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Policy:	Defects Policy
Legal Requirements:	There are no legal requirements applicable to this policy.
Regulatory Standards:	<p>The Scottish Housing Regulator has set out Regulatory Standards for all Registered Social Landlords (RSLs) to ensure that RSLs deliver good outcomes and services for its tenants and service users through good governance and financial management.</p> <p>This policy evidences that the following Regulatory Standards are being met:</p> <p>Standard 1. The governing body leads and directs the RSL to achieve good outcomes for its tenants and other service users.</p> <p>Standard 2. The RSL is open about 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.</p> <p>Standard 4. The governing body bases its decisions on good quality information and advice and identifies and mitigates risks to the organisation's purpose.</p> <p>Standard 5. The RSL conducts its affairs with honesty and integrity.</p>
Equality and Diversity:	<p>The Association is committed to Equal Opportunities and will endeavour to ensure that all services are carried out in an undiscriminating manner in line with the Association's Equality and Diversity Policy.</p> <p>In particular, the Association will not discriminate on the grounds of age, disability, marriage and civil partnership, pregnancy and maternity, race, religion or belief, gender, gender reassignment or sexual orientation.</p>
Complaints:	Although the Association is committed to providing high levels of service, we accept that there may be occasions where customers may not be satisfied with the service they have received. The Association values all complaints and uses this information to improve the services that it provides. The Association's Complaints Policy describes our complaints handling procedure and how to make a complaint.
General Data Protection Regulation (GDPR):	The Association will treat all customers' personal data in line with its obligations under the current data protection regulations and our Privacy Policy. Information regarding how data will be used and the basis for processing data is provided in the Association's Fair Processing Notice.
Policy Author:	Lesley Bryce
Policy Review:	In order to ensure that any change in circumstances is accommodated this policy will be subject to review every three years in the month of October.
Policy Approval:	This policy was last reviewed / approved by the Management Committee of Yoker Housing Association Limited at its meeting held on Tuesday the 29th of October 2019.



Statement of Policy Aims and Principles

5 A "Defects Liability Period" exists to deal with maintenance problems during the initial weeks and months following completion of a housing development project. The Defects Liability Period runs for twelve months from the date when each part of the building was handed over to the Housing Association. During that period, the building contractor is contractually responsible for the rectification at his cost, of any defects, which occur in the flats, in the common areas or in the buildings as a whole. Defects in this context are faults other than those resulting from ordinary wear and tear, accidental damage, vandalism, or the like.

10 The purpose of this policy is to outline the principles that will be used by Yoker Housing Association ("the Association") in processing notified defects.

Policy Details

15 Information to Residents

New residents will be informed of the mechanism to report defects through the "Resident's Handbook", which will be issued when they are given the keys to their new / refurbished property.

20 Notification of Defects

Residents will be notified that defects, which come to light during the twelve month Defects Liability Period must be reported directly to the Housing Association, either by email, telephone, in writing or by calling in to the office.

25 The Maintenance Section will be responsible for the recording and processing of reported defects. Defects will be recorded on a "Defects Action Sheet" and copies of this sheet will be passed immediately to the Contractor, Architect and the Clerk of Works.

In certain instances, the Clerk of Works will be required to make inspections of reported defects and to liaise with the Contractor and Architect over the rectification of these defects. In those instances, the Maintenance Section will inform the Development Section who will instruct the Clerk of Works accordingly.

30 Emergency Defects

The Maintenance Section will notify emergency defects, which are reported within office hours, to the contractor immediately by telephone. Confirmation of the defect will be processed by the Maintenance Section through the normal defects reporting procedure.

35 Some emergency defects will inevitably occur out with office hours. In these cases, the following procedure will apply. The contractor will provide emergency contact numbers for a plumber, joiner and electrician. These numbers will be published in the "Resident's Handbook" with instructions to residents that they should contact the contractor's appropriate emergency number if an emergency defect occurs out of office hours.

40 There may be occasions when residents are unable to contact the contractor's emergency numbers out of office hours. In these cases, the Association's out of hours emergency service will deal with the problem and any costs incurred will be contra-charged to the contractor. Confirmation of the defect will be processed by the Maintenance Section through the normal defects reporting procedure. The contractor will be advised of the nature of the emergency defect and who carried it out. The contractor will also be advised that he will be charged for this work.

45 Response Times for Defects

The Association's Policy on "Repair Response Times and Categories" will be built in to the contract documents to ensure that the Contractor responds to defects within the same times and categories as the Housing Association.



POLICY STATEMENT

Final Defects Inspections

The Architect and the Clerk of Works will carry out final defects inspections of all properties one year following practical completion of the contract. Where there has been a sectional hand over, then the inspections will take place one year following the date of partial possession.

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It is the Architect's responsibility to ensure that all items listed on the final defects inspections are completed prior to the release of the Certificate of Making Good Defects.

The Development Section will be responsible for notifying residents of the proposed inspection dates.

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Latent Defects

Latent defects are defects which come to light following the end of the one-year defects liability period. It is not always easy to establish whether the latent defect is due to:

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- ◆ problems with design
- ◆ problems with workmanship
- ◆ a combination of both

As such, effective co-operation is required between the contractor, the consultants and the Association to ensure that a satisfactory conclusion can be reached.

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Individual cases involving latent defects should be discussed on their own merit. Depending on the nature of the problem, the Maintenance and / or the Development Section will co-ordinate the work that requires to be undertaken and will liaise with the contractor and consultants.

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