



ESTATE MANAGEMENT POLICY 2022

1.0 INTRODUCTION AND DEFINITION

- 1.1 Estate Management is a general term used to include Tenancy Management and Environmental Management.
- 1.2 Tenancy Management and Environmental Management are linked to, but separate from, the management of Anti-Social behaviour. The Association's Policy on Anti-Social Behaviour sets out how we deal with Anti-Social Behaviour.
- 1.3 Tenancy Management aims to support a tenant to uphold the terms of their Tenancy Agreement. Where appropriate and necessary it will involve taking action to enforce compliance with the terms of that Agreement.
- 1.4 Environmental Management aims to create a well-maintained neighbourhood in which tenants and other customers feel safe.
- 1.5 The word Estate is used as an agreed definition and is described in the Scottish Social Housing Charter Technical Guidance, indicator 13 as "the area that the landlord has defined as having some responsibility for". Estate Management therefore covers a diverse range of services including:
 - Inspecting and the maintenance of communal areas such as hard and soft landscaped areas, parking areas (within our ownership) roads and footpaths (within our ownership) common stairs, backcourts, and landings;
 - Ensuring that tenants comply with tenancy conditions related to the maintenance of their garden and disposal of refuse;
 - Providing advice and assistance to tenants and residents on services which enhance the local community;
 - Supporting initiatives to reduce crime including vandalism and Graffiti;
 - Environmental improvements;
 - Enforcing certain tenancy conditions;
 - Co-operation with other agencies delivering services in the community.
- 1.6 The following aspects of Tenancy Management are covered under other policies and Procedures such as;
 - Landscape Maintenance
 - Anti-Social Behaviour
 - Void Management
 - Abandoned Properties
 - Domestic Pets
 - Tenancy Changes (Succession, Mutual Exchanges, Assignment etc.)

2.0 AIMS AND PRINCIPLES

- 2.1 It is the aim of Ochil View Housing Association to provide a comprehensive estate management service, which is effective in ensuring that areas in which the Association operates are attractive, well-maintained and a safe place to live. This Policy outlines what the Association's position is and how we deal with certain estate or tenancy management related issues.
- 2.2 The Policy covers the physical upkeep and use of common areas, management and resolution of matters which create a nuisance arising from a breach of a condition of tenancy.
- 2.3 It is recognised that Estate Management is an important part of our service for all residents, and as such, the aims of this policy are to ensure that:
- The housing stock and communal areas are managed and maintained to a high standard which increases the stability of the community;
 - Residents are satisfied with the service provided and with the estate in general;
 - Tenancy Information and Advice is provided in a routine yet consistent manner;
 - We meet our legal duties, obligations and responsibilities whilst ensuring that tenants also fulfil their tenancy obligations;
 - We Co-operate and liaise with other partner agencies and contractors to ensure that services are provided to a high standard and to the satisfaction of both the residents and the Association.

3.0 LEGAL AND REGULATORY FRAMEWORK

- 3.1 The main foundation to Estate Management lies mainly in the Scottish Secure Tenancy Agreement. The key legislation behind the tenancy agreement is the Housing (Scotland) Act 2001.
- 3.2 There are other areas of legislation that may be considered when dealing with Estate Management. The following list is not exhaustive:
- **Civic Government (Scotland) Act 1982**
This Act defines several offences which may be relevant including:
 - A person who urinates or defecates in circumstances so as to cause or likely to cause, annoyance to any other person shall be guilty of an offence;
 - A person who is, while not in the care of a suitable person, in a public place, drunk and incapable of taking care of themselves is guilty of an offence;
 - Any person who suffers or permits any creature in their charge to cause danger or injury to any other person who is in a public place or give such a person reasonable cause for alarm or annoyance shall be guilty of an offence.
 - **The Data Protection Act 2018 ("DPA") and the General Data Protection Regulation 2016/679 ("GDPR")**

Where there is a need to share tenant's data (including the sensitive or special category data) with external organisations we will do so in accordance with our Data Protection Policies.

