

# East Lothian Council Voids Management Policy - Draft Consultation Version - May 2019

## Contents

Introduction

Section 1: Background

Section 2: Purpose of the Policy

Section 3: Principles of the Policy

Section 4: Legal Framework

Section 5: Related Policies, Procedures & Standards

Section 6: Property Management

Section 7: Tenancy Management

Section 8: Performance Management

Section 9: Continuous Improvement

Section 10: Appendices

Section 11: Privacy Statement

East Lothian Council can provide information in user friendly versions in other formats, for example, braille, large print, audiotape. We can also provide signers and interpreters for council business. Phone **01620 827199** for more information.

**Urdu**

ایسٹ لوڈین کونسل آپ کو ایک آسان انداز میں آپ کی اپنی زبان میں معلومات فراہم کر سکتی ہے۔ ہم کونسل کے کام کیلئے ایک مترجم کا انتظام بھی کر سکتے ہیں۔ مزید معلومات کیلئے برائے مہربانی رابطہ فرمائیں: **01620 827199**۔

**Punjabi**

ਈسٹ لੋڈیਅਨ کੌਂਸਲ ਤੁਹਾਡੀ ਜ਼ਬਾਨ ਵਿਚ ਸੌਖੇ ਢੰਗ ਵਾਲੀ ਜਾਣਕਾਰੀ ਪ੍ਰਦਾਨ ਕਰ ਸਕਦੀ ਹੈ। ਕੌਂਸਲ ਦੇ ਕੰਮ ਕਾਰ ਵਾਸਤੇ ਅਸੀਂ ਇੰਟਰਪ੍ਰੈਟਰ ਵੀ ਪ੍ਰਦਾਨ ਕਰ ਸਕਦੇ ਹਾਂ। ਹੋਰ ਜਾਣਕਾਰੀ ਲੈਣ ਲਈ ਕਿਰਪਾ ਕਰਕੇ ਇਸ ਨੰਬਰ ਤੇ ਡਾਲ-ਮੋਲ ਕਰੋ: **01620 827199**

**Polish**

Samorząd Regionu East Lothian dysponuje informacjami w Twoim własnym języku. W razie potrzeby zapewniamy również pomoc tłumaczy. Więcej informacji pod numerem: **01620 827199**

**Chinese**

東路芙茵郡議會可以使用你的語言提供服務使用者容易明白的資料。我們可以為郡議會的服務提供翻譯。如果需要進一步的資料。請電：**01620 827199**。

**Bosnian**

Vijeće za područje East Lothian-a u mogućnosti je pružiti Vam informacije na Vašem jeziku u pristupačnom i jednostavnom formatu. Osiguravamo usluge prevodioca za zdravstvo, školstvo, socijalni rad, i ostale vladine i lokalne službe. Za informacije molimo Vas obratite se na telefon: **01620 827199**.

**Albanian**

Keshilli i East Lothian ju ofron informata ne gjuhen e juaj ne nje version te afert. Ne gjithashtu ofrojme perkthyes per punet e keshillit. Per informata me te shumta, ju lutem kontaktoni : **01620 827199**.

## Introduction

The East Lothian Council Void Management Policy sets out how we deal with empty (void) houses. It covers how we manage vacant tenancies and maintain empty houses.

Managing empty houses (Voids Management) is an important part of the work of both the Community Housing and Property Maintenance Sections. We must make sure that staff and customers understand the process. We must comply with the law and follow best practice. We must also try to ensure that we are always improving our performance.

### How to use this document

Section 1 gives the background to the new Voids Management Policy.

Section 2 outlines the purpose of the Policy.

Section 3 describes the underlying principles of the Policy.

Section 4 sets out the laws that apply to it.

Section 5 covers other East Lothian Council policies and procedures, and looks at their effect on our voids management process.

Section 6 describes the way that we deal with the maintenance of empty houses.

Section 7 sets out how we will communicate with our customers throughout the process.

Sections 8 and 9 consider continuous improvement. It sets out who is responsible, and methods for performance monitoring and setting the timescales for review.

Section 10 includes the Lettings Standard and Void Clean Standard.

Section 11 sets out the Council's Privacy Statement under GDPR

## Definitions

**House** means home, that is part of a building or a whole building that is used as a separate home. This may include gardens and structures within the grounds of the house.

