change in policy is required sooner.