- **The Environmental Information (Scotland) Regulations 2004 ("EIRs")**
The Association has important duties under the EIRs to actively disseminate the environmental information it holds. Our arrangements for complying with requests for Environmental Information are set out in our Access to Information Policy.
- **The Equality Act 2010 (the "Equality Act")**
The Equality Act requires the Association to have (i) 'due regard' to how they can eliminate discrimination, (ii) advance equality of opportunity and (iii) foster good relations in doing so. The Associations Equality and Human Rights Policy details our arrangements on how we will eliminate discrimination on unlawful or unfair grounds and promote equality and human rights in all aspects of the Associations business.
- **The Human Rights Act 1998 ("HRA")**
The Human Rights Act 1998 incorporates the rights set out in the European Convention on Human Rights into domestic British law and came into force in the UK in October 2000. The act contains 16 articles which cover a range of rights with a basic aim is to ensure that everyone should be treated fairly, with dignity and respect. Both the UK government and the Scottish Government are committed to the Human Rights act and its key principles. The Associations Equality and Human Rights Policy details how we will comply with this Act.

3.3 The Social Housing Charter

The following Social Housing Charter Outcomes are relevant to the Estate Management Policy:

- **Social Housing Charter Outcome 1** relates to the promotion of equalities and requires that social landlords perform all aspects of their housing services so that every tenant and other customer has their individual needs recognised, is treated fairly and with respect, and receives fair access to housing and housing services.
- **Social Housing Charter Outcome 2** relates to communication and requires social landlords to manage their businesses so that tenants and other customers find it easy to communicate with their landlord and get the information they need about their landlord, how and why it makes decisions and the services it provides.
- **Social Housing Charter Outcome 3** relates to participation and requires that social landlords manage their businesses so that tenants and other customers find it easy to participate in and influence their landlords' decisions at a level they feel comfortable with.
- **Social Housing Charter Outcome 6** refers to estate management, anti-social behaviour, neighbour nuisance and tenancy disputes and requires that social landlords, working in partnership with other agencies, help to ensure that

tenants and other customers live in well-maintained neighbourhoods where they feel safe.

- **Social Housing Charter Outcome 11** relates to Tenancy Sustainment and requires that tenants get the information they need on how to obtain support to remain in their home; and ensure suitable support is available, including services provided directly by the landlord and by other organisations.
- **Scottish Social Housing Charter Outcome 13** relates to Value for money

4.0 STRATEGIC AND DEPARTMENTAL OBJECTIVES:

The Association has set out a number of Strategic and Departmental Objectives. The Strategic Objectives which are relevant to Estate Management are as follows:

Strategic Objective 1: Asset Management

To invest in its existing housing stock to ensure that the Association provides the highest standard of accommodation possible.

Strategic Objective 2: Customer Service

To provide a comprehensive and responsive customer service to tenants, sharing and factored owners which supports sustainable tenancies and delivers customer satisfaction.

Strategic Objective 3: Resident Participation

To actively promote and support resident engagement in the management, maintenance, and development of their homes.

Strategic Objective 6: Human Resources and Health & Safety

To ensure that the Association recruits and retains sufficiently trained and experienced Committee members and suitably qualified staff and satisfies all health, safety and environmental requirements and legislation.

The Association's Housing Services and Property Services Departmental Management Plans set out a number of Departmental Objectives to support the implementation of the Corporate Management Plan which are relevant to our Estate Management Service:

Customer Services Objective 1: Equalities

To provide services so that every tenant and other customer has their individual needs recognised, and is treated fairly and with respect, with fair access to housing and housing services (CS1);

Customer Service Objective 2: Information

To ensure that tenants and other customers find it easy to communicate with us and get the information they need about us including how and why we make decisions and the services we provide (CS2);

Customer Service Objective 3: Participation

To ensure that tenants and other customers feel able to influence our decisions at a level they are comfortable with (CS3);

Property Services Objective 1: Quality of housing and environment:

To provide high quality homes to tenants so that (unless exempt) tenants' homes meet the Scottish Housing Quality Standard and the Energy Efficiency Standard for Social Housing (ESSH) by the necessary deadlines (PS1);

Property Services Objective 2: Repairs Service

To provide a high-quality housing maintenance service to tenants that meets tenant's aspirations and which maintains their homes in good condition with repairs and improvements carried out when required and giving reasonable choices about when work is done (PS2);