A **Mainstream** house is a house that is permanently occupied as a Secure Tenancy.

**The Policy** is the East Lothian Council Void Management Policy.

**Termination date** means the date on which the tenancy of a house ends. In relation to Statutory Performance Indicators, **void** means the time that a house is empty, from the time that the old tenancy finishes to the time that the new tenancy begins. However in relation to the Policy, a **void** means the whole voids process. This runs from the time that we receive notice of the termination of the tenancy from the old tenant to the time of our settling-in visit to the new tenant.

**Notes** East Lothian Council (ELC) is referred to as 'we' or 'us' throughout this document.

DRAFT

## Section 1 Background

East Lothian Council's current Void Management Policy was introduced in October 2006. It has been in operation for several years with some small changes introduced over the last few years, most recently an Operational Review in 2009.

As part of the Council's Audit Plan 2016/17 a review was undertaken of the Housing Voids process and a number of Internal Audit Recommendations were made.

We carried out a Void Policy Review to improve performance and customer satisfaction.

One of the project's main objectives was to review and improve the current Void Standard and Procedures. We felt that the best way to achieve this was to review our current Voids Management Policy.

We formed a working group to consider all aspects of void management. The group consisted of:

- Officers and Managers from the Community Housing, Property Maintenance, Central Heating Team and Homelessness sections
- Representatives from East Lothian Tenants and Residents Panel (ELTRP).

The working group reviewed the Voids Management Policy and a number of associated processes.

## Section 2 Purpose of the Policy

The Voids Management Policy will:

- update both the current East Lothian Council Void Policy and Void Standards;
- describe the underlying principles of our approach to the management and maintenance of empty houses;
- explain the law relating to the management of void properties;
- ensure that we apply Voids procedures for tenancy management and maintenance of empty houses consistently across the county;
- set minimum standards of work that we must carry out on every void house, and the balance of repairs that we must carry out before and after a property is re-occupied;
- provide the basis of the information contained in the *Lettings Commitment*;
- clearly establish our responsibilities and those of our customers throughout the voids process;
- ensure continuous improvement in the voids process

## Section 3 Principles of the Policy

The following principles underpin the Policy:

- The Voids Management Policy is an important housing management policy. The overall aim of the Policy is to provide good management of void properties and limit void periods in order to maximise rental income, provide a quality service and to meet housing need. We must involve tenants and other service-users in its development and implementation.
- We will ensure that we bring void properties to a lettable standard as quickly as possible. However, this must not be at the expense of the quality of workmanship, nor should it compromise the health and safety of staff, sub-contractors or prospective tenants.
- The Policy will apply to all East Lothian Council mainstream tenancies and temporary accommodation.
- We will strive to ensure that we match prospective tenants with empty properties as soon as we can, and make sure that these tenancies are sustainable.
- We will ensure that the policy and the procedures followed in the management of void properties comply with legal duties, regulatory requirements and good practice standards.
- We will ensure that all service-users are treated equally in the service they receive under the terms of the Voids Management Policy.
- We will make the Policy and any associated documents available to all staff, stakeholders, tenants, applicants and the general public. These are available, on request, in different languages and in other formats such as in large print, audiotape and Braille. We will also publish it on our Internet and Intranet sites.

## Section 4 Legal Framework

We must ensure that we comply with current legislation in all aspects of our work. We have considered the following legislation in developing our Voids Management Policy.

### The Housing (Scotland) Acts

The *Housing (Scotland) Act 2001* (The '2001 Act') has the greatest effect on the Voids Management Policy. This states that before a new tenancy begins, we must make sure that all our properties are wind and watertight and reasonably fit for human habitation. It also says that we must tell prospective tenants of any work that we need to carry out to meet these requirements. To be fit for human habitation, a house must meet the 'Tolerable Standard', which is set out in the *Housing (Scotland) Act 1987*, (as amended).

The 2001 Act also governs how we deal with abandoned properties. If we have to remove any belongings left in an abandoned house, we must follow *The Scottish Secure Tenancies (Abandoned Property) Order 2002*.

The 2001 Act also gives outgoing Scottish Secure Tenants the right to claim compensation for any improvements that they have made to the house after 30 September 2002. To claim compensation for improvements undertaken before this date, but after 1 April 1994, *The Secure Tenants (Right to Compensation) (Scotland) Regulations 1994* apply.

