



## Property Compliance Policy

Version:	Version 1.0
Date Approved:	17 <sup>th</sup> October 2023
Review Plan:	Annually
Review Date:	17 <sup>th</sup> October 2024
Owner:	Highstone Housing Association
Document Controller:	Managing Director

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## 1. Purpose

This document details Highstone Housing Association's (HHA) policy on Property Compliance and how they will meet their duties and responsibilities as a Registered Provider (RP) and responsible landlord.

HHA is committed to providing an environment, which ensures the health, safety and wellbeing of tenants, employees and visitors to its properties. HHA embraces the principles laid down in the Health and Safety at Work Act 1974 and the Management of Health and Safety at Work Regulations (1999) and all relevant legislation.

HHA produces policies on key risk areas as standalone documents. A separate Health & Safety Policy has been approved by the HHA Board which sets out HHA's organisational approach to health and safety matters which are not directly classified as Property Compliance.

As an RP, HHA understands that it is responsible for ensuring tenants are safe in their homes. This policy is part of a suite of 7 Property Compliance related policies. It is intended to be HHA's central property compliance document, which coordinates and links other key policy documents to ensure HHA delivers on its commitment to ensuring full compliance with all legal, statutory, and regulatory requirements associated with the servicing and maintenance across their portfolio.

The content of each individual Property Compliance policies should be observed when enacting this Property Compliance policy. The linkage between HHA's suite of Property Compliance policies is shown below:



The success of this policy depends on the positive working relationships between the HHA teams, external contractors, and care providers, along with the implementation of agreed procedures and meeting of service level agreements.

This policy will be adapted to respond to future legislative or regulatory changes and will be reviewed annually by the HHA Board.

## 2. Corporate Responsibilities

HHA has a duty of care to ensure that tenants, employees and visitors can safely use their buildings and facilities. As a Registered Provider (RP), HHA are dutybound to meet the requirements set out in the Homes & Community Agency (HCA) framework of Consumer Standards. The Home Standard forms part of this framework, and it is explicit in the standard that RPs are required to meet all applicable statutory requirements that provide for the health and safety of occupants in their homes.

Overall and final responsibility for meeting the Home Standard and ensuring Property Compliance is delivered across all relevant properties and buildings is vested in HHA's Board of Directors. As such, the Board will formally approve this policy and review it periodically.

Board Directors have chosen to delegate the operation and facilitation of this policy to the Managing Director. It is the responsibility of management to ensure that the provisions of the regulations and relevant statutory provisions are observed.

Within Property Compliance, there are specific requirements around a Responsible Person for some compliance areas. Where relevant, these roles are detailed in the 6-area specific Property Compliance policies.

## 3. Statutory Responsibilities

This section sets out the main areas where HHA has a Property Compliance related responsibility or duty to abide by legislation or regulatory requirements for the maintenance, inspection and servicing of the structure of, or equipment in buildings across their portfolio, specifically:

- Tenants' homes
- Non-domestic areas and buildings, e.g. Offices and communal or shared spaces that are associated with tenants homes

There is a plethora of legislation that sets out landlord responsibilities relating to property compliance. HHA is the 'landlord' by virtue of the fact that they manage homes and buildings that house tenants.

#### a) Asbestos Management Policy

The Control of Asbestos Regulations 2012 imposes a duty to manage asbestos in non-domestic properties. For HHA this is relevant to buildings including offices and communal or shared areas located in buildings in which tenants reside.

The Asbestos Management Policy sets out HHA's approach to ensuring that their responsibilities as a landlord are met in this area of compliance.

#### b) Electrical Safety Policy

The Landlord and Tenant Act 1985, the Electricity at Work Regulations 1989, and the Electrical Equipment (Safety) Regulations 2016 place various duties on landlords to help ensure the safety of tenants in their homes, and visitors, and the safety of staff and contractors working in their homes.

The legislation requires landlords to ensure that electrical installations in rented properties are safe when a tenancy commences and are maintained in a safe condition throughout the life of the tenancy.

Landlords must also manage and / or mitigate risks associated with electrical installations in non-domestic properties and with electrical portable appliances.

