

Factoring Policy

Our Commitment

Argyll Community Housing Association Group is committed to provide equal opportunities across all services and to avoid discrimination. This policy is intended to assist Argyll Community Housing Association (ACHA) and Argyll Homes for All (AHFA) to put this commitment into practice. Compliance with this policy should also ensure that employees do not commit unlawful acts of discrimination.

This policy can be made available in other formats, for example in large print, audio-format or Braille: the document may also be available in other languages, in full or summary form, as appropriate.

Contents		Page
Section 1	Introduction	3
Section 2	The law and good practice	3
Section 3	Our Policy objectives	4
Section 4	Implementation	5
Section 5	Performance management	6
Section 6	Development and training	6
Section 7	Complaints handling	6
Section 8	Consultation and review procedures	7
Section 9	Confidentiality, data protection and GDPR	7

Section 1 – Introduction

- 1.1 Argyll Community Housing Association (ACHA) is registered with the Scottish Government, Property Factor Registration Number PF000302. This policy details how ACHA will provide a factoring services to owners.
- 1.2 ACHA will offer a factoring service to owners of properties falling within its area of operation.
- 1.3 ACHA is committed to providing an efficient and effective factoring service.
- 1.4 The purpose of the factoring service is to provide a safe, high quality living environment for all occupiers, ensuring that the fabric of the block and common areas are maintained to a high standard and ensuring adequate insurance cover (where applicable) for the properties we manage.
- 1.5 ACHA's provision of a factoring service will be dependent on owners making payment for services received, in accordance with their Written Statement of Services.
- 1.6 The factoring service covers the following activities:
- Provision of advice, information and obligations
 - Provision of Written Statement of Service
 - Management of repairs and maintenance to common areas
 - Consultation with owners and arranging owners meeting when necessary
 - Management of services
 - Arranging / ensuring adequate buildings insurance cover (where applicable)
 - Managing communal insurance claims
 - Provision of estate management services
 - Accounts management and invoicing
 - Debt collection and arrears management

Section 2 The Law and Good Practice

2.1 ACHA will ensure that it conducts its business in a manner that complies with relevant legislation.

2.2 ACHA's Factoring Service will be delivered in accordance with the following legislation:

- The Title Conditions (Scotland) Act 2003
- The Tenements Scotland Act 2004 – The Tenement Management Scheme
- The Property Factors (Scotland) Act 2011 – The Code of Conduct
- The Housing (Scotland) Act 2006, 2001 & 2010

2.3 The Scottish Social Housing Charter (the Charter) was approved by the Scottish Parliament on 14th March 2012 and came into effect from 1st April 2012. The Charter contains outcomes and standards that social housing landlords should aim to achieve. ACHA will work to meet these-outcomes and standards.

2.4 Other regulatory and legislative framework which is relevant to the provision of the factoring service includes

- The Construction, Design and Management Regulations 1994;
- Health and Safety at Work, etc. Act 1974;
- European Union Directives;
- The Occupiers Liability (Scotland) Act 1960;
- The Control of Asbestos at Work Regulations 2002;
- Legionella: The Approved Code of Practice;
- Equalities Act 2010;
- Data Protection Act 2018 (GDPR).

Section 3 Our Policy objectives

The objectives of this policy are to ensure that ACHA:

3.1 Maintains our registration as a Property Factor;

3.2 Maintains an accurate and up to date portfolio list on the Property Factors Register;

3.3 Develops, implements and reviews a set of procedures to ensure legal compliance;

3.4 Issues itemised invoices with detailed information about charges and payment;

3.5 Has a clear and transparent approach to setting and revising management fees demonstrating that costs are accurately identified, apportioned and recovered. Annual reviews of operating costs will inform any management fee changes, which will be notified timeously to owners in accordance with their Written Statement of Services;

3.6 Accounts clearly for monies held on behalf of owners including deposits, advance payments, floats and separate interest-bearing cyclical maintenance funds where applicable;

