



Rechargeable Works

Status: Approved

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| Policy Lead : | Executive Director – Customer Experience |
| Owned By : | Repairs Lead |
| Date Approved: | 17 th January 2023 |
| Approved By : | BHA Board |
| Review Date: | January 2026 |
| Regulatory / Legislative Considerations/ References | <p>This Policy shall be reviewed by Operations Committee, with delegated authority by BHA Board upon approval.</p> <p>BHA will comply with all relevant legislation, regulations, performance standards or any targets set down by the Scottish Housing Regulator in terms of all Rechargeable Work.</p> <p>BHA recognises that confidentiality is important to tenants and will treat their tenancy information in the strictest confidence under the Data Protection Act 2018 and the general data protection regulation (GDPR).</p> |
| Other Documents to be read in conjunction with this policy : | <p>This document should be read in conjunction with:</p> <ul style="list-style-type: none"> • Complaints Policy • MIS Workflows • Rechargeable Works Procedure • Asset Management Strategy • Debt Recovery Process |

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| | <ul style="list-style-type: none">• Tenant Handbook• Tenancy Agreement• Right to Repair Legislation• Lettable Standard• Scottish Social Housing Charter• SHR Regulatory Framework• Housing (Scotland) Act 2010• UK General Data Protection Regulation |
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| Policy Title: | Rechargeable Works Policy |
| Purpose / Aim / Scope of Policy: | To issue Policy directive to colleagues when making determination over whether our customer(s) have incurred Rechargeable Works and therefore are eligible to be pursued for incurred expenses to BHA. |
| Definitions: | Rechargeable Works - BHA's conditions of tenancy set out the repair's responsibilities of both landlord and customer. Any work that is the customer's responsibility is outlined in the Association's Tenant Handbook and on our website. BHA is not responsible for repairing damage which has occurred as a result of neglect, carelessness or willful damage by the customer, other residents or visitors. The customer will be required to make good any damage, deliberately caused by him/her or any member of the customer's family/visitor to the customer's home. |
| Approval Source: | BHA Board (to be reviewed by Operations Committee) |
| Equality Impact Assessment: | <p>BHA's Rechargeable Works Policy complies with BHA's Equality Policy to ensure equality of treatment for all customers without discrimination or prejudice. At all times BHA will therefore consider all customers, regardless of sex, faith or religion, race, ethnic origin, sexual orientation, mental or physical health, disability, or marital status.</p> <p>There is no specific dispensation for customers who are vulnerable. In very specific circumstances a decision as to whether to recharge will be based on the customer's individual situation and works in question.</p> |
| Sustainability Assessment: | No direct implications or requirements. |
| Partnership Assessment: | No direct implications or requirements. |
| Glossary of Terms | |
| Risk Implications: | BHA's Business Plan assumes that rechargeable works will be pursued and recovered where appropriate. We therefore seek to mitigate against business risk through maximising our recovery of rechargeable works and managing rechargeable works in an efficient, effective, and economic manner. |

1. INTRODUCTION

This policy outlines the broad principles that will be used by Berwickshire Housing Association (BHA) in the management of all types of Rechargeable Works.

The Rechargeable Works Policy has been approved by the Operations Committee and will be operated by officers of BHA.

2. POLICY AIMS AND OBJECTIVES

The Rechargeable Works Policy aims to ensure that the Association appropriately identifies, records, monitors and recovers costs associated with any Rechargeable Works. The main objectives of this policy include:

- Ensuring that all rechargeable works are explained and agreed with all customers and evidenced by photographs/signed paperwork; this will remove the potential for future complaints in this area.
- Ensuring that housing management systems, workflows and procedures are established to enable the Association to comply with its duty in relation to rechargeable works.
- Providing a prompt, efficient and cost-effective rechargeable service for repairs, voids and other any other qualifying works.
- Operating an effective rechargeable process and monitoring system.
- Ensuring that all internal functions make the appropriate contribution to the monitoring and recovery of rechargeable works.
- The housing management systems, workflows and procedures ensure the rechargeable works process is carried out efficiently, effectively and economically for both Association and customer.
- Ensuring that audit trails exist in the rechargeable workflows and procedures.
- Ensuring that reporting systems are in place to promote feedback to monitor the complete rechargeable process and provide accurate data as evidence if questioned in this area:
- Reviewing policies, procedures, workflows, and systems regularly to ensure they are up to date and reflect current best practice guidance and legislation and;
- Respond promptly to missed payments, establishing early contact if arrears persist and work with the customer in endeavoring to pursue full recovery of rechargeable repairs debt.