The 2001 Act also says that we must consult tenants about any changes in our housing-related policies.

### Regulation

The Housing (Scotland) Act 2010 requires Scottish Ministers to set standards and outcomes which social landlords should aim to achieve, and to publish these in a Scottish Social Housing Charter. We have identified the standards that are directly relevant to our voids policy process, and have considered them in the development of the Policy.

This Act also created the Scottish Housing Regulator as an independent regulator directly accountable to the Scottish Parliament. The Regulator's statutory objective is to safeguard and promote the interests of current and future tenants, homeless people and other people who use services provided by social landlords.

Under the *Local Government in Scotland Act 2003*, we must show Best Value in all aspects of our work. Best Value means continuous improvement in our



performance. Audit Scotland monitors all Scottish local authorities for Best Value.

## **The Scottish Housing Quality Standard**

The Scottish Executive issued *The Scottish Housing Quality Standard (SHQS)* in 2004. It sets out a decent homes standard. All socially rented accommodation in Scotland was required to meet this standard by 2015. We continue to ensure our properties meet the (SHQS).

## **Health and Safety**

*The Health and Safety at Work etc. Act 1974* says that we must consider the health and safety of all employees, sub-contractors and members of the public in all aspects of our work. The Management of Health and Safety at Work Regulations (2006 Amendment & 1999) make explicit requirements that we must meet to manage health and safety under the 1974 Act. For example, we must carry out risk assessments in our places of work and provide adequate health & safety training to our employees.

## **Equalities**

The Equality Act 2010 means that everyone has the right to be treated fairly. It protects people from discrimination on the basis of certain characteristics - known as 'protected characteristics'. These are age; disability; gender reassignment; pregnancy and maternity; race; religion or belief; sexual orientation; sex; marriage and civil partnership.

The purpose of the Public Sector Equality Duty in section 149 of the Equality Act 2010 is to place a general duty on East Lothian Council to ensure that our services are designed to meet the diverse needs of the community and that we build inclusive services. The duties include the responsibility to eliminate unlawful discrimination, harassment and victimization, to advance equality of opportunity and to foster good relations.

In line with East Lothian Council's positive approach to achieving equal opportunities, an integrated impact assessment has been carried out on this policy.

## Energy performance

Under *The Energy Performance of Buildings (Scotland) Regulations 2008* we must ensure that a valid Energy Performance Certificate is made available to prospective tenants.

The Energy Efficiency Standard for Social Housing (EESH) was launched by the Scottish Government in March 2014. The EESH categorises the property and fuel types by which housing stock should be apportioned, and sets out the ratings to be achieved by each property. The EESH will contribute towards the carbon emissions reduction targets set by the Climate Change (Scotland) Act 2009. The Scottish Housing Regulator (SHR) will monitor and report on social landlords' compliance with the EESH. From 2015/16, all social landlords are expected to submit data to SHR on their compliance with the EESH on an annual basis. The Policy will take into account any future guidelines and standards under EESH.

## Section 5 Related policies, procedures and standards

Managing empty houses involves many areas of our business. Other housing policies, procedures and service standards affect it. We describe some of these in the following section.

### Tenancy Agreements

All East Lothian Council tenants have either an East Lothian Scottish Secure Tenancy (SST) or an East Lothian Short Scottish Secure Tenancy (SSST). This sets out their rights and responsibilities under the *Housing Scotland Act 2001* and the *Housing Scotland Act 2014*.

We set out the rights and responsibilities of people that we have placed in temporary accommodation in an East Lothian Council SSST.

### Policies

We allocate vacant mainstream tenancies to applicants according to the *East Lothian Council Allocations Policy*.

We set out our responsibilities and those of our customers for repairs in the *East Lothian Council Repairs and Improvements Policy*.

All staff undertaking work as part of the void procedure should have received health and safety training appropriate to their workplace. We have carried out appropriate risk assessments for job roles, job locations, and specific risk

issues. We also have corporate and more specific departmental safety policies in place.

We have produced a *Tenant Participation Strategy* in conjunction with East Lothian Tenants and Residents Panel. This sets out how we will ensure that tenants continue to shape our housing policies and decisions.

## **Procedures**

We have developed detailed Void Procedures for all staff involved in the Voids process, including Settling-in visits to new tenants.