Property Services Objective 3: Factoring Service

To provide a high-quality factoring service to owner occupiers in accordance with the Property Factors Act 2011 and other relevant legislation (PS3);

Property Services Objective 4: Neighbourhood Management

To contribute to the creation and maintenance of well-maintained neighbourhoods where tenants and other customers feel safe (PS4)

Housing Services Objective 1: Tenancy Sustainment

To provide a range of quality housing management services to tenants and other customers and to provide and assist tenants to access services which enable tenants to sustain their tenancies and live independently in their homes (HS1);

Housing Services Objective 4: Value for Money

To provide value for money in our housing management services (HS4);

Housing Services Objective 5 & Property Services Objective 6: Regulatory

To ensure compliance with Regulatory requirements (HS5 & PS6)

5.0 INFORMATION TO TENANTS

- 5.1 It is important that all tenants are clear about their responsibilities and obligations. The details of the Tenancy Agreement and the obligations imposed on tenants will be explained in detail at the time of signing the agreement.
- 5.2 All new tenants are issued with a Tenants Handbook, which provides an explanation of the key terms of the Tenancy Agreement and the Associations expectations. A copy of the handbook is always available on the Associations website and on a tenant My Home account.
- 5.3 Housing Services Officers will carry out a *Settling in Visit* within six weeks of the beginning of a new tenancy. Follow up visits will be programmed as necessary following that initial visit, where it is apparent that the tenant may require support to keep to the conditions of tenancy. We will prioritise *Settling in Visits* where tenants are considered to present a high risk of an un-sustained tenancy. Indicators of high risk may include:
 - Under 25 years old
 - First Tenancy
 - Receiving support or vulnerable
 - Previously homeless

- History of rent arrears in former tenancy
- History of anti-social behaviour in a former tenancy

We will liaise with external support agencies where any tenant requires support to sustain their tenancy, and the support is of a type or extent that cannot be provided by our in-house Tenancy Sustainment Team.

- 5.4 We will set out high standards in our specifications for the maintenance of common areas. We will provide to tenant's information on the specification of our landscape maintenance service, frequency of visits and other information annually in our newsletters.
- 5.5 The Association will inspect each development on a regular and frequent basis. The Association will review the frequency of inspections at least annually. The primary purpose of visits will be to ensure the landscape maintenance contractor has completed their contractual requirements.

The Association will publish its Estate Inspection Programme and information on the outcomes of estate inspections and the assessed condition of each area at inspection in newsletters, website, and social media.

We will publicise, through our Facebook page and text messages, advice to each tenant and factored owner that a programmed visit is to take place and that they may meet us on site to show any issues of concern.

One Estate Visit each year will be carried out without notice to residents.

- 5.6 We will provide information within communal stairways to tenants who receive stair and/or window cleaning services of the specification of our stair cleaning service and the programme of visits set out by our stair cleaning contractor.
- 5.7 Where English is not someone's first language, we will ensure we will provide written information and advice in clear and easy to understand plain language and where appropriate we will translate information into other languages or offer access to translation services.

6.0 LIAISON WITH EXTERNAL AGENCIES

- 6.1 The Association will work in partnership with other agencies if necessary to deal with issues of Estate Management, these may include:
- Police Scotland
 - Social Work
 - NHS
 - Local Authority Environmental Health Department
 - STRIVE Multi Agency Group – Safeguarding Through Rapid Intervention
 - Voluntary Organisations

The Association will create links with all relevant agencies and agree terms of joint working. Throughout, the Association will be aware of the need for sensitivity and confidentiality in dealing with people's circumstances. Where appropriate, contact

with other agencies will be undertaken with the co-operation of the person concerned.

7.0 ACTION AND PREVENTION

7.1 Communal Areas

The Association will use the outcomes of recorded estate inspections, along with other information, to identify priorities for action to improve the condition of estates.

The issues that are regularly monitored, as part of its programme of Estate Management Inspections include general environmental matters such as litter, street cleaning, refuse dumping, lighting, abandoned cars, caravan parking, condition of footpaths etc.

The Association will include, as part of their annual planned maintenance programme, a sum for investment to address necessary scheme enhancements, where these are agreed as necessary for the benefit of tenants or other service users.

