



Bridgewater Housing Association Policy

Policy name	Factoring Policy
Policy category	Property Services
Policy number	FA05
Date adopted	25 th March 2020
Last review	2019
This review	January 2025
Next review	January 2028
Equalities impact assessment required	No
Links to other documents	<ul style="list-style-type: none"> • Framework of Governance • Repairs and Maintenance Policy • Tendering and Procurement Policy • Factored Owners Debt Recovery Policy • Equality and Diversity Policy • Business Plan/Business Delivery Plan • Asset Management Strategy
Consultation	This policy was circulated to the Leadership team for comment.

This document can also be provided in large print, braille, audio, or other non-written format and in a variety of languages, on request.

Section	Contents
1.	Introduction
2.	Context
3.	Scope of This Document
4.	Definitions
5.	Key Principles of Procurement Policy
6.	Procurement Roles / Responsibilities and Compliance
7.	Exclusion Grounds, Selection and Award Criteria
8.	Value For Money
9.	Buying Sustainably
10.	Non-Competitive Action
11.	Contract Management
12.	Ethical Standards
13.	Fraud Response Procedures: External Fraud
14.	Monitoring And Review
Annex - A	Related Areas of Interest
Annex - B	Glossary
Annex – C	Authority To Procure
Annex – D	The Procurement Process: Key Features
Annex - E	Community Benefits

1.0 Introduction

- 1.1 This policy reflects the principles, rules, and guidelines that will be applied to the factoring services provided by Bridgewater Housing Association (BHA).

2.0 Background

- 2.1 Bridgewater Housing Association currently provides a factoring service to 2,685 owners, including 192 flat owners within blocks of flats where Bridgewater retains an ownership interest, and the remainder are house owners. All properties were built by the Scottish Special Housing Association between 1970 and 1983 and sold under Right to Buy legislation until its abolition in 2017. Flat owners receive a full factoring service, including planned and cyclical maintenance work, reactive repairs to common parts, electrical supplies to common systems, and common block insurance cover. House and flat owners receive land management services for maintenance and repairs to open spaces, footpaths, car parks, and other common assets. BHA took over the role as factor from Scottish Homes in 1998.
- 2.2 Bridgewater Housing Association does not intend to create a non-charitable subsidiary for delivering factoring services. It carries out repairs and planned maintenance activities primarily for the benefit of its tenants, with factoring services to owners being consequential. Bridgewater will only seek to recover costs incurred in delivering factoring services and will not seek to profit from these activities.

3. Regulatory and Legislative Framework

- 3.1 Delivery of factoring services will comply with the following legislative requirements:
- Title Conditions (Scotland) Act 2003
 - Tenements (Scotland) Act 2004
 - Property Factors (Scotland) Act 2011
 - Data Protection Act 1998
 - Equality Act 2010
 - Occupiers' Liability (Scotland) Act 1960

5. Written Statement of Services; Schedule of Services

- 5.1 BHA's Written Statement of Services is compliant with current legislation and sets out the terms and service delivery standards. It will be provided to every current owner and new owners within four weeks of agreeing to provide the factoring service or being made aware of a change in ownership.

6. Management Fee

- 6.1 BHA will charge an annual management fee to cover staff time, office overheads, and direct costs. The fee is reviewed annually and charged biannually for flat owners.
- 6.2 Buildings insurance (Flats)
- 6.3 All flat owners will be encouraged to join the BHA's block comprehensive Building Insurance Policy. In cases where the Title Deeds specify that the factor should arrange insurance this will be enforced, but if the Title Deeds are silent on this matter the owner will retain the right to hold their own insurance cover, provided the minimum level of required cover is in force. An annual review of the insurance cover held by owners not on the BHA block policy will take place to ensure adequate buildings insurance is maintained.

- 6.4 On an annual basis we will provide, to every owner who participates in the scheme a summary of cover, together with details of the insurance premium due.
- 6.5 Unless instructed by the majority of homeowners, for the purposes of buildings insurance, property valuations will be uplifted annually in line with BCIS Rebuilding Cost Index. Normally, every five years the Association will appoint valuers to revalue stock for insurances purposes. Where a revaluation has been undertaken, this will be used for the next insurance quotation and the cost of the valuation will be split among owners in accordance with the Title Deeds

7. Charges

- 7.1 Charges for houses include management fees, landscaping, car park and footpath resurfacing, and maintenance of common parts. Charges for flats also include block common repairs, insurance, common electricity, asbestos and legionella testing, and cyclical and planned repairs.