The *Decoration Incentive Policy* guides how we manage decoration packs that we provide to incoming tenants.

We follow the *East Lothian Council Abandoned Tenancy Procedure* when tenants have left their homes without giving us the required notice.

We follow the *East Lothian Council Abandoned Belongings Procedure* when belongings have been left in abandoned houses, or when the tenant has been evicted.

We make any recharges resulting from work carried out on behalf of tenants in line with the *East Lothian Council Recharges Procedure*, as set out in the *Repairs and Improvements Policy*.

Where outgoing tenants make a claim for compensation for any improvements they have carried out, we follow the *East Lothian Council Compensation for Improvements Procedure*.

We record the day-to-day management of void houses on our IT systems.

## **Standards**

The *Void Property Standards* set out the standard maintenance conditions, including the timescales for completion, which we will meet for each mainstream void.

The *Lettings Commitment* is a customer-focused summary of the Voids Property Standards. It tells new tenants the level of service and standard conditions they can expect of their new home. The *End of Tenancy Checklist* sets the standard for the conditions in which the tenant should return the house to us when the tenancy ends.

We have a rolling programme of kitchen and bathroom replacements. These comply with the *East Lothian Council Kitchen Standard* and *East Lothian Council Bathroom Standard*.

We clean all void properties in line with the East Lothian Council Void Clean Standard.

## **Section 6 Property management**

We want to make sure that we bring all empty properties to a lettable standard as quickly as possible. We will make sure that we carry out required repairs before the new tenant moves in, with all others done after occupation.

### **Planning Repairs**

We will assess what work we need to carry out to meet our Void Property Standards. We will carry out all work needed to make sure that the property meets our Lettings Commitment (Appendix 1) before we re-let the property. The new tenant will be provided with information on any post allocation repair work required. The tenant is then responsible for arranging these repairs by contacting East Lothian Council's Contact Centre.

### **Void Property Standards**

#### **General**

We will make sure that all properties are made structurally stable, wind and watertight, and free from dampness before we re-let them.

#### **Asbestos**

We will carry out an Asbestos Check/Inspection on all properties. If we think that a house contains asbestos, we will arrange for samples to be taken for further analysis. We will record the results of this analysis and will arrange any necessary remedial action.

#### **Energy Supply**

All houses should have a supply of electricity and/or gas. Our preferred energy supplier will try to ensure that all prepayment meters are clear of debt and install a meter where required.

#### **Electrical**

We will arrange for a full electrical safety check to be carried out before the property is re-let. We will leave an information label on the electric meter to let new tenants know that this work has been done.

We will make sure that all repairs to electrical circuits, sockets and fittings are done before we re-let the property.

### Gas

We will arrange for a contractor to carry out a full gas safety check as soon as we can before we re-let the property. We will give new tenants a copy of the Landlord Certificate when we let the property to them.

We will make sure that all repairs to gas fittings are done before we re-let the property.

### Heating

We will make sure that all heating systems are in full working order, and provide instructions to new tenants should they be required.

We will replace solid-fuel and open-fire systems with alternative heating as follows:

Current Heating Type	Mains gas available	New Heating Type
Open fire	Yes	Gas
Open fire	No	Electric or Air Source Heat Pump System
Solid fuel appliance e.g. Rayburn, closed fire	Yes	Gas
Solid fuel appliance e.g. Rayburn, closed fire	No	Incoming tenant has option to retain solid fuel appliance*, replace with Electric Heating or Air Source Heat Pump System.
* Provided the appliance passes a safety check.		

### Energy Performance Certificate

We will ensure that a valid Energy Performance Certificate is displayed in the property.

### Kitchens

We will make sure that all kitchens are in working order before we re-let them.

Each kitchen will have at least:

- a sink with a hot-and-cold water supply;

- a sufficient worktop area;
- space for a cooker, washing machine and refrigerator.

If there is already a gas cooker pipe in place, we will make sure that the pipe is capped when it is decommissioned before we re-let the property. We will make sure that an electrical cooker connection is in place before we re-let the property.

The new tenant is responsible for the re-connection of cookers. In the case of gas cookers, an approved gas fitter must carry out this work. Tenants must also get our written approval for this work.

### **Bathrooms**

All bathrooms will be made fully operational prior to re-letting.

