

## Public Organisational Policy

### Mobility Scooter Policy

# Mobility Scooter 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.***

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#### **Section 1 – Context**

1.1 The purpose of this policy is to provide guidelines for the use of Mobility Scooters within Sheltered Housing complexes, tenant's homes and common areas.

1.2 As use and availability of mobility scooters is becoming more widespread, this policy sets out a framework for the storage, use and charging of such vehicles in a safe manner within a physically constrained site. Safety will be a key factor. Provision of mobility scooter storage will be subject to practical constraints on any site and also subject to the costs of providing storage

1.3 This policy relates to mobility scooters and powered wheelchairs.

1.4 A mobility scooter is defined for this policy as:

*'an electric scooter or electric wheelchair designed specifically for outdoor use. This does not apply to lightweight wheelchairs suitable for indoor use'*

1.5 Powered scooters and wheelchairs are defined as 'invalid carriages' under the Use of Invalid Carriages on Highways Regulations 1988. The regulations divided these machines into three classes:

- Class 1 applies to manual wheelchairs (not covered by this policy)
- Class 2 applies to machines designed for use on the pavement travelling at speed of up to 4mph (i.e. power wheelchairs). They may also be used on the road to cross from one pavement to another or where no pavement is available

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- Class 3 applies to machines that can be used both on the pavement where, like class 2 vehicles, they are limited to 4mph, and on the road where they can travel up to 8mph

#### **Section 2 – The law and good practice**

2.1 The legal framework underpinning this policy includes:

- Use of Invalid Carriages on Highways Regulations 1988
- Fire (Scotland) Act 2005
- Health and Safety at Work Act 1974
- Equality Act 2010

#### **Section 3 – Our policy objectives**

3.1 The objectives of this policy are to:

- provide guidance for staff when tenants request storage/charging facilities
- provide guidance to tenants when requesting storage/charging facilities
- provide guidance to staff when tenants wish to keep their mobility scooters in their own home
- provide guidance to tenants who wish to keep their mobility scooters within their own home
- address any safety risks for all tenants
- respond to future needs of tenants

#### **Section 4 – Implementing our policy objectives**

4.1 This policy applies to mobility vehicles which are categorised under the Use of Invalid Carriages on the Highways Regulations 1988 as Class 2 and Class 3 vehicles. However, any Class 3 vehicle which is longer than 1200mm or wider than 700mm are not permitted to be stored inside sheltered housing complexes, common areas or customers own homes.

#### **4.2 Permissions**

All residents of Sheltered Housing, or any other accommodation will be required to request permission prior to storing a mobility scooter within their home, communal areas or external designated storage facilities. This is to ensure all scooters are

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stored safely in an appropriate location. Permission will be granted on a first come first served basis subject to a number of conditions (per below) being met with a waiting list in operation when maximum capacity is reached. The associated Mobility Scooter Procedure sets out the maximum capacity for mobility scooter storage per complex or any other accommodation.

Failure to request permission for the storage of a mobility scooter may result in a customer being asked to remove the scooter to an alternative location until permission has been sought and granted.

#### **4.3 Conditions on ownership of mobility scooter**

**4.3.1 Insurance:** all users will require to provide evidence that they have appropriate insurance cover in place that covers liability for damage to property or injury to others (ACHA require this to be in place in the event that the user causes injury to another person or damage to ACHA property). This information should be provided to the Association when requesting permission and thereafter on an annual basis whilst the scooter remains within the complex or accommodation (including external storage on ACHA property).

ACHA accepts no responsibility for equipment stored in or at our premises and it is recommended that the owner has appropriate insurance in place that also covers them for any damage to the equipment or theft.

**4.3.2 Fire Safety Check:** any user who wishes to store their mobility scooter within their own home must receive a safety check from Scottish Fire and Rescue Service prior to permission being granted. This check can be arranged by ACHA on behalf of the customer but must be carried out before the scooter is stored within the tenant's home. This will ensure the scooter does not cause any fire risk either due to charging requirements or by blocking escape routes.

