



LINKHOUSING

Factoring Policy

28 August 2017
28 August 2020

This policy applies to

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|---|--|--|--|
| <input type="checkbox"/> Link Group | <input checked="" type="checkbox"/> Link Housing | <input type="checkbox"/> Link Living | <input type="checkbox"/> Link Property |
| <input checked="" type="checkbox"/> Horizon | <input type="checkbox"/> Larkfield | <input type="checkbox"/> West Highland | <input type="checkbox"/> Lintel Trust |

Policy Summary

This policy has been devised to show how Link Group and Horizon operate property management or factoring services, in accordance with legal and regulatory requirements including the Scottish Social Housing Charter.

Equalities

No equalities issues have been identified in the Equalities Impact Assessment.

Privacy

Data Protection legislation applies to customer records which will be managed accordingly.

Policy Owner

Director of Development and Asset Management

Approved by

Link Housing Board

1. INTRODUCTION

This policy has been devised to show how Link operates property management or factoring services.

Link Housing Association provides factoring services in mixed tenure and fully owned developments. Customers include owner occupiers, non-resident landlords and sharing owners in properties where Link Group is the sharing owner.

Horizon Housing Association provides factoring services in mixed tenure developments. Customers include owner occupiers and sharing owners in properties where Horizon is the sharing owner.

Link Group Ltd is the overall parent company. Link subsidiaries will have access to resources available in the group to support their provision of high quality, cost effective services.

Each company or RSL providing factoring services is required to maintain its registration on the Property Factors Register as required by the Property (Factors (Scotland) Act 2011.

2. SCOPE

Factoring services cover the following activities:

- advice and information
- provision of legally required Written Statements of Services
- arrears management
- accounts management
- management of breach of deed of conditions or other title deeds
- general estate management
- buildings insurance
- repairs and maintenance, including services
- resident consultation and owners' meetings

3. PRINCIPLES

The following principles govern the operation of this policy:

- Services will achieve the Scottish Social Housing Charter outcomes for owners in relation to participation, communication, and continually improving value for money.
- Services will comply with the Property Factors (Scotland) Act 2011, associated Code of Conduct and all relevant legislation on consumer protection, financial services, consumer credit licences, title conditions, health and safety, data protection and equalities
- Services will be financially sustainable for each of Link's registered property factors and affordable to homeowners

4. OBJECTIVES

The objectives of this policy are to provide for the following outcomes:

Participation

- to give owners the opportunity to participate in our decision making processes
- to conduct regular customer satisfaction surveys and appropriate scheme specific consultations
- to devise and implement action plans in response to consultation findings

Communication

- to provide owners with relevant good quality information in accessible formats including Written Statements
- to issue detailed information about charges and payment methods via itemised invoices

Continual Improvement in Delivering Value for Money

- to inform owners about the impact of their feedback on service delivery improvements
- to use efficient operating systems with direct debit as the preferred payment method and appropriate digital communication
- to provide efficient repair, maintenance and insurance services, with open and accountable procurement and tendering procedures. These will be in accordance with Link's Procurement Policy, relevant title deeds and in consultation with owners where applicable.

Legal Compliance

- to maintain an accurate portfolio list on the Property Factors Register and to develop and implement a suite of regularly reviewed procedures to ensure legal compliance

Financially Viable and Affordable

- to have a clear and transparent approach to setting and revising management fees that demonstrates that costs are accurately identified, apportioned and recovered. Annual reviews of operating costs will inform any management fee changes, which will be notified to owners in accordance with their Written Statement of Services. Proper notice will be given where it is no longer financially viable for Link to continue to deliver a service.

- to properly account for monies held on behalf of owners in floats and separate interest-bearing cyclical maintenance funds where applicable
- to take all appropriate and ethical actions, in keeping with the Debt Recovery Policy and procedures, to recover bad debts and prevent the accumulation of high arrears. Such debts and arrears represent an unfair burden and cost to other responsible and diligent customers.

5. APPROACH AND METHOD

The Link Group Board in its formal approval of the policy acknowledges that it accepts full responsibility for its implementation. Day-to-day responsibility for the operation of this policy lies with the appropriate directors and managers of the Link group of companies. All relevant employees have a responsibility to ensure that this policy is applied as instructed.

The policy will be implemented using the following approaches:

- Devising procedures for compliance with the policy
- Regular review and improvement of procedures
- Providing Written Statements in accordance with the Property Factors (Scotland) Act 2011 and associated Code of Conduct.
- Keeping staff informed of policy and procedural requirements, amendments and changes and regular staff training on property management issues

6. MONITORING, PERFORMANCE MEASUREMENT AND REPORTING

The following areas will be subject to monitoring:

- Feedback from owners on their satisfaction with our services
- Benchmarking of average management fees and satisfaction rates with Scottish Housing Regulator published data
- Profit, loss, arrears and operational performance
- Adequacy of provision by owners for future costs
- Adequacy of insurance cover and risk management
- Provision of training and / or information to staff
- Compliance with legislation, policy and procedures

These will be monitored by appropriate managers within each company and/ or function, and reported to the relevant director. If any significant issues of concern arise, these will be dealt with by the director who will report such matters to his/ her Board.

Any matter which demonstrates a serious failure of internal controls should also be reported immediately to the Chief Executive.

Periodic audits of policy compliance may be conducted by the Internal Auditor and/or the Strategy & Business Support Team. Audit results will be reported to the Audit Committee.

7. COMPLAINTS AND APPEALS

Link welcomes complaints and positive feedback, both of which provide information which helps us to improve our services. We use a complaints handling procedure (CHP) developed by the Scottish Public Services Ombudsman (SPSO) and the Scottish Housing Regulator.

The CHP allows for most complaints to be resolved by front line staff within a five day limit (first stage), or if the complaint is complex, a detailed investigation will be made by a manager within a 20 day limit (second stage). At the end of the second stage our response will be made by a director.

If owners are dissatisfied with Link's final response to their complaint, and they believe we have failed to carry out our factoring duties, comply with the Code of Conduct or unreasonably delayed attempting to resolve a complaint, they can seek a resolution via the First-tier Tribunal for Scotland (Housing and Property Chamber).

In certain circumstances title deeds may allow for formal arbitration about disputes in relation to the title deeds, and such matters may also be referred to the Lands Tribunal. Link cannot offer legal advice to owners but can signpost them to relevant sources of advice and information including information about any applicable fees.

8. POLICY AVAILABILITY

This policy is available on request free of charge from Link Group. A summary of this policy can be made available in a number of other languages and other formats on request.

9. POLICY REVIEW

Link Group undertakes to review this policy regularly, at least every three years, with regard to:

- Applicable legislation, rules, regulations and guidance
- Changes in the organisation
- Continued best practice