3. RECHARGEABLE WORKS

Rechargeable repairs occur where there is a need to carry out a repair and it is reasonable for BHA to conclude that the repair was the customer's responsibility and necessary as a direct or indirect result of their actions.

Examples of circumstances where BHA will recharge customers for the full costs associated with a repair, include where repairs are required because of:

- Vandalism, negligence, destructive actions by the customer or visitor to the property or;
- Where no action by the Association could result in serious damage to the property and / or neighbouring homes.

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- Wilful damage (where this is due to vandalism, it must have been reported to the Police).
- Forced entry to a property for a gas service or any other gas safety issues.
- Forced entry is required owing to lost keys.
- The emergency call-out system being misused; and
- No access to specifically arranged jobs, such as emergencies.

In these circumstances, the Association may undertake a repair but recharge the relevant customer for the costs incurred. Recharges will be determined by using a list of common recharge works from the schedule of rates with specific costs allocated to these codes. Where a customer reports such a repair, the Association will:

- Advise of the customer's responsibilities under the terms of the Tenancy Agreement with respect to payment of recoverable charges.
- Seek to obtain the customer's agreement prior to any work being instructed, unless in an emergency situation; and
- Seek to recover sums due in line with the Association's debt recovery processes.

Emergency Works

When an emergency rechargeable repair is reported, the customer, or the person reporting the repair on the customer's behalf, will be advised that the repair will be recharged in terms of the conditions of tenancy. The Association will only complete works of an emergency or Health & Safety nature, where failure to act could result in personal risk and / or damage to the property and / or neighbouring homes. *If we have satisfied ourselves that there is a risk to the customers personal health and safety and if the customer is unable to pay up front because the damage has occurred i.e., during unsociable hours, in this instance we will carry out the repair and invoice thereafter.*

Routine Repairs

Where a routine repair is carried out and it is reasonable to conclude that the repair was the customer's responsibility and necessary as a direct or indirect result of their actions, the customer will be recharged the full cost of the repair (e.g., as a result of vandalism, police forcing entry with a lawful warrant, damage or neglect to the component or property).

If a customer wishes BHA to complete a routine repair that is rechargeable they will be required to sign a mandate for the works to be carried out and to confirm that they will pay for the works along with the associated administration charge. They will be required to pay the costs of the repair in advance of works being instructed.

4. FINANCIAL CALCULATION

Rechargeable works are calculated as per cost for works to be completed by the contractor plus 20% VAT.

5. DEBT RECOVERY

The Association will take all reasonable steps to recover the costs associated with rechargeable works in line with BHA's established debt recovery processes. This may include small claims action or legal action if appropriate.

Customers with outstanding debt in relation to rechargeable repairs, and who are not making any reasonable attempt to pay, may only receive a statutory repairs service, i.e., wind & watertight, until a payback arrangement has been agreed and maintained for a period of at least three months.

6. PROACTIVE PREVENTION

BHA will be pro-active in preventing recharges by:

- Discussing repair responsibilities with new customers at home visits; tenancy checks; pre-termination visits; pre-transfer and mutual exchange visits.
- Carrying out full pre-termination and mutual exchange inspections with the customer present and reminding customers both verbally and in writing on how to avoid recharges. Signed paperwork by both the Repairs Manager and customer will be used.
- Evidencing discussions with customers about recharges (written and pictorial).
- Sending a letter to customers when the recharge work is raised allowing 7 working days for the customer to query the decision.
- Regularly reminding customers of our rechargeable processes in newsletters, websites, and all other forms of correspondence.

7. TRAINING

BHA will ensure that the relevant colleagues have the appropriate level of skills and knowledge to deal efficiently with Rechargeable Works.

8. POLICY REVIEW

This Rechargeable Works Policy has been approved by the Board of BHA and will be subject to regular review in accordance with BHA's policy review procedures.

BHA will publicise its Rechargeable Works Policy through our website and internally on the intranet. Hard copies are available on request as are other formats.

BHA will typically review its methodology for managing Rechargeable Work every three years or sooner if required by statutory, regulatory or best practice requirements.