



# Disrepair policy

## 1. Purpose and scope

**1.1 Purpose** The policy is designed to take a proactive, Selwood Housing Group (SHG) approach to dealing with disrepair claims.

**1.2 Scope** This policy applies to all properties owned or managed by Selwood Housing and covers all tenants, leaseholders, shared owners, or other affected parties who may raise a legal claim relating to property disrepair.

## 2. Underpinning principles

- Manage and invest in homes in line with the Asset Management Strategy to prevent disrepair.
- Carry out regular stock condition surveys and planned maintenance programmes.
- Engage with customers during home visits to identify and encourage reporting of repairs.
- Ensure compliance with the Regulator of Social Housing Consumer Standards, including the Safety and Quality Standard and the Transparency, Influence and Accountability Standard.
- Meet all legal and landlord repair obligations.
- Maintain accurate records of repairs, inspections, and actions taken.
- Minimise opportunities for disrepair claims, including those linked to other legal proceedings.
- Comply with the Pre-Action Protocol for Housing Disrepair Cases.
- Respond to claims promptly, transparently, and fairly.
- Where liability exists, prioritise repairs and provide fair compensation.
- Promote early resolution and good pre-litigation practice to avoid unnecessary litigation and protect the organisation's reputation.



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## 3. Policy details

### 3.1 Disrepair Context

Under **Section 11 of the Landlord and Tenant Act 1985**, landlords are responsible for:

- Keeping the structure and exterior of the property in repair.
- Maintaining installations for gas, electricity, water, sanitation, heating, and hot water in proper working order.
- Ensuring these responsibilities extend to shared and communal areas.

The exact level of repair responsibility is set out in the tenancy agreement. In some cases, this may go beyond the minimum legal standard, particularly where terms such as “good repair” or “proper repair” are used. Selwood Housing’s tenancy agreements include a combination of these standards.

The Regulator of Social Housing requires registered providers to comply with the Consumer Standards 2024. Relevant standards for the management of repairs and disrepair include:

#### 1. Safety and Quality Standard

- Ensuring homes are safe, well maintained and meet applicable quality requirements.
- Understanding the condition of homes and communal areas and addressing hazards and defects appropriately.
- Delivering an effective repairs, maintenance and planned investment service.

#### 2. Transparency, Influence and Accountability Standard

- Providing clear, accessible information about services and performance.
- Listening to customers and taking account of their views.
- Handling complaints effectively and learning from outcomes.
- Using customer feedback, including Tenant Satisfaction Measures, to improve services.



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## 3.2 Organisational Approach

We have an accessible process for our customers to report repairs to us and it is a tenancy obligation to do so. However, it is also important we take opportunities to check there are no outstanding repairs when we are visiting and communicating with our customers for a variety of reasons.

We aim to resolve issues through Alternative Dispute Resolution (ADR) wherever possible. Our accessible complaints process, including access to the Housing Ombudsman, supports this approach under the disrepair protocol. When a claim is received, we will offer to raise a complaint on the customer's behalf to ensure concerns are thoroughly investigated, customers are treated fairly, and issues are resolved wherever possible.

To minimise potential claims, we will take steps to ensure properties are well maintained and repairs are identified promptly by:

- Addressing common causes of disrepair, such as damp, mould, and poor ventilation, in our void standard.
- Informing new customers at sign-up how to report repairs.
- Checking for outstanding repairs during tenancy and before possession action for breaches.
- Keeping repair records current, including non-access cases and completed works.
- Documenting repairs with detailed notes and photos.
- Conducting regular neighbourhood inspections.
- Manager oversight for cross-team coordination between repairs, complaints and legal.

## 3.3 Response to Disrepair Claims

When a disrepair claim is received, whether under the Pre-Action Protocol for Housing Disrepair Cases or as part of other legal proceedings relating to tenancy breaches, Selwood Housing will instruct solicitors to act on our behalf.



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We will continue to communicate directly with the customer regarding access for inspections and repairs, unless it is appropriate for communications to be managed through solicitors. Our approach will ensure a prompt, transparent, and thorough response. We will:

- Provide all relevant documents and information to nominated solicitors.
- Respond promptly to any queries from solicitors.
- Conduct a property inspection and provide a detailed report, including photographs.
- Raise and monitor any necessary repair works.
- Register a complaint, if appropriate, to run alongside the disrepair claim.
- Facilitate independent expert inspections where required.
- Provide a witness statement if the case proceeds to court.
- Attend court hearings as required to support the case.

