



Responsive Repairs Policy

1. Introduction

- 1.1 The policy outlines the way in which Medway Council (the Council) Housing Services will provide a repairs and maintenance service to Council owned homes and communal areas.

2. Purpose

- 2.1 The purpose of this policy is to set out Housing Services position on delivering our Repairs and Maintenance service.
- 2.2 The Council has a statutory duty to undertake certain areas of repair work in accordance with section 11 of the 1985 Landlord and Tenant Act. The Council also has a duty to ensure repairs are undertaken in accordance with the Right to Repair legislation.
- 2.3 The specific objectives of the Responsive Repairs Policy are:
- 2.3.1 to comply with applicable statutory requirements and health and safety regulations relating to repairs and maintenance;
 - 2.3.2 to ensure that where applicable repairs and improvements are completed right first time and in accordance within government prescribed timescales;
 - 2.3.3 to ensure a cost effective, planned approach to repairs and maintenance that demonstrates an appropriate balance of planned and responsive repairs.

3. Scope

- 3.1 This policy applies to all tenure and occupancy types and Medway Council staff involved in repair duties including contractors and sub contractors used on the Councils behalf.
- 3.2 Responsive Repairs under this policy are those carried out at a single property or communal area at the request of an individual customer or member of Council staff. These repairs can also be called reactive repairs or day to day repairs.
- 3.3 This policy does not relate to the Decent Homes Standard.

4. Legislation and Guidance

4.1 External

- 4.1.1 Landlord and Tenant Act (1985)
- 4.1.2 Commonhold and Leasehold Reform Act (2002)
- 4.1.3 Secure Tenants of Local Housing Authorities (Right to Repair) Regulations (1994)
- 4.1.4 Defective premises Act, S.4 (1972)
- 4.1.5 The Regulatory Framework for Social Housing in England from April 2015

4.2 Internal

- 4.2.1 Tenancy management policy and procedure,
- 4.2.2 Rechargeable repairs policy and procedure,
- 4.2.3 Compensation policy
- 4.2.4 Right to Buy policy
- 4.2.5 Decant policy.
- 4.2.6 Medway Council Tenancy Agreement(s)

5. Appendices

- 5.1 Repair responsibilities - Appendix 1

6. Policy

6.1 Responsibility

- 6.2 Repairs to Medway Council owned properties are a joint responsibility between landlord and tenant.

- 6.3 Housing Services are responsible for repairing and maintaining the structure of our properties and some items inside the property. Housing Services must keep gas fires, central heating systems, sanitation and supply of water, gas and electricity in good working order. Housing Services must also keep the shared areas in blocks of flats or maisonettes in good repair. A non exhaustive list of the most common items that Housing Services must keep in a good state of repair can be found at Appendix 1.

- 6.4 Tenants are responsible for reporting repairs and undertaking those repairs deemed their responsibility. A non exhaustive list of the most common items that tenants must keep in a good state of repair can be found at Appendix 1.

6.5 Statutory regulations

- 6.6 Repairs will be raised and prioritised in line with the Governments Secure Tenants of Local Housing Authorities (Right to Repair) Regulations 1994.

- 6.7 Compensation payable under the Right to Repair Regulations 1994 will be done in accordance with the regulation.

6.8 Asbestos

- 6.9 Prior to undertaking repair works that may disturb asbestos in a property, Housing Services will check to see if there is a sample on record. Where a sample is not held an asbestos test will be conducted before any repair works are undertaken.

6.10 Right to Buy (RTB)

- 6.11 If a tenant is in the process of applying to buy their home (Right to Buy) Housing Services will only undertake emergency repairs to make the property wind and water tight and safe (e.g. gas servicing and gas safety works) and those repairs that fall under the Right to Repair legislation. Medway Council's responsibility for these repairs and health and safety works will cease upon completion of the RTB sale. If the property sale does not complete, the Council will resume its normal responsive repair responsibilities.

6.12 Rechargeable Repairs

6.13 Where willful damage or neglect of the Council's property by the residents, their family or a visitor, results in the Council having to replace or repair items as a result, Housing Services will do so in accordance with our Rechargeable Repairs policy.

6.14 Anti-social behaviour

6.15 Where repairs are caused by damage from anti-social behaviour Housing Services will request the issue is reported in order to obtain a crime number so that recuperation for the cost of the repair can be made.

6.16 Decants

6.17 If repair works are substantial and remaining in the property whilst works are completed would have an adverse impact on members of the households lives, Housing Services may offer the household alternative accommodation until the works are completed. Housing Services will do so in accordance with our Decant policy.

6.18 Rectifying faults

6.19 Where Housing Services fails to undertake repairs that have been reported to us and it leads to financial detriment or an adverse impact on members of the household's lives, consideration will be made as to whether it would be reasonable to compensate customers. For further information or guidance see our Compensation Policy.

6.20 Where damage to a property has been caused by Housing Services repair work, Housing Services will rectify the damage or make an appropriate offer of compensation within 10 working days of liability being agreed.

6.21 Decoration following a repair

6.22 Once a repair has been completed it is the tenant's responsibility to redecorate any area affected by the repair e.g. repainting or re tilling. Housing Services will only be responsible for redecorating the affected area if the original repair was caused by a fault of Housing Services.

6.23 Tenant Improvements

6.24 Tenants must not make any improvements, alterations or additions to the property without first obtaining written consent from Housing Services. Housing Services will not refuse permission unless there is good reason.

6.25 Where Housing Services has granted permission to make an improvement we will not be liable for any repair costs associated with the works, this will be the tenants responsibility.

