

CLYDESDALE HOUSING ASSOCIATION LIMITED

Policy: Factoring Services Policy

Date: 26 June 2019

Lead Officer: Technical Services Manager

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Regulatory Standards: Standard 2

The RSL is open and accountable for what it does. It understands and takes account of the needs and priorities of its tenants, service users and stakeholders. And its primary focus is the sustainable achievement of these priorities.

Guidance

- 2.1 The RSL gives tenants, service users and other stakeholders information that meets their needs about the RSL, its services, its performance and its future plans.
- 2.2 The governing body recognises it is accountable to its tenants, and has a wider public accountability to the taxpayer as recipient of public funds, and actively manages its accountabilities.
- 2.3 The governing body is open and transparent about what it does, publishes information about its activities and, wherever possible, agrees to requests for information about the work of the governing body and the RSL.
- 2.4 The RSL seeks out the needs, priorities, views and aspirations of tenants, service users and stakeholders. The governing body takes account of this information in its strategies, plans and decisions.
- 2.5 The RSL is open, co-operative, and engages effectively with all its regulators and funders, notifying them of anything that may affect its ability to fulfil its obligations. It informs the Scottish Housing Regulator about any significant events such as a major issue, event or change as set out and required in notifiable events guidance.

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1. Introduction

This policy has been devised to show how Clydesdale Housing Association (CHA) operates factoring services in both its developed and stock transfer properties.

CHA provides factoring services in mixed tenure developments. This includes owner occupiers and tenants and/or sharing owners in properties where CHA is the landlord or non-resident sharing owner.

2. Scope

The Factoring Service provided by CHA covers the following activities:

- advice and information
- provision of Written Statements of Service
- accounts management
- arrears management
- general estate management
- buildings insurance
- repairs and maintenance of factored areas
- resident consultation and owners' meetings

3. Principles

The following principles govern the operation of this policy:

- Services will comply with the Property Factors (Scotland) Act 2011, associated Code of Conduct and all relevant legislation on consumer protection, financial services, consumer credit licences, title conditions, health and safety, data protection and equalities.
- Services will achieve the Scottish Social Housing Charter outcomes for owners in relation to participation, communication, and value for money.
- Services will be financially sustainable and will always aim to offer value for money to homeowners.

4. Objectives

Our objectives are to provide the following outcomes:

4.1 Participation

- To give homeowners the opportunity to participate in our decision-making processes.
- To conduct regular customer satisfaction surveys and any appropriate scheme specific consultations.
- To devise and implement action plans in response to consultation findings, where there is a business need.

4.2 Communication

- To provide owners with relevant good quality information in accessible formats including Written Statements.
- To issue itemised invoices to owners showing a breakdown of the factoring charge, at six monthly intervals.

4.3 Value for Money

- To inform owners about the impact of their feedback on service delivery improvements.
- To provide efficient repair, maintenance and insurance services, with open and accountable procurement and tendering procedures. These will be in accordance with CHA's procurement procedures, relevant title deeds and in consultation with owners where applicable.

4.4 Legal Compliance

- To maintain an accurate portfolio list on the Property Factors, Register and to develop and implement a suite of regularly reviewed procedures to ensure legal compliance.
- Comply with the Property Factors Code of Conduct.

4.5 Financially Viable and Affordable

- To have a clear and transparent approach to charges that demonstrates that costs are accurately identified, apportioned and recovered.
- Reviews of operating costs will take place regularly and will inform any management fee changes, which will be notified to owners in accordance with their Written Statement of Service. Proper notice will be given where it is no longer financially viable for CHA to continue to deliver a service.
- To take all appropriate and ethical actions, in keeping with the Factoring Debt Recovery procedures, to recover bad debts and prevent the accumulation of high arrears. Such debts and arrears represent an unfair burden and cost to other responsible and diligent customers.

5. Approach and Method

The Management Committee, in its formal approval of the policy, accepts responsibility for the policy and ensuring its implementation. Day to day responsibility for the operation and monitoring of this policy lies with the Technical Services Manager. All relevant staff have a responsibility to ensure that policy is applied as instructed.

The policy will be implemented through:

- devising procedures for compliance with the policy
- regular review and improvement of procedures
- providing Written Statements in accordance with the Property Factors (Scotland) Act 2011 and associated Code of Conduct
- keeping staff informed of policy and procedural requirements, amendments and changes and regular staff training on factoring issues

6. Monitoring, Performance Measurement and Reporting

The following areas will be subject to monitoring on a regular basis:

- Provision of training and/or information to staff.
- Adherence to policy requirements and procedures and the need for review of procedures.
- Feedback from owners on their satisfaction with our services
- Levels of owners' arrears.
- Benchmarking of average management fees and satisfaction rates with Scottish Housing Regulator published data.
- Adequacy of insurance cover and risk management.

These will be monitored by the Technical Services Manager with the assistance of the Technical Services team.

7. Complaints and Appeals

CHA welcomes complaints and positive feedback, both of which provide information which helps us to improve our services. We use a complaints handling procedure (CHP) developed by the Scottish Public Services Ombudsman (SPSO) and the Scottish Housing Regulator.

The CHP allows for most complaints to be resolved by front line staff within a five day limit (first stage), or if the complaint is complex, a detailed investigation will be made by a manager within a 20-day limit (second stage).

If owners are dissatisfied with CHA's final response to their complaint, and they believe we have failed to carry out our factoring duties, comply with the Code of Conduct or unreasonably delayed attempting to resolve a complaint, they can seek a resolution via the First-tier Tribunal for Scotland (Housing and Property Chamber).

In certain circumstances title deeds may allow for formal arbitration about disputes in relation to the title deeds, and such matters may also be referred to the Lands Tribunal. CHA cannot offer legal advice to owners but can signpost them to relevant sources of advice and information including information about any applicable fees.

8. Equalities

Clydesdale Housing Association operates under the overarching duty of a Registered Social Landlord to provide housing accommodation and related services in a manner which encourages equality of opportunity. In particular the observance of equal opportunity requirements as specified in the Housing (Scotland) Act 2001 and the Equality Act 2010.

We do not discriminate against applicants in any way either directly, indirectly or by association because of their age, disability, gender identify (reassignment), marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

To support our commitment to equality of opportunity an equality and human rights impact assessment has been carried out on this policy

9. Policy Review

CHA undertakes to review this policy regularly, at least every three years, about:

- Applicable legislation, rules, regulations and guidance
- Changes in the organisation
- Continued best practice