This approach ensures compliance with legal obligations, protects Selwood Housing's interests, and maintains a focus on resolving disrepair issues fairly and efficiently for our customers

## **3.4 Customer needs, safety and reasonable adjustments**

Selwood Housing will consider information about a customer's individual circumstances when managing a disrepair case. This may include health impacts, disability, vulnerability, safeguarding concerns, communication needs, access requirements and reasonable adjustments. We will manage disrepair cases fairly and consistently and will take account of our responsibilities under the Equality Act 2010, including making reasonable adjustments where required. Relevant information will be recorded and shared only where lawful and necessary.

## **3.5 Escalation, learning and assurance**

Staff must promptly escalate serious property-condition concerns, health and safety risks, missed legal or repair deadlines, repeated service failures, barriers to access and any concern that Selwood Housing may not be meeting its legal, regulatory or policy obligations. Escalation will follow the agreed operational and governance routes.

We will monitor disrepair claims, associated complaints, repair performance, compensation, legal outcomes and relevant Housing Ombudsman findings.



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We will seek and use customer feedback where it can improve the handling of disrepair and related repair services.

## 4. Responsibilities

| Role / team                              | Responsibility                                                                                                               |
|------------------------------------------|------------------------------------------------------------------------------------------------------------------------------|
| Policy owner                             | Ensures the policy is reviewed, legally checked, approved and kept aligned with related policies.                            |
| Response repairs / repairs service       | Investigates repair issues, raises and monitors works, maintains repair records and provides evidence for claims.            |
| Complaints team                          | Ensures disrepair-related complaints are logged and progressed in line with the Complaint Handling Code and internal policy. |
| Legal / nominated solicitors             | Advises on disrepair claims, Pre-Action Protocol requirements, disclosure, witness statements and legal proceedings.         |
| Asset management / planned investment    | Uses stock condition and investment data to prevent recurring disrepair and inform planned works.                            |
| Neighbourhoods / tenancy teams           | Identify property condition concerns during visits and support access, safeguarding and tenancy-related issues.              |
| Data protection / information governance | Ensures customer data, photographs, expert reports and legal papers are handled securely and lawfully.                       |



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## 5. Signposting

### 5.1 Legislation

- Defective Premises Act 1972
- Landlord and Tenant Act 1985
- Homes (Fitness for Human Habitation) Act 2018
- Environmental Protection Act 1990
- Housing Act 2004 / HHSRS
- Pre-Action Protocol for Housing Conditions Claims
- The Secure Tenants of Local Housing Authorities (Right to Repair) Regulations 1994
- Housing Ombudsman Complaint Handling Code 2024
- The Hazards in Social Housing (Prescribed Requirements) (England) Regulations 2025 (Awaab's Law)
- Regulator of Social Housing Consumer Standards 2024, including Safety and Quality Standard 2024
- Data Protection Act 2018 and UK GDPR
- Equality Act 2010

### 5.2 Policies

- Repairs Policy
- Damp & Mould Policy
- Complaints & Compliments Policy
- Data protection policy
- Void standard policy
- Planned property investment policy
- Residential leasehold policy
- Shared ownership group policy
- Neighbourhood management policy
- Neighbourhood Management Procedure
- Contract Management Policy
- Procurement Policy
- Contractor code of conduct Policy (agreed with customers)
- Customer EDI policy
- Equality diversity inclusion (EDI) policy
- Decant (temporary or permanent rehousing) policy
- Hoarding policy
- Safeguarding vulnerable adults policy / Safeguarding children policy and procedure



# Disrepair policy

## Decision-making record

| Date       | Meeting/Minute Reference                                            | Version /Amendment |
|------------|---------------------------------------------------------------------|--------------------|
| 30.10.2019 | GADC                                                                | 1                  |
| 30/09/2022 | GADC updated in line with current legislation                       | 2                  |
| 27/08/2026 | Customer & homes committee updated in line with current legislation | 3                  |
| 16/09/2026 | CHC - Approval                                                      | 4                  |
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