It is strongly recommended that users have their scooter Portable Appliance Tested on an annual basis. Failure to do so may result in permission being revoked.

**4.3.3 Suitable space available:** prior to permission being granted, ACHA staff will confirm that there is suitable storage space available. If the building cannot accommodate a further mobility scooter and the customers' home is not suitable, then the customer will be placed on a waiting list and permission will be given as soon as a storage space becomes available. Permission cannot be given where a property has reached its maximum capacity, however we will work with tenants to achieve an alternative solution.

#### **4.4 Damage caused to property**

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Any damage caused to ACHA property as a result of mobility scooters will be recharged to customers. This may be recovered through the owner's liability insurance company or if the insurance is void the customer will be personally liable for all costs. If repeat damage is caused to ACHA property permission will be retracted and the customer will be asked to remove the scooter from the building.

#### **4.5 Use of mobility scooters within common areas**

Mobility scooters can only be used within complexes or common areas where the permitted storage area is inside the building. Where the permitted storage area is outside, mobility scooters cannot be used inside the building. Where the designated storage area is outside the building and the customer has an occupational therapy recommendation saying they cannot walk from the designated storage area to their flat, they must have a mobility scooter suitable for storage within their flat. It must not be stored in corridors or other communal areas. Where mobility scooters are left within unauthorised areas, ACHA staff will discuss this with the owner. Should the mobility scooter remain there after discussions have taken place, ACHA will arrange for removal of the scooter at the owners expense. This action will not be undertaken without appropriate discussion and notice to the customer, and will only be used at a last resort.

#### **4.6 External Designated Storage**

ACHA will aim to increase the availability of external mobility scooter storage through the use of scooter pods. These pods will be allocated in line with permission section above. If a sheltered housing complex or accommodation has external storage, scooters are not permitted to be stored in any other common areas. The cost of the communal electricity used when charging scooters will be recovered via service charges.

#### **4.7 Charging**

Charging is permitted only within designated mobility scooter storage areas. Charging of scooters within other common areas and hallways is not permitted. Charging and maintenance should be undertaken in accordance with the manufacturer's instructions. Vehicles should not be left on permanent charge and only charged for the manufacturer's recommended time. If staff become aware of scooters on permanent charge, these will be disconnected.

### **Section 5 – Performance management**

5.1 A register of permissions will be held and reviewed on an annual basis.

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#### **Section 6 – Our positive action initiatives**

6.1 As a Registered Social Landlord (RSL), we are regulated by the Scottish Housing Regulator (SHR). The SHR's statutory objective is to safeguard and promote the interests of current and future tenants. In developing our policy, we have taken account of good practice, including that developed by the Scottish Housing Regulator.

6.2 As a provider of Housing Support, we are regulated by the Care Inspectorate. The Care Inspectorate uses Health and Social Care Standards to assess the performance of providers. These Standards have been considered in the development of this policy.

#### **Section 7 – Dealing with complaints**

7.1 All complaints are dealt with in line with our Complaint Handling Procedure. In terms of this policy, complaints can be made if we fail to apply this policy properly, or don't meet our organisational standards. We give tenants a copy of our Complaint Handling Procedure when they become tenants of the association. We also advise any other service users of our Complaint Handling Procedure if they want to make a complaint. Details of our complaint procedure are available on our website.

7.2 We also provide information about the Scottish Public Services Ombudsman. The Ombudsman deals with complaints involving maladministration, that is, bad practice. Tenants and service users must, in general, use our complaints procedure before contacting the Ombudsman.

#### **Section 8 - Consultation and review procedures**

8.1 We shall review every three years or as required due to changes to law or good practice guidance.

#### **Section 9: Confidentiality and data protection**

9.1 Processing of information that is held manually or in electronic format is governed by the General Data Protection Regulation (GDPR). Under the Data Protection Act 2018, we are permitted to gather equality related data that are necessary for monitoring purposes. Equality data is deemed to be sensitive data and access to this information is controlled strictly within the Group. This is covered under our separate Group Data Protection Policy.