In the course of their general duties all members of our staff will look for, and report on, any signs of deterioration to our properties or common areas.

When we carry out an inspection, we will complete an Estate Inspection Record. Where we identify matters requiring remedial action we will, as appropriate:

- Establish and maintain contact with tenants and residents who may be affected by, or responsible for, the issue;
- Inform affected tenants and residents of action which we propose to take to remedy any problems identified;
- Enforce contractual arrangements to ensure that gardens and common areas are maintained to the standards that the Association requires and that are commensurate with resident satisfaction;
- Monitor on a continuing basis to ensure that required standards are achieved and maintained;
- Arrange for repairs or graffiti removal to be carried out promptly once the need has been identified or reported. Graffiti which is considered to be a "Hate Crime" in that it refers to disability, race or ethnicity, religion or belief, sexual orientation or transgender identity will be removed within 24 hours;
- Put in place arrangements by which residents may inform us of their views on the maintenance of common areas.

7.2 Gardens

Tenants will be informed where the condition of their garden is unsatisfactory. They will be reminded that it is a condition of their tenancy that gardens should be maintained to a satisfactory standard. Alternatively, practical advice and assistance will be arranged where appropriate, including referral to garden assistance schemes run by external agencies. In extreme cases, appropriate legal action will be taken to enforce the conditions of tenancy or seek recovery of possession.

7.3 Common Stairways

We will provide common stair entry doors that are robust and secure and which are a strong barrier to unauthorised entry to and use of the stairs.

The Association will offer a stair cleaning service to residents and promote take-up. Where residents do not clean the stairs to a satisfactory standard, after due notice and opportunity to improve, the Association will impose the stair cleaning service.

For owners, the costs will be recovered through an addition to the management charge where possible. Tenants will have the opportunity to enhance the stair cleaning service where they are willing to meet any increased costs associated with enhancements in specification.

The Association will inspect common stairs and closes on a regular and recorded basis. The frequency of such inspections will be assessed by the Association on the basis on the condition of stairs and closes. Inspections will be carried out not less than once per month.

The condition of common stairs will be assessed with relation to:

- Presence of any material in the close or stair that would present a fire hazard or obstruction to clear exit route in the event of a fire;
- Presence of any refuse or dumping in the stair or close;
- Presence of graffiti or evidence of vandalism in the stair;
- Presence of any tripping hazard in the stair and close and the physical condition of the stair and close floor, walls and ceilings;
- Cleanliness of the stair and close, walls and windows.

Where items are found within the stair which are considered to be a fire hazard or obstruction, the Association will try to identify the person(s) responsible and require that the item be removed within two working days. The Association will remove the items if the owner cannot be identified or if the owner does not remove the items as required within the period of notice. The recovery of any costs incurred will be in accordance with our Rechargeable Repairs Policy.

7.4 Vermin and Pest Control in Common Areas

Where evidence of vermin or pests occurs, the Association will ensure a prompt response by qualified operatives to deal with the problem in accordance with environmental health guidelines. Staff will be trained to be aware of evidence of vermin.

7.5 Abandoned Vehicles

Where an abandoned vehicle is identified the Housing Services Officer will make initial enquiries with residents to identify the owner and arrange for its removal. If the owner of the vehicle is not identified the Housing Services Officer will liaise with the Local Authority who may serve an Abandoned Vehicle Notice and arrange for its removal.

7.6 Fly Tipping/Refuse Disposal/Litter

The Association will ensure that guidance is given to residents concerning the disposal of household refuse and bulk items including subsidising Local Authority

bulk uplifts for tenants. The Association may also provide skips in areas where there are high instances of fly tipping.

Where items of refuse or fly tipping are found within individual gardens or communal areas, we will work to identify the person(s) responsible and require that the items be removed within an agreed period. The Association may remove the items if the owner cannot be identified, if the owner does not remove the items as required within the period of notice or if they are causing a Health Safety issue i.e., risk of attracting vermin. The recovery of any costs incurred will be in accordance with our Rechargeable Repairs Policy.

