



SHA Void Management Policy

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1. INTRODUCTION

- 1.1 Turnover of housing stock is an inevitable aspect of the management of social housing. This turnover can result in periods when properties are empty. This policy sets out the ways in which Southside Housing Association (SHA) will manage turnover in stock and seek to maximise rental income and provide a quality service to outgoing and new tenants throughout the void process.
- 1.2 SHA Void Management procedures have also been developed which complement this policy and provide a practical framework for SHA employees to administer and implement the aims of this policy.

2. SCOPE OF THE POLICY

- 2.1 Void management activity covers a number of related activities. These include:
- tenancy termination;
 - property inspections;
 - identifying rechargeable works and other tenant responsibilities;
 - ordering and supervising repair work;
 - offering tenancies and arranging viewing, and;
 - creating tenancies, signing tenancy agreements etc.
- 2.2 The Void Management Policy applies to all rented property owned or managed by SHA.

3. AIMS

- 3.1 The aims of the Policy are to:
- Minimise the amount of rent lost to SHA due to properties being empty;
 - Comply with legal duties, regulatory requirements and good practice standards;
 - Minimise expenditure on vacant stock whilst ensuring properties are reinstated to a satisfactory minimum lettable standard;
 - Promote an efficient re-letting process;
 - Reduce refusal rates by providing a quality product;
 - Promote tenancy sustainment through appropriate selections and pro-active new tenant procedures;
 - Ensure that outgoing tenants are aware of their responsibilities prior to a termination date in order to keep repair costs to a minimum;

- Ensure that voids are let as quickly as possible to meet the demand for SHA’s properties and make best use of the housing stock, and;
- To mitigate risk.

3.2 To achieve these aims SHA will:

- Provide a clear statement of the level of service and standards to which SHA will work;
- Have procedures and agreed practices that are applied uniformly across the service;
- Re-let vacant properties as quickly as possible;
- Undertake repairs of vacant properties in accordance with SHA’s letting standard and statutory responsibilities;
- Ensure that the condition of the property is of a standard that will not normally lead to an offer of accommodation being refused;
- Ensure that all offers of accommodation are consistent with SHA’s allocation and nomination policies;
- Record any action taken at each stage in the void management process;
- Provide training to ensure that staff are equipped to carry out the roles expected of them, and;
- Keep tenants and service users informed during the void management process;

4. DEFINITIONS

4.1 SHA adopts the definition of a void property as “any rented property that has no tenant for a period of time”. SHA identifies that there are different ways in which a property can become void, and these are given below:

- Formal termination – where the tenant gives 28 days written notice as per the terms of the Scottish Secure Tenancy, Short Scottish Secure Tenancy or occupancy agreement of their intention to leave the property or is the tenancy comes to its end point.
- Death – where SHA is notified of the death of a tenant and there is no successor.
- Abandonment – where SHA issues statutory notice to a tenant who has vacated the property without notice and repossesses the property.
- Eviction – where SHA follows due procedure through the court and evicts a tenant.
- Transfers – where the tenant is re-housed in another SHA property.
- New voids – where a new property is handed over from Development as complete and is untenanted.

4.2 Mutual Exchanges do not allow for a property to be empty and are dealt with under a separate policy and procedure.

5. LEGAL AND REGULATORY FRAMEWORK

5.1 In approving and implementing the Void Policy and associated procedures SHA aims to adhere to following legislation and contractual obligations.

- Housing (Scotland) Act 2001;
- Housing (Scotland) Act 2010;
- Housing (Scotland) Act 2014;
- Data Protection Act 2018 and the UK General Data Protection Regulation;
- Equality Act 2010;
- Human Rights Act 1998;
- Matrimonial Homes (Family Protection) (Scotland) Act 1981;
- The Gas Safety (Installation and Use) Regulations 1994;
- Construction, Design and Management (CDM) Regulations 1994;
- The Energy Performance of Buildings (Scotland) Regulations 2008;
- Scottish Secure Tenants (Compensation for Improvements) Regulations 2002;
- Control of Asbestos Regulations 2006;
- Scottish Housing Quality Standard, and;
- Scottish Secure Tenancy Agreement.