Each bathroom will have at least:

- either a bath or shower
- a wash-hand basin with a hot-and-cold water-supply
- a WC and Cistern

### **Floors**

We will ensure that all floor-coverings are removed (except those we have fitted as part of capital improvement work) before we re-let the property. In exceptional circumstances an agreement can be made with the Community Housing Officer to leave floor coverings.

We will make sure that floor surfaces (including stairs) are clean, free from holes and trip-hazards. We will do any necessary work before we re-let the property.

### **Walls and Ceilings**

We will make sure that all wall and ceiling finishes, skirting and facings are sound and free from significant holes.

We will remove all polystyrene ceiling tiles, cornices and coving before we re-let the property.

### **Decoration**

The new tenant is responsible for the decoration of the house. This includes filling work and removing wallpaper. We may offer a one-off Paint Pack for Decoration following assessment.

### **Internal Doors**

We will fit all glazed internal doors with safety film/glass, or replace them with flush doors.

### **External doors and windows**

When the new tenant moves in, we will fit new locks and give them at least two keys to each external door.

We will make sure that all windows work properly, and will secure them while we are working on the void property. For fire safety purposes, we must leave all windows unlocked, and we will remove the keys for lockable windows before we re-let the property.

### **Cleaning**

We will clean the house before we re-let the property according to the East Lothian Council Void Clean Standard (Appendix 2).

### **External areas**

We will make sure that all paths and steps in the grounds of the house, for which we are responsible, are sound and free from trip-hazards. We will remove all other paths and hard landscaping unless the new tenant agrees to accept responsibility for maintaining these during their tenancy.

We will remove temporary external buildings (for example, sheds, wooden garages, greenhouses etc.) unless the new tenant agrees to accept responsibility for maintaining these during their tenancy.

We will not maintain satellite dishes or television aerials, these are the responsibility of the tenant. We will remove any such fittings that we think are unsafe.

We will make sure that permanent external structures (garages, coal bunkers etc.) are in working order.

We will carry out a one-off cut/tidy up of the garden, prior to a new tenant moving in.

We will remove all graffiti within the grounds of the house before we re-let the property.

All gardens and external buildings will be clear of items, including garden furniture and garden refuse.

Where existing drying areas exist, we will make sure that there are enough clothes poles.

We will make sure that all fencing for which we are responsible is safe and intact and that gates are in working order.

### **Temporary Accommodation**

In general, houses used for temporary accommodation will meet the void property standards set out for mainstream voids. However, we must also ensure that these properties are decorated to a good standard and have serviceable furniture. We will check on decoration and furniture once the previous tenant leaves (Post-Occupancy Inspection). This will help them to plan any necessary work for these properties.

### **Adaptations to Void Properties**

Properties will be categorised as either adapted or adaptable, if they are deemed as suitable for an applicant with disabilities. Where any adaptations or fixed equipment are installed in a property which becomes void these will be retained. Properties with 'major' adaptations will be allocated to applicants who require the adaptations as far as is possible.

Major adaptation/extensive works are defined as permanent structural changes to the property e.g. ramps, widening to permit wheelchair manoeuvre, alterations to kitchens and bathrooms.

If a new tenant has been assessed as requiring further adaptations to meet their needs these would be added to the Adaptations Programme and would be completed post occupancy allowing new tenants to move into more suitable accommodation sooner.

## **Section 7 - Tenancy management**

### **Ending a tenancy**

Tenants must give us 28 days' notice of when they want to end their tenancy, except:

- where a tenant is transferring to another East Lothian Council tenancy
- where a tenant is transferring to a tenancy with another local authority in the UK
- where a tenant is moving to a Housing Association tenancy in the UK
- where a tenant has died

### **Pre-termination Inspection**

We will carry out a Pre-termination Inspection as soon as possible following receipt of a termination notice. This inspection will provide the tenant with details of what is expected of them prior to terminating their tenancy as set out below:



On leaving their home, tenants should ensure that:

- All rooms are cleared and left in a clean and hygienic condition
- All windows are left clean inside and out
- The loft is cleared of all items
- The house is left in good decorative order
- Fixtures and fittings, which were installed without Landlord's Consent are removed
- Missing fixtures and fittings are replaced
- Damaged fixtures are replaced
- All floor coverings are removed
- Gardens and outbuildings are left tidy and cleared of all items
- All keys, including door entry keys and key fobs, are returned by 10am on the tenancy end date
- All debt is cleared on gas or electric prepayment meters
- All keys or payment cards for the meters are left in the property

We will make outgoing tenants aware of their responsibilities when leaving the house. However, if they fail to meet their responsibilities, we will arrange for the work to be done on their behalf. We will recharge all such work to the outgoing tenant(s). We will ensure that photographic evidence is used when determining the rechargeable work.