The fee will be subject to annual review, be approved by the Board, and will take account of management costs involved in providing services to residents. Where a property changes hands during the accounting period, we will apportion the fee based on each owners period of ownership. The management fee will be invoiced in advance and will cover the costs of:

- managing the service and responding to customer enquiries including staffing costs, ICT costs, office rental and overhead costs
- access to our common area repairs service for emergency, urgent and routine repairs
- pre & post inspections of common repairs, where appropriate
- arranging and managing contracts for services such as close cleaning and landscaping
- arranging, monitoring and supervision of our cyclical, reinvestment & improvement service
- collation of charge information and issuing of invoices
- collecting everyone's share of costs including debt recovery actions
- co-ordination of payment for common electricity within blocks (such as stairlighting or power for door entry systems)
- arrangement & apportionment of buildings insurance
- maintaining ownership records
- inspections to monitor the cleanliness of common areas
- arranging owners' meetings and arranging votes
- keeping our customers informed through our website, newsletters and other communications

8. Repairs and Maintenance

- 8.1 Owners are required to notify Bridgewater of any common or reactive repairs in line with the Association's Repairs Policy. Contractors will have public liability insurance, and planned maintenance will follow the Association's Procurement Policy.

9. Paying Customer Accounts

- 9.1 Payment methods are detailed in the Written Statement of Services. Bridgewater will take action to prevent arrears and recover factored debt, with provisions for financial hardship.

10. Recovery of arrears

- 10.1 BHA's policy is to restrict outstanding arrears and to recoup all monies owed as quickly as possible. Full details of the debt recovery process can be found in the Factoring Arrears Policy.

11. Change of ownership

11.1 BHA requires a minimum of 28 days' notice where an owner intends to sell their property and will require the following information:

- the property address
- the date of sale
- the purchaser's name(s)
- details of the purchaser's solicitor

Where the seller's solicitor has contacted us in advance of the sale we will make an additional charge (as agreed annually by the Board) for the provision of the following information:

- the current outstanding balance including any Notice of Potential Liability for Cost or Decree we have in place;
- details of any repairs reported but not yet billed;
- details of any planned investment work under consideration and costs if available;
- buildings insurance information;
- an estimate of the retention required to be held by the solicitor on behalf of the seller
- an estimate of annual charges for the incoming owner

The charge will be payable prior to us providing the requested information and will be increased as agreed by the Board where the required 28 days' notice has not been provided.

12. Responsibility for Delivering the Factoring Service

12.1 The Chief Executive is the "responsible person" for Bridgewater's registration as a property factor. The Housing, Land and Property sub-committee and Property Management Officer are responsible for delivering and monitoring the service.

13. Insurance

13.1 BHA will regularly review insurance policies and ensure compliance with minimum requirements. Details of block insurance policies will be provided to flat owners annually.

14. Reporting

14.1 The Housing, Land and Property Services sub-Committee meets quarterly to receive reports on maintenance, expenditure, debt recovery, complaints, and key performance indicators.

15. Delegated Authority

15.1 BHA will operate within the limits set by its Framework of Governance and title conditions. Authority to instruct repairs is delegated based on cost thresholds and emergency nature.

16. Communication and Participation

16.1 BHA will communicate with owners through various methods and welcomes owner participation in major works.

17. GDPR

17.1 Bridgewater Housing Association will treat your personal data in line with our obligations under the current General Data Protection Regulation and our Privacy Policy.

18. Equality and Diversity

18.1 Bridgewater Housing Association is an equal opportunities organisation. We are committed to providing an environment of respect, understanding, encouraging diversity and eliminating discrimination. No person or group of persons applying for housing and housing services will be treated less favourably than any other persons or groups of persons because of their age, disability, gender reassignment, marriage and civil partnership, pregnancy or maternity, race, religion or belief, sex, or sexual orientation.

19. Review

19.1 This policy will be reviewed regularly, at least every three years, or following legislative changes or recommendations.