5.2 Scottish Social Housing Charter

5.2.1 The Scottish Social Housing Charter came into effect in April 2012, and this sets the standards and outcomes that all registered social landlords (RSL) should aim to achieve when performing their housing activities. Social landlords are responsible for meeting the standards and outcomes set out in the Charter. The Scottish Housing Regulator (SHR) is responsible for monitoring, assessing and reporting on how well social landlords, individually and collectively, achieve the outcomes.

5.2.2 The SHR's approach to monitoring landlords' achievement of the outcomes and standards in the Charter will be based on the landlord's performance information and their own assessment of their performance. For each year ending on 31 March, RSLs will be expected to:

- Measure and assess their performance in progressing towards or achieving the Charter outcomes and standards;
- Providing the SHR with key performance information on how their achievement of Charter outcomes and standards, and;
- Report their performance to tenants and other service users.

5.2.3 RSLs must report annually through an Annual Return on the Charter (ARC) on the number of void properties falling vacant in the year, the length of time taken to re-let these void properties and the extent of rent loss during the void process.

5.2.4 The following Charter outcomes are directly relevant to this policy:

Charter Outcome 1: Equalities: *“Social landlords perform all aspects of their housing services so that every tenant and other customer has their individual needs recognised, is treated fairly and with respect, and receives fair access to housing and housing services”.*

Charter Outcome 2 – Communication: *“Social landlords manage their businesses so that tenants and other customers find it easy to communicate with their landlord and get the information they need about their landlord, how and why it makes decisions and the services it provides”.*

Charter Outcome 11 – Tenancy sustainment: *“Social landlords ensure that tenants get the information they need on how to obtain support to remain in their home and ensure suitable support is available, including services provided directly by the landlord and by other organisations”.*

5.2.5 The Charter also states in terms of void management landlords should:

“Manage their business so that tenants’ homes, as a minimum, meet the Scottish Housing Quality Standard (SHQS) by April 2015 and continue to meet it thereafter, and when allocated, are always clean, tidy and in a good state of repair.

“Manage their businesses so that tenants’ homes are well maintained, with repairs and improvements carried out when required, and tenants are given reasonable choices about when work is done”.

“Manage all aspects of their business so that tenants, owners and other customers receive services that provide continually improving value for the rent and other charges they pay”.

5.2.6 SHA will review each element of the Charter with its tenants and agree locally based standards designed to demonstrate the achievement of outcomes.

6. VOID MANAGEMENT POLICY

6.1 Termination of Tenancies

SHA will:

- Request twenty-eight days’ notice (in writing) from tenants who wish to end their tenancy;
- Provide a termination of tenancy form for tenants to complete which records all relevant information;
- Put in motion our void management procedures as soon as the notice of tenancy termination is received in order to make best use of this period to minimise rent loss once the property is vacated;
- Have guidelines covering the circumstances in which the notice period may be waived, such as death of tenant, hospitalisation /permanent

- care or internal transfer. Such waiving of the notice period will be at the discretion of the Director of Housing and Communities, and;
- Provide the outgoing tenant with advice explaining the procedure for terminating the tenancy and the tenant's responsibilities, with regard to condition of property and any outstanding rent.
- 6.2 Where a written notification is not obtained, the SHA's Abandonment Policy and procedures will be implemented. SHA has clear procedures for dealing with properties that appear, or are reported, to have been abandoned. We will ensure that contact is made with the tenant or next of kin wherever possible and carry out an exhaustive and auditable process of reasonable enquiries.
- 6.3 Where an abandoned tenancy notice under Section 18 of the Housing (Scotland) Act 2001 has been served, and access has been forced to secure the property from vandalism, the pre termination inspection of the property will take place. Any repairs noted will be instructed provided safe access can be taken and any personal belongings can be secured. Where necessary notice will be served on the tenant of the intention to carry out these repairs during the twenty-eight-day period between serving the initial abandoned tenancy notice and the potential tenancy termination date. This procedure will be followed wherever the Association has access to the property during the 28-day notice period.