#### **When an Outgoing Tenant Leaves**

The tenant must return the keys by 10am on the date that the tenancy ends ('the tenancy end date'). East Lothian Council must agree this date with the tenant. If the tenant returns the keys by this time, we will end the tenancy on the agreed end date. If the tenant returns the keys after this time, we will continue the tenancy on a day-to-day basis, until the keys are returned.

#### **Post-termination Inspection**

We will inspect all houses as soon as possible after the outgoing tenant leaves to:

- Identify the work needed to make sure the property meets our Void Property Standards
- Identify any work required which the previous tenant should have carried out as part of their responsibilities.
- Take photographs to the condition of the property, when there is rechargeable work.
- We will assess the need for future work, for example; adaptations to meet the needs of disabled customers, or work required to meet the Scottish Housing Quality Standard/ESSH.
- Take meter readings at the inspection, and will pass them to our preferred energy supplier as soon as possible.

- Conduct an Energy Performance Survey

### **Compensation for Improvements**

We will remind tenants of their right to receive compensation for improvements when moving into a house and on leaving a house.

### **Incoming Tenants**

At the start of a new tenancy, we will hand the keys over to the tenant at the house. We will ask them to sign a New Home Mandate. This confirms that they agree that the house meets our Lettings Commitment. We will also be able to ask the new tenant to assure us that they accept responsibility for:

all temporary external buildings (that are not our responsibility) that have been left at their request

all landscaping (that is not our responsibility) that have been left at their request.

Satellite dishes and/or TV aerials

Carpets or flooring which have been left in situ

We will also ask the incoming tenant to assure us that they agree with final electrical and gas meters readings.

### **Settling-in Visits**

We will arrange a settling-in visit with all new tenants. We will make this visit between two and eight weeks from the start of the tenancy. This visit lets us see that the tenant is meeting their obligations and find out about any problems they may have in doing so.

## **Section 8 - Performance Management**

Effective void management means that we should turn around void properties as soon as possible while ensuring that they meet the prescribed lettings standard. There are two types of void properties:

- Minor voids - only minor repairs needed to a property, allowing us to keep the void time to a minimum and allocate a property to a new tenant as soon as we can.
- Major voids - These are void properties that are generally uninhabitable where there are major repairs needed to make the property safe before a new tenant can move in e.g. structural works, dampness, roof repairs etc.

We will also ensure that the number of properties vacant at any time is kept to a minimum.

We will set clear targets against both void types to ensure that we are meeting these objectives. We will also monitor our performance regularly, and take

necessary action where required. Statutory Performance Indicators help us monitor our collective voids performance. However, we have to recognise that voids can vary greatly in the level of work needed to turn them around.

### **Targets and Management Information**

We will set clear internal targets for various types of void. These targets will focus on:

- Void turnaround times
- Quality of maintenance work, including cleaning
- Customer satisfaction

Where possible we will try to find out why properties become void, and use this information to guide our policies and practices to help us reduce void turnover and increase sustainability.

### **Monitoring**

We will monitor our performance using the following methods:

- system-generated performance information
- quality checks
- Customer feedback
- Tenant scrutiny

We will carry out quality checks on a representative sample of completed void houses.

We will try to get feedback on all aspects of the void process from every new tenant.

### **Improving performance**

We will regularly compare our performance against set targets. If our performance is falling short, we will look for reasons and try to put things right wherever we can.

We will let all relevant staff know regularly how we are performing. We will include void performance measures on both local and corporate performance framework. We will ensure that completed and current voids are monitored and reviewed on an on-going basis jointly between Community Housing, Property Maintenance and ELTRP.

### **Responsibility**

The Service Manager, Property Maintenance will be responsible for performance in the repairs and maintenance of void houses.

