



## Dunbritton Housing Association Limited

<b>Name of Policy</b>	<b>Factoring</b>
<b>Responsible Officer</b>	<b>Customer Services Manager</b>
<b>Date approved by Board</b>	<b>12 April 2017</b>
<b>Date of next Review</b>	<b>April 2020</b>

**We can produce information, on request, in large print, Braille, tape and on disc. It is also available in other languages. If you need information in any of these formats please contact us on 01389 761486**

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### **Appendices**

**Appendix 1: Factoring Agreement**

**Appendix 2: Written Statement of Services**

## **1. INTRODUCTION**

- 1.1. Dunbritton Housing Association is a registered social landlord established in 1992 to provide housing for social rent and services to owners.
- 1.2. We are governed by our Board, which is supported by a number of committees. Our governance arrangements set out clearly the roles and responsibilities of our Board and Committee members and our members of staff.
- 1.3. Operational services are delivered through our office based in 32 High Street Dumbarton G82 1LL. We also operate a Customer Service Centre which offers an initial point of contact for Dunbritton customers.
- 1.4. An annual survey will be conducted with all owners to ascertain if they are satisfied with the service and to identify any areas where we could improve in service delivery.

## **2.0 PRINCIPLES AND OBJECTIVES**

- 2.1 The main objectives of this policy are to ensure the Association discharges its legal responsibilities in relation to the factoring service, has an appropriate charging policy and debt recovery arrangements, where required, has the provision of insurance.
- 2.2 To fully comply with the Code of Conduct which sets out minimum standards of practice for registered property factors.
- 2.3 The Association endeavours to maintain effective communication with our factored customers and this is achieved by consulting with our customers to ensure that we have effective communication methods in place to meet their needs
- 2.4 Dunbritton offers a tailored factoring service in mixed tenure properties and estates for the benefit of owner occupiers, which may include: core services such as insurance, common repairs, common close cleaning, common ground maintenance, planned maintenance, management and administration, as applicable. Owners include private owners, sharing owners and shared equity owners.
- 2.5 The Association aims to provide a factoring service to owners, which ensures that the common parts are satisfactorily maintained and insured. We will arrange and oversee the maintenance, general up-keep and any improvements required to be carried out on the common parts of the building where appropriate, including the cyclical maintenance programme.
- 2.6 To give impartial and factual advice to owners in relation to both works required and actions necessary for compliance with Title Deeds and the Property Factors (Scotland) Act 2011. To arrange and oversee the maintenance, general up-keep and any improvements required to be carried out to the common open spaces.

- 2.7 To be accountable and open with regards to dispute resolution for homeowners we will endeavour to offer a high quality responsive factoring service to owners, and to communicate, consult and liaise with homeowners. We shall consult owners on a regular basis or when requested and we shall look to minimise the opportunity for neighbour disputes between factored owners and tenants of Dunbritton Housing Association.
- 2.8 To provide a factoring service that considers issues such as affordability and value for money to the owners receiving the service.

### **3. LEGAL AND GOOD PRACTICE**

- 3.1 To have regard to: the law, Deed of Conditions, decisions of the Lands Tribunal for Scotland and Guidance issued by the Scottish Housing Regulator and other regulatory bodies.
- 3.2 In terms of the Deed of conditions that pertain to our factored properties the Association is required, where possible, to ensure that there is a Factoring agreement in place with each owner that receives the service. (Appendix 1).
- 3.3 The Property Factors (Scotland) Act 2011 was passed by the Scottish Parliament and came into force on 1 October 2012. This new legislation is designed to regulate the property factoring industry and provide increased protection for homeowners who receive factoring services.
- 3.4 It is compulsory for all property factors in Scotland to register with the Scottish Government and adhere to the Code of Conduct. The Association is registered and our registration number is PF000313.
- 3.5 The Code of Conduct sets out the minimum standards of practice that we must follow as a property Factor. Under the Code of Conduct, property factors must issue owners with a Written Statement (Appendix 2), outlining the terms and conditions of the services provided and state their "authority to act" as factor.

### **4. FINANCIAL MATTERS**

#### **4.1 Management / Administration fees.**

- 4.1.1 The Association has an annual Management fee or Administration fee that will be applied for the provision of the Factoring service. Details of the services provided are confirmed within the Written Statement of Services issued to all owners.

The Management Fee is the charge for managing communal areas of a block or development, which an owners' property forms part of.

The Administration Fee is applied where charged where we only manage open spaces on behalf of owners.

4.1.2 The above charges will be reviewed on an annual basis and all owners will be notified 4 weeks in advance of their applicable charge from the 1<sup>st</sup> of April of each year.

4.1.3 All new owners are required to pay a Factors Float to the Association. The applicable amount is determined by the relevant clause within the Deed of conditions for their property.

## 4.2 Rechargeable Costs

4.2.1 The Association reserves the right to charge additional sums to owners where the necessary work was agreed in advance by owners' or in an emergency situation where the Association is required to act without the owners prior approval, in the best interests of owners and their respective properties.

4.2.2 Instruct minor repairs up to a fixed sum (as contained in each title deed) – and to obtain the necessary authority from the owners where larger repairs are required.

4.2.3 To invoice owners and to be accountable for expenditure incurred on their behalf. To clearly show financial and charging arrangements and to recover outstanding debts as is necessary.

## 5. **POLICY REVIEW/ PERFORMANCE**

5.1 The Association's performance targets for factoring arrears are included within our Internal Management Plan and are reviewed annually.

5.2 The Association's Board of Management monitors performance on collection of factoring charges. Monitoring reports are produced every three months with performance outcomes reported to the Board.

5.3 The Association will ensure that in line with all other relevant Association Policies and procedures that all standards are met in relation to contractor selection, tendering and inspection procedures.

5.4 The Association's factoring procedures will be reviewed on a 3 yearly basis. It may also be reviewed earlier to implement any feedback from owners, changes to legislation or to adopt any good practice updates or to ensure continuous improvement in the service provided.

## 6. **CUSTOMER SERVICE**

6.1 Dunbritton Housing Association has a set of Customer Service Standards which underpin all areas of our service delivery. These standards confirm what you can expect from the Association.

Copies of our Customer Information Leaflet are available on request via telephone, in person at our office and displayed on our web page [www.dunbritton.org.uk](http://www.dunbritton.org.uk)

**6.2** Confidentiality: We will treat any information we receive from our customers under this Policy in strict confidence and we will not disclose it to any third parties without the customer's consent. We comply with the Data Protection Act 1998.

**6.3** Our aim is to get it right first time for every customer, if we do not we have a Complaints Policy which customers can use where they are dissatisfied with this Policy or actions linked to its use. Our Complaints Information leaflet is available from our office, our website or available on request via telephone.

## **7. EQUALITY & DIVERSITY**

**7.1** As a service provider and employer we recognise the requirements of the Equality Act 2010, oppose any form of discrimination and will treat all customers, internal and external, with dignity and respect. We recognise diversity and will ensure that all of our actions ensure accessibility and reduce barriers to employment and the services we provide.

## **8. LINKS WITH OTHER POLICIES**

**8.1** Our Factoring Policy is supported by and links to a number of other Policies and strategies – details of these are shown below

- Arrears and Credits Policy
- Data Protection Policy
- Equality and Diversity Policy
- Our Internal Management Plan & Business Plan
- The Scottish Social Housing Charter
- Legislative requirements relating to Data Protection and Equalities
- The Association's Procurement Manual,
- Customer Participation Strategy
- Complaints Handling Procedure