3.7 Takes appropriate action to recover all monies due and prevent the accumulation of high arrears: this will be carried out in accordance with ACHA's Debt Recovery Policy and Procedure;

3.8 Provides owners the opportunity to participate in ACHA's decision making processes in relation to factoring, promotes owners meetings and encourages owners to form owners' associations;

3.9 Conducts regular customer satisfaction surveys and appropriate block specific consultations;

3.10 Provides owners with relevant, clear and good quality information in accessible formats including Written Statements;

3.11 Informs owners about the impact of their feedback on service delivery improvements/developments and

3.12 Implements, maintains and uses efficient operating systems and digital communication.

Section 4 Implementation

4.1 The Policy, Performance & Operations Committee is responsible for formal approval of the policy.

4.2 Responsibility for the operation and monitoring of this policy lies with the managers of ACHA. All relevant staff have a responsibility to ensure that the policy is applied as instructed.

4.3 The policy will be implemented through:

- Ensuring appropriate procedures are in place for compliance with the policy
- Regular review and improvement of procedures
- Compliance with the Code of Conduct and the terms of the Written Statement of Service in accordance with the Property Factors (Scotland) Act 2011
- Setting targets for customer satisfaction and debt recovery-and monitoring our performance against targets
- Informing staff of policy and procedural requirements, amendments and changes and facilitating regular staff training on property factoring issues.

4.4 Owners will be issued with a Statement of Services which will clearly detail ACHA's appointment, including the shares of maintenance and responsibility and the service that will be provided.

4.5 . Costs relating to the service will be charged on a quarterly basis. This may consist of:-

- Any refundable deposit charged
- The Property Management Fee
- Common Charges for Work
- Any administration charges
- Cyclical Maintenance charges
- Estate ground maintenance charges
- Any communal insurance charges
- Any VAT due to be paid by the property owner
- Change of Ownership – Closing Administration Charge
- Any other outlays incurred by ACHA on behalf of property owners

Section 5 Performance management

5.1 ACHA will comply with the Scottish Housing Regulator's (SHR) Regulatory Framework for social housing and other guidance for monitoring our performance in achieving the outcomes and standards in the Charter.

5.2 ACHA will have a range of internal performance standards in order to monitor the effectiveness the factoring policy and identify areas where improvements are required.

5.3 ACHA will have target timescales for carrying out standard repairs. These will be contained within our Repairs and Maintenance Policy. This will be available to view on the ACHA website.

Section 6 Development and training

6.1 ACHA will ensure that staff are appropriately trained, are familiar with duties and requirements imposed by the Code of Conduct, the Factoring Policy and have the knowledge required to provide a high quality factoring service.

Section 7 Complaints handling

7.1 Complaints or disputes will be addressed through ACHA's complaints Policy and associated procedures.

7.2 If an owner considers that their complaint has not be resolved by the in-house complaints procedure, that procedure provides information about external agencies

to whom the owner may take their concerns. In particular, if they consider there has been:-

- A failure to carry out factoring duties
- A failure to comply with the Code of Conduct.

then the owner may refer the matter further to:

Housing and Property Chamber
First-tier Tribunal for Scotland
Glasgow Tribunals Centre
20 York Street
Glasgow
G2 8GT

Tel: 0141 302 5900

Email: HPCadmin@scotcourtsribunals.gov.uk

Section 8 Consultation and review

This policy will be subject to a 3 yearly review cycle or when legislation or when good practice developments dictate. ACHA will consult with owners in any review process.

Section 9 Confidentiality, data protection and GDPR

All information provided by owners will only be used for the purpose provided. We will ensure that we meet the requirements of the Data Protection Act 2018 and UK GDPR (General Data Protection Regulation) as detailed in the Data Protection Policy available on ACHA's website. We will process and retain personal information in compliance with current data protection legislation and regulations.

Policy Consultation and Review Process	
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