The Service Manager, Community Housing will be responsible for performance in the tenancy management aspect of void houses.

## **Section 9 - Continuous improvement**

### **Equalities**

We want to ensure that our customers have equality of access to our services.

Therefore, we will monitor our performance in the areas of:

- age
- disabilities
- gender
- race and ethnicity
- religious beliefs
- sexual orientation
- other relevant social attributes of our customers.

### **Review**

We will review the Policy every three years, or whenever there is any relevant new law during this period.

## Section 10 - Appendices

### Appendix 1

#### Lettings Commitment

What you can expect of your new home

Before you move in, we will ensure that:

- The house is structurally stable, wind & watertight and free from dampness
- All electrical circuits, sockets and fittings are safe
- The gas supply is safe and that all gas fittings have been checked for safety
- Your kitchen & bathroom are clean and fully operational
- All rooms are cleaned to a set standard
- All floor coverings will be removed, and floor surfaces are clean and safe
- All walls, ceilings and skirting's are sound and free from major holes
- The heating system is in working order, and you are given instructions of use
- All windows will be fully operational and clean inside and out
- New locks are fitted to external doors, and you are given two sets of keys
- All graffiti is removed

Some things may not be done until after you move in, such as:

- All other repairs not covered above, for which we are responsible
- A one-off tidy of your garden
- Plaster repairs, where you will be removing wallpaper

You will be responsible for:

- The internal decoration of the house, including the removal of wallpaper

## Appendix 2

### Void Clean Standard:

- Bag and remove waste from site
- Sweep/Hoover and wash hard flooring in all rooms/internal hallways with a deodorising disinfectant.
- Ensure all storage cupboards are emptied and cleaned
- Carpeted flooring - Hoover/full shampoo where specified
- Wash all internal and external windows, doors & surrounds
- Kitchen - wash all units internally and externally, worktops, walls, oven and appliances internally and externally, sink and surround ensuring a streak free result. Clean all radiators, switches and sockets
- Bathroom/toilet - wash and sanitize suite, wash all ceramic tiles, walls and all units. Sanitised strip applied to the toilet
- Bedrooms - sweep/hoover flooring, wash all window surrounds, skirting boards and doors, wash all furniture (exclusive of bedding & curtains) Clean all radiators, switches and sockets
- Living Room - sweep/hoover flooring, wash all fixed furniture, wash skirting boards, door and standards and remove excessive marks, blue tack, pins, etc. from walls where viable. Clean all radiators, switches and sockets
- Removal of all cobwebs, dust from radiators and pipe work within the area.
- Clean scuffs and dirt from paintwork where possible.
- Leave 2 air fresheners.
- Final check ensuring all tasks complete and surfaces streak free

## East Lothian Council Privacy Notice

### Section 1: Our contact details

Your personal information is being collected by:	Data Controller:	Data Protection Officer:
East Lothian Council	East Lothian Council	East Lothian Council
Community Housing & Homelessness,	Council	John Muir House
Penston House	John Muir House	Haddington
Macmerry	Haddington	EH41 3HA
Freephone 0800 413721	EH41 3HA	Telephone: 01620 827827
chsdt@eastlothian.gov.uk		Email: <a href="mailto:dpo@eastlothian.gov.uk">dpo@eastlothian.gov.uk</a>

### Section 2: Why we need your personal information

East Lothian Council provides a range of Community Housing and Homelessness Services because the law says that we must do this.

The services we provide are in the following area:

- ❖ Provision of housing options advice
- ❖ Allocation of housing stock
- ❖ Management of housing stock
- ❖ Allocation and management of garages
- ❖ Management of travelling persons' site

East Lothian Council is legally required to protect the public funds it administers. For this reason, your information may also be used to prevent and detect fraud, and we may share your information with other organisations responsible for auditing and administering public funds. For more information, please visit: [https://www.eastlothian.gov.uk/info/210598/access\\_to\\_information/12340/privacy\\_and\\_cookies/1](https://www.eastlothian.gov.uk/info/210598/access_to_information/12340/privacy_and_cookies/1)

### Section 3: Legal Information

In order for us to collect and use your information, we have to have a 'legal basis' for doing so. The legal basis for processing your personal information is:

We have a legal obligation to process your information under the following legislation:

- ❖ The Housing (Scotland) Act 2014
- ❖ Housing (Scotland) Act 2010
- ❖ Housing (Scotland) Act 2006
- ❖ Housing (Scotland) Act 2001

- ❖ Housing (Scotland) Act 1987 (as amended by The Housing (Scotland) Act 2001)
- ❖ The Homelessness (Abolition of Priority Need Test) (Scotland) Order 2012
- ❖ Homelessness etc. (Scotland) Act 2003

We are processing your information as part of our public task as a local authority.