7. PRE-TERMINATION

- 7.1 Where notification of an end of tenancy is received, a pre-termination inspection will be conducted by housing and property maintenance staff.
- 7.2 During the inspection the tenant will be advised of any repairs for which they will be held liable in order to provide them with an opportunity to arrange for these to be carried out. Failure to do so will result in rechargeable repairs being issued.
- 7.3 The number of keys to be returned will be verified and confirmed with the tenant and an agreement made when these should be returned or if a visit to pick the keys up is required.
- 7.4 The Property Services Officer (PSO) (*formally Maintenance Officer*) will identify works, which need to be carried out prior to letting a property and those which can be done once the tenant is living in the property. These works can then be ordered as early as possible to avoid rent loss. In considering the nature and extent of work to be carried out cognisance will be taken of the SHQS and SHA's void lettable standard.
- 7.5 The Housing team will also take this opportunity to select prospective tenants and pre-allocate. This minimises delays in taking up occupation, where the applicant accepts the offer and enables applicants to pursue any benefit claims timeously, especially grants for assistance with moving in. This also enables refusals to be processed and a subsequent offer made to another

applicant quickly. Accompanied viewings will take place only where the property is safe and secure and there is no danger in doing so.

8. TERMINATION INSPECTION

- 8.1 A full inspection will enable SHA to ensure the property has been left in a satisfactory condition. Inspections will be undertaken within target timescales.
- 8.2 The inspection will identify the repairs required and will allow SHA to bring the property up to statutory requirements, and SHA's own lettable standard. (See Appendix 2)
- 8.3 The PSO will identify any outstanding rechargeable repairs and note any remedial work resulting from tenant damage in accordance with SHA's Repairs and Maintenance Policy.
- 8.4 Appropriate cost-effective void security will be put in place as necessary.
- 8.5 Where a property is found to be in a poor condition, photographic evidence will be recorded.
- 8.6 SHA recognises that outgoing tenants may be entitled to financial recompense under the Right to Compensation for Improvements scheme and will identify any such items and advise the tenant of their rights and the process to be followed in any such claim.

9. PROPERTY REPAIRS

- 9.1 The agreed repairs will be notified to SHA's voids contractor, and a joint visit will be undertaken. On return from the voids contractor the property will meet SHA's lettable standard. The PSO and contractor will agree an appropriate return date for the property based on the amount of repair work required and other void properties being dealt with at the same time. In all cases for standard voids the maximum time allowed will not exceed 10 working days – although the categories will be more specifically 3 working days, 5 working days and 10 working days. For excessive voids requiring significant component replacements and modernisation, this will be extended to 20 working days – these timescales will be monitored and reviewed by the Property Services Team and contractors will receive guidelines as to what constitutes each category.
- 9.2 The contractor will also be issued with instructions on repairs to be carried out post occupation and dates for these will be agreed and fed into SHA's Repairs system.
- 9.3 A post inspection will be carried out following the completion of repairs in all properties before re-letting, to ensure the contractor has completed all works to a satisfactory standard.

- 9.4 SHA will take the opportunity during the void period to undertake where necessary programmed major and cyclical repairs but only where this can be arranged without incurring additional void rent loss. The PSO will consult with the SHA Asset Management Officer and ascertain any major repairs required and how these will be programmed to minimise rent loss.
- 9.5 Appropriate electrical and gas safety checks will be undertaken prior to the property being re-let and the resultant safety certificates will be provided to the incoming tenant at the time of signing their tenancy agreement. Any asbestos identified in the property will be dealt with under the SHA Asbestos Management Policy and the new tenant notified of any asbestos remaining and its location. A schedule for each property will be prepared which is linked to the minimum SHA re-let standard. This is signed off by the PSO and the void contractor. A copy of this schedule will be provided to the tenant. An Energy Performance Assessment will be carried out if required and a current Energy Performance Certificate made available.
- 9.6 Any repairs arising from 'not to current standard' items on the gas safety check will be carried out as part of the re-let process.
- 9.7 Internal decoration is the responsibility of the tenant. However, it is recognised that there may be circumstances where SHA will require to undertake internal redecoration works or provide a decoration allowance to the incoming tenant to comply with targets for re-letting properties.
- 9.8 The need for decoration will be recommended by the PSO/ Housing Officer with the decision ratified by the Housing Manager/ Repairs Services Manager. Partial or full decoration may be recommended or the payment of a decoration allowance which will be in the form of vouchers.
- 9.9 Decoration allowances will not normally be made available, and consideration will be given to the offer of decoration allowances only where the decoration is in such a condition that it may prove difficult to let the property, e.g. following re-plastering.
- 9.10 Levels of allowance will be in accordance with SHA policy and the property will be inspected after a reasonable period to ensure the decoration allowance has been used.
- 9.11 Where a void property occurs during winter months, arrangements are made either to drain down, to avoid frozen pipes, or for heating to be left on at a low level.