6.26 Housing Services will not be liable for any repair costs associated with works tenants have undertaken for which they had not requested and/or received written permission.

6.27 Mutual Exchanges

6.28 A repair, reported after an exchange has taken place, will be carried out as long as it is one Housing Services ordinarily undertake and it is as a result of fair wear and tear.

6.29 Leaseholders

6.30 Leaseholders are generally responsible for all repairs inside their property and the Council is responsible for all external repairs to the structure. The cost or part of the cost of works for works undertaken by the Council will be added to a Leaseholders' annual service charge bills.

6.31 Housing Services will consult Leaseholders on repairs and maintenance work to their communal areas or blocks in line with Section 20 Consultation, as laid out in the Landlord and Tenant Act 1985 and in the Commonhold and Leasehold Reform Act 2002.

6.32 Repairs Service

6.33 Housing Services will ensure that our customers can report repairs to us using a variety of methods including a free phone telephone number.

6.34 Upon reporting a repair residents can expect to be told:

6.34.1 the time and date the works are due to be undertaken;

6.34.2 the name of the contractor who will be undertaking the work;

6.34.3 whether the repair falls within the "Right to Repair" category;

6.34.4 whether the work will be rechargeable due to their neglect or a direct act by them or a visitor causing the need for the repair.

6.35 Repairs that do not fall under the (Right to Repair) Regulations 1994 will be raised and prioritised under the following categories:

6.35.1 **Day time Emergency Repairs** - Housing Services will respond to an emergency repair within either two hours or one working day depending on severity. To be classified as an emergency repair, there must be a significant risk to health and safety, a risk to buildings, or a risk that other properties will be damaged.

6.35.2 **Emergency repair outside office hours** - Housing Services will attend within two hours to make sure that no one is in any danger, but will not necessarily complete the repair at that point of time. A follow up visit may need to be arranged by the contractor in order to complete the repair.

6.35.3 **Urgent repairs** - Housing Services will respond to urgent repairs within three or seven working days depending on the type of repair. An urgent repair is where your comfort is substantially affected or delay may cause the building to deteriorate.

6.35.4 **Non-urgent repair** - Housing Services will respond to non-urgent repairs, which do not severely affect your comfort in 20 working days

6.36 Where a repair is required but doesn't present a health and safety or immediate concern, repairs may be held and added to a planned capital works programme.

6.37 Housing Services will provide an out of hour's service for emergency repairs.

6.38 Housing Services will offer a handyman service available to customers for a fixed time period and frequency for those that are not in breach of the terms of their tenancy.

- 6.39 Housing Services will ensure all our contractors are fully qualified and have appropriate registrations to undertake work on residents' homes.
- 6.40 Housing Services recognises there will be times when our repair priorities need to be adjusted to take account of the specific needs of some customers or where extra consideration and support may be needed, therefore our staff will be empowered to deliver an enhanced responsive repairs service for specific vulnerable groups.

6.41 Performance

- 6.42 Following the completion of a repair, Housing Services will offer the opportunity for tenants to provide feedback via a repairs satisfaction questionnaire.

7. Role, Responsibilities and Authority

- 7.1 The Assistant Director of Physical and Cultural Regeneration retains the overall responsibility for the implementation of this policy.
- 7.2 The Deputy Head of Housing is responsible for the operational delivery of this policy and the associated procedures. This includes responsibility for monitoring and reviewing, staff awareness and training, policy development and communication to tenants.

8. Monitoring, Review and Evaluation

- 8.1 The Deputy Head of Housing and Client Side team will monitor responsive repairs performance. Housing Services will hold regular contract meetings with our main contractors to ensure they comply with our contract terms and work is undertaken in accordance with contract requirements. Tenant representatives will be invited to join the contract monitoring panels and assist us in monitoring performance.
- 8.2 This policy will be reviewed on a biennial basis or in line with legislative or regulatory changes.

Cross References: Tenancy Management Policy, Right to Repairs policy, Rechargeable repairs policy

Lead Officer: Head of Housing Management

Officer responsible for producing policy: Emma Ditton – Partnership and Policy Officer

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Repair responsibilities

Housing Services responsibilities

- These are the most common items that Housing Services must keep in a good state of repair:
- the structure (walls and supports)
- fire bricks and fire backs
- the roof
- heating systems
- windows and glazing
- kitchen worktops and fittings
- external doors and glazing
- door frames and skirting boards
- chimneys
- tiles and other floor coverings (as originally fitted)
- window catches
- boundary fences and walls (excluding gates)
- external door locks
- essential access paths and steps
- pipes, taps and fittings
- drainage, gutters and external pipes
- water tanks and cylinders
- external decorations
- sinks
- cubbyholes and sheds we own
- basins
- stairway lighting, entry phone and shared TV
- aerials
- shared parts of blocks of flats (corridors, stairways, passages and access ways)
- toilet pans and cisterns
- baths or showers
- fire equipment
- wiring
- door closers
- switches, lighting and power points.

Tenant responsibilities

These are the main things that you must keep in good condition and repair or replace as necessary:

- keys;
- roller blinds and curtain rails;
- sink, bath and basin plugs and chains, choked
- internal pipes and traps and tap washers;
- floor coverings, including laminate floorings;
- window and door furniture;
- all decorations inside your home;
- minor repairs to kitchen units;
- minor cracks in plaster;
- electrical plugs and fuses and fittings for all appliances;
- dustbins;
- light bulbs, fluorescent tubes, fuses and wired fuses to fuse boxes;
- clothes lines or rotary dryers (unless we have provided them in a shared drying area);
- internal glazing;
- gates and gardens.