The Electrical Safety Policy sets out how HHA ensure their responsibilities as a landlord are met by delivering an Electrical Installation Condition Report (EICR) programme and ensuring that Portable Appliance Testing (PAT) is undertaken.

#### c) Gas and Carbon Monoxide Safety Policy

Landlord responsibilities relating to gas safety are set out in the Gas Safety (Installation and Use) Regulations 1998 (updated November 2022) which is supported by the Health & Safety Executive's Approved Code of Practice 1998.

The legislation requires landlords to ensure that all gas appliances, fittings, and flues provided for tenants are safe and well maintained. This must be done via an annual safety check and accompanied with the completion of a Landlord's Gas Safety Record (LGSR).

The requirement for social landlords to use carbon monoxide alarms in their homes was introduced in October 2022 as part of the Smoke and Carbon Monoxide Alarm regulations.

The Gas & Carbon Monoxide Policy sets out HHA's approach to ensuring that their responsibilities as a landlord are met in these areas of compliance.

#### d) Fire Safety Policy

The Regulatory Reform (Fire Safety) Order 2005 requires landlords to carry out a fire risk assessment across their properties. Fire detection and firefighting equipment is also required by law as is the provision of emergency lighting in communal or shared spaces.

British Standards are in place to support relevant fire safety legislation and ensure consistency in safety provision across the industry, and HHA have adopted these.

The Fire Safety Policy sets out HHA's approach to ensuring that their responsibilities as a landlord are met in this area of compliance.

#### e) Lift and Lifting Equipment Policy

HHA have an obligation and duty of care under the Health & Safety at Work Act 1974 to ensure all passenger lifts and lifting equipment is kept and maintained to a safe standard for use by tenants, employees, and the public.

The Lift and Lifting Equipment Policy sets out HHA's approach to ensuring that their responsibilities as a landlord are met in these areas of compliance.

#### f) Water Hygiene Safety Policy

As a landlord, HHA is responsible for ensuring that the risk of exposure to legionella in residential premises is properly assessed and controlled. The Approved Code of Practice L8: Legionnaires Disease – The Control of Legionella in Water Systems (ACOP 8) sets out what landlords must do in non-domestic premises and common or shared spaces.

All water systems require an assessment of risk with water safety risks being assessed through the Housing Health and Safety Rating System (HHSRS).

The Water Hygiene Safety Policy sets out HHA's approach to ensuring that their responsibilities as a landlord are met in these areas of compliance.

## 4. Documentation and Record Keeping

HHA will ensure that records relating to Property Compliance activity are accurate, accessible, and updated regularly. This includes, but is not limited to works involving servicing, risk assessments and remedial repairs and maintenance works.

Certification and any other relevant documentation must be completed in accordance with the associated statutory regulations and available for inspection where required.

Internal audits on the Property Compliance services provided by HHA will be undertaken annually, which will include sample checking of certificates. We will also commit to external auditing periodically to ensure quality.

## 5. Qualifications and Training

HHA will either employ directly or procure the services of appropriately trained and qualified personnel in carrying out its statutory responsibilities.

Where statutory Responsible Persons are required, these are specified in the relevant property compliance policies.

HHA will always insist that any third-party contractor used to deliver Property Compliance works will be accredited with a relevant governing body, e.g. Gas Safe.

## 6. Performance and Risk Monitoring

Property Compliance risks are recorded on the risk register, which is reviewed quarterly by the board.

HHA will ensure there are effective contract management arrangements in place, e.g. regular client-led meetings with minutes being produced, where budget, key performance measures and programmes of work can be scrutinised.

The Repairs Manager has day to day oversight of performance and risk monitoring in relation to Asbestos Safety.

## 7. Equality, Diversity & Inclusion

HHA will ensure the requirements of the Equality Act 2010 are met.

Actions under this policy will ensure that all customers will be treated fairly, with dignity and respect regardless of their age, disability, gender or gender reassignment, marital status or civil partnership, pregnancy and maternity, race, religion and belief, sex and sexual orientation.

Vulnerabilities of HHA tenants and their individual circumstances will be taken into account when enacting this policy.

## 8. Document Control

Version Number	Description of Change(s) Applied and Reason	Author of Change	Date approved by board