10. SELECTION AND ALLOCATION

- 10.1 As set out at section 7.5 of this policy, SHA will commence the allocation process as soon as we have received formal notification of a void property. The selection of potential tenants and allocation of properties will be carried out strictly in accordance with the SHA Allocation Policy.

- 10.2 Where possible SHA will pre-allocate void properties. Where we have identified an interested applicant, we will notify them by telephone as soon as keys are available for viewing. A viewing and sign-up appointment will be arranged, and applicants will be advised that if they sign for the property at viewing their tenancy will start from that date.
- 10.3 Where an offer of tenancy is accepted, a tenancy agreement will be signed. As well as the date of entry, this includes details of tenant and landlord responsibilities. We will provide tenancy advice for new tenants and seek to answer queries at the point of tenancy sign up. Every new tenant will be given access to the SHA Tenants Handbook and a settling in visit will be conducted within eight weeks of the tenancy start date.
- 10.4 In the case of new homes, our target is to ensure that dates of handover and dates of entry match. We recognise that contractor handover times may vary from those originally envisaged. For practical purposes, we will ensure an early identification of prospective tenants.

11. COMPLAINTS AND APPEALS PROCESS

- 11.1 If anyone feels that they are dissatisfied with the service they have received as a result of this policy they have the right to complain and should use the SHA Complaints Handling Procedure to do so. Further information on how to make a complaint is available from the SHA website. Complaints can be made via the website, in person in writing or by email, or by telephoning the SHA office.
- 11.2 SHA will attempt to resolve complaints quickly through front line resolution by staff who receive the complaint. Where this is not successful or where the complaint has been categorised as constituting a serious service failure, we will carry out a full complaint investigation.
- 11.3 Beyond SHA's two stage internal procedure, complainants have a right to refer their complaint to the Scottish Public Services Ombudsman (SPSO) for an independent external review. SHA's Complaints Handling Procedure details the way in which complaints can be made to the SPSO, and the timescales for responding.
- 11.4 There is a separate appeals process in relation to dissatisfaction with allocations decisions made by SHA. The process for appealing an allocations decision is set out at section 16 of the SHA Allocations Policy.

12. EQUALITY AND HUMAN RIGHTS

- 12.1 In applying the Void Management Policy, SHA will ensure it complies with the Equality Act 2010. The Act makes it unlawful to discriminate against, harass or victimise a person because they have one or more of the following protected characteristics: age, disability, gender reassignment, marriage and

civil partnership, pregnancy and maternity, race, religion and belief, sex and sexual orientation.

- 12.2 An Equality Impact Assessment (EqIA) (Appendix 2) has been carried out in relation to this policy to assess the positive and negative Equality Impacts of this Policy.

13 DATA PROTECTION

- 13.1 SHA will treat all personal data in line with our obligations under the Data Protection Act 2018, the UK General Data Protection Regulation and the SHA Privacy Policy and Data Retention Policy. Information regarding how SHA process personal data and the legal basis for processing personal data is set out in SHA Fair Processing Notices.

14 DELEGATED AUTHORITY

- 14.1 Delegated authority is granted by the Management Committee through the SHA Scheme of Delegated Authority to the Chief Executive and SHA staff to operationally interpret and implement the Void Management Policy and associated procedures.