7.7 External Viewing Video Equipment

External viewing video equipment includes CCTV camera systems, video doorbells and any other equipment, device or application that allows for external areas to a property to be viewed and/or monitored, irrespective of whether such areas are within or outside the boundary of a property.

Tenants are required to request the Association's approval to install video equipment at their property by submitting a completed Video Equipment Authorisation Form to us. The process on making an application for equipment or how the Association deals with retrospective applications is detailed in the Tenant External Viewing Equipment Installation Procedure.

7.8 Running a Business from home

A tenant must obtain permission in advance before operating a business from home. We will not refuse permission unreasonably however; we will not give permission where the business activity will:

- cause damage to the house
- require the storage of any dangerous material at the property
- Result in increased traffic to or from the property
- Create noise, pollution, smoke, or odour
- Require change of use or planning permission
- Be incompatible with the residential nature of the locality

The above list is not exhaustive and we may refuse permission on other grounds. If we refuse permission then we will give the reasons for our decision within one month of the application being made. On some occasions permission may be granted with conditions that must be met.

8.0 ENFORCING CONDITIONS OF TENANCY

The Association's general approach to dealing with breaches of conditions of tenancy will be as follows:

- Contact will be made with the affected residents and, where appropriate, their neighbours to clarify the issues, and explain the tenants' responsibilities. The objective at this stage will be to reach mutual agreement between those concerned on the action which should be taken. However, if mediation is inappropriate or ineffective, enforcing conditions of tenancy may involve contact with other agencies, as set out above.

- Agreements on action will be confirmed in writing to the individual(s) concerned.
- Where the tenant's action presents a risk to health or safety, we will take immediate appropriate remedial action. If this incurs costs, we will consider recovery from the responsible tenant in accordance with the Rechargeable Repairs Policy.

If there is persistent or serious breach of the conditions of tenancy the Association will consider legal action including:

- Anti-social Behaviour Order, where the behaviour is defined as Anti-social behaviour;
- Acceptable Behaviour Contracts
- Repossession action may be taken in the most extreme circumstances and where the breach of tenancy is very serious.

The procedure on how the Association will seek to repossess a property is detailed in the Repossession Policy.

9.0 TENANT ENGAGEMENT

9.1 Effective Estate Management is a result of having a good relationship with the community and other agencies and other service providers. The Associations Tenant Engagement & Communication Strategy outlines how we will work with tenants to improve areas of service, provide information, listen to feedback, and deliver what has been agreed.

9.2 Tenants are invited to engage through various means including:

- Attend Tenant Focus Group Meetings
- Register of Interested Tenant Group
- Garden Competitions
- Newsletters Articles
- Social Media

9.3 The Association aims to ensure that its services are responsive to the needs of our tenants and we will:

- Take account of tenants' and resident's views when making decisions regarding the nature and type of services that are delivered;
- Consult with tenants when monitoring the quality of services;
- Respond positively to deal with individual complaints;
- Collate all complaints and identify any trends or areas where the Association must make service improvements;
- Encourage any attempt to raise issues collectively by organising close meetings or public meetings if any demand is expressed;
- The association will liaise with tenants (i.e., elderly tenants, disabled tenants, etc.) with specific needs to establish any support which the association could provide to comply with specific expectations set out in this policy (i.e., garden maintenance, cleaning of communal closes, etc.). This may lead to the association putting in place relevant support, sign-posting tenants to support services, or relieving tenants of certain obligations amongst other measures.

10.0 OWNER OCCUPIERS AND OTHER RESIDENTS

Estate Management may involve tenants and/or owners. All issues are given the same degree of priority regardless of tenure however, the action that is relevant to owners is more limited.

The Association has set out a Property Factoring Policy (including LSM) and associated procedures that set out our relationship with owner-occupiers and other residents.

11.0 COMPLAINTS

Any tenant who feels aggrieved by their treatment under this Policy can ask for a copy of the Association's Complaints Handling Procedure, which is available on the Association's website or at our office. This policy details the way in which you can complain and the timescales for responding.

12.0 REVIEW OF THIS POLICY

This policy will be reviewed at least every 3 years.

Linda McLaren
Director of Housing Services
1st November 2022

Recommended by the Customer Services Committee	10 th November 2022
Approved by the Board of Management on	
Date of Next Review	November 2025