The kinds of personal information we are collecting include:

- a. Name
- b. Previous name
- c. Address
- d. Date of birth
- e. National Insurance Numbers
- f. Information about other people that are, or will be part of your household
- g. Race
- h. Ethnic origin
- i. Housing histories
- j. Next of kin/family network information
- k. Medical/health information
- l. Criminal convictions/offences

The types of information listed in point's f-l above are known as 'special category' personal information. We need an additional 'legal basis' in order to process these kinds of information. The legal basis for processing your special category information is:

- You have given us explicit consent to process your information.
- We are obliged to process your information to provide employment, administer social security or comply with social protection law or collective agreements.
- We need to process your information to provide social care and to manage health and social care systems and services.
- Your information is of substantial public interest, according to the definition set out in the Data Protection Act 2018 (in relation to equalities monitoring only).

#### **Section 4: Sharing and transfer**

We will be sharing your personal information with the following:

- Other services within East Lothian Council, including Revenues, property Maintenance, Customer Services, Social Work and Safer Communities Team.



- Contractors appointed to carry out works or adaptations within your home.
- Other Councils and Registered Social Landlords regarding housing applications.
- Advice and support agencies where we have an authorised mandate
- NHS
- Police
- Central Government

Your personal information will not be transferred outside of the EU.

### **Section 5: How long will we keep your personal information?**

We keep your personal data in line with our data retention policy, called a Retention Schedule. For a downloadable copy of the Council's Retention Schedule, please visit our website at [www.eastlothian.gov.uk](http://www.eastlothian.gov.uk) and search for 'Retention Schedule'.

### **Section 6: Your rights**

1. You have the right to be informed about how your information will be used.
2. You have the right to access your personal information. Normally this is done by placing a 'Subject Access Request' with the Council. For more information on placing Subject Access Requests, please visit [https://www.eastlothian.gov.uk/info/210598/access\\_to\\_information/12300/access\\_to\\_information/1](https://www.eastlothian.gov.uk/info/210598/access_to_information/12300/access_to_information/1)
3. You have the right to ask us to correct inaccurate or incomplete information.
4. In certain circumstances, you have the right to have your personal information erased.
5. In certain circumstances, you have the right to ask us to limit the ways we use or share your information.
6. In certain circumstances, you have the right to ask us to move, copy or transfer your information to another organisation in an electronic format.
7. In certain circumstances, you have the right to object to the ways we process your information.
8. In circumstances where your data is processed automatically, without human intervention, you have the right to certain protections.

You can find more information about data protection and your rights on the Information Commissioner's Office (ICO) website at <https://www.ico.org.uk>

### **Section 7: Complaints**

We take your privacy seriously, and would like to know about your concerns so that we can address them as soon as possible. If you wish to make a

complaint, we recommend that you contact the Council's Data Protection Officer using the contact details at the start of this Privacy Notice.

If we are unable to resolve the issue to your satisfaction, you have the right to complain to the Information Commissioner's Office (ICO). You can find further information about raising a concern with the ICO on their website: <https://ico.org.uk/concerns/>.

You can contact the ICO by post at:

Information Commissioner's Office

Wycliffe House

Water Lane

Wilmslow

Cheshire SK9 5AF

745

Telephone: 0303 123 1113 / 01625 545

### **Section 8: Consent**

We have asked for your consent in order to process your personal information. You have the right to withdraw this consent in whole or in part at any time by contacting the Council Service listed at the start of this Privacy Notice.

When you contact us, we will explain the consequences of withdrawing consent. If you choose to continue, we will stop using your personal information for the purpose(s) stated on this Privacy Notice.

#### **Information about other people**

If you have provided anyone else's personal information, please make sure that you have told them that you have given their information to East Lothian Council. We will only use this information to:

Record household information in accordance with the needs of East Lothian Council's Housing Application, household information and medical adaptations applications.