15. POLICY REVIEW

- 15.1 This policy will be reviewed every three years, or sooner, in the event of a significant legal or regulatory change which affects this policy or a change in operational requirements.
- 15.2 In reviewing void management, new tenant visits will incorporate tenant feedback on the void process and void standard and customer satisfaction surveys of new tenants will be ongoing. This feedback will be analysed to inform reviews of the service as will complaints and comments from tenants.
- 15.3 The policy, in parts, attempts to summarise current legislation. In any case of conflict between the two, legislation will always take precedence.

16. TRAINING AND DEVELOPMENT

- 16.1 SHA staff dealing with the management of void properties will have training appropriate to SHA's requirements, and to the staff member's requirements identified within their Personal Training Plans to ensure void periods are kept to a minimum and an acceptable lettable standard for our properties is achieved and maintained.

17. MONITORING AND REPORTING

- 17.1 The Chief Executive is responsible for ensuring the implementation of this policy and supporting procedures by staff, and for the maintenance of all the necessary records on the SHA customer management system to enable the development of regular reports on performance.
- 17.2 Performance Indicators will be set for monitoring performance for each aspect of dealing with empty properties. Performance Indicators will be reported to Management Committee quarterly and monitored operationally on an on-going basis by the Repairs Service Manager.
- 17.3 Management Committee will receive reports from the Director of Housing and Communities to allow effective monitoring of the void policy. These reports will include:
- Total number of voids.
 - Total number of void days.
 - Average void days.
 - Banded analysis in line with ARC returns.
 - Average rent loss.
 - Total rent loss
- 17.4 SHA's performance will be regularly benchmarked against other comparable RSLs.

18. CUSTOMER SERVICE/SATISFACTION

- 18.1 SHA is committed to achieving high levels of customer satisfaction in the delivery of this Policy.
- 18.2 SHA will include aspects of the void process within its main tenant satisfaction survey and ensure that any feedback is taken into account in any review of this policy.
- 18.3 In accordance with the Scottish Social Housing Charter we will carry out satisfaction surveys for all new tenants as part of our settling in procedure. The new tenant visit takes place within eight weeks of the tenancy commencing and is arranged at the outset of the tenancy. The new tenant visit is designed to address any issues with the tenancy at the earliest possible stage, and to gather tenant feedback on the void and allocation process.
- 18.4 The feedback and information received in this way will be used to inform any policy review with a view to improving the services we deliver and the overall SHA customer experience. The survey results will be reported to the Scottish Housing Regulator through our annual return on the Scottish Social Housing Charter and in our SHA Annual Report.

19. RISK MANAGEMENT

19.1 The management of void properties represents risk to SHA in the following ways:

- A high level of void properties will result in rental loss and high level of repair costs;
- Empty properties having a detrimental effect on the public appearance and perception of an area;
- Unattended health and safety issues may pose a danger to tenants and other residents, and;
- The danger of deterioration in the condition of a void property, resulting in increased repair costs

19.2 In consideration the importance of these risks the effective management of this policy is vital.

19.3 SHA consider and review risk at both a strategic level through monitoring of the Corporate Risk Register by Audit Committee and Management Committee, and at an operational level through the Operational Risk Register monitored by the SHA Managers Group.

20. LINKS WITH OTHER SHA POLICIES

20.1 The Association recognises that void management is dependent on policies and performance in a variety of service areas, including:

- Allocations
- Abandonment
- Repairs and Maintenance
- Rechargeable Repairs
- Compensation for Improvements

21. OPENNESS AND TRANSPARENCY

21.1 This policy will be published to the SHA website. Associated Void Management documents and information are available on request from the Association subject to statutory exemptions and exceptions which may be applied to release in terms of the Freedom of Information (Scotland) Act 2002 (FOISA) and the Environmental Information (Scotland) Regulations 2004 (EIR).

21.2 SHA will always exercise a presumption to publish information in relation to void management which is in the public interest unless there is a compelling reason as set out in FOISA or the EIRs not to publish.



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