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RENT SETTING & SERVICE CHARGES POLICY

1.0 INTRODUCTION

Our vision is “Providing homes and building communities together”. The rent levels determined and applied by Prospect are of central importance in achieving this vision as well as ensuring our long term viability and the affordability of rents. This policy details the principles and framework on which our rent and service charge setting is based and how we will consult with our tenants on these charges.

2.0 THE SCOTTISH SOCIAL HOUSING CHARTER

2.1 The relevant standards and outcomes for the Rent Setting & Service Charges Policy are:

Outcome 14: Rent and service charges

Social landlords set rents and service charges in consultation with their tenants and other customers so that:

- A balance is struck between the level of service provided, the cost of services, and how far current and prospective tenants and other customers can afford them.
- Tenants get clear information on how rent and other money is spent, including any details of individual items of expenditure above thresholds agreed between landlords and tenants.

3.0 POLICY AIMS

3.1 Our rent setting policy will apply to all our rented properties, including those leased to organisations that provide support to the occupants, shared ownership properties and to Mortgage to Rent properties. It aims to meet all legislative and regulatory requirements by ensuring that the following aims are achieved:

- **Affordability** - rents set are affordable to households on low incomes;
- **Viability** - sufficient income is generated to meet all of our financial requirements including the costs of managing and maintaining our homes and any associated borrowings;
- **Fairness** - there is a fair system of setting and apportioning rents for different types of property;
- **Comparability** - rents are broadly consistent with comparable rents charged by similar social landlords in similar circumstances; and
- **Fair and accountable service charges** - service charge costs are priced to tenants and recovered in a fair and accountable manner.

Affordability

3.2 We wish to set rents which are affordable to our customers, whether they are in receipt of welfare benefits or in low paid employment. We will take guidance on affordability from SFHA and use tools available such as Housemark’s rent affordability tool to assist with rent setting.

We aim to set rents that are affordable, accordingly our Business Plan for 2020-23 includes a strategic objective:

Affordable rents – achieve rent increases of no more than inflation (CPI) plus 0.5%, whilst maintaining existing services and investment in our houses and neighbourhoods. Incorporate modelling of affordability into rent review process.

Viability

3.3 Our annual rental income needs to be sufficient to cover all relevant costs. The main types of costs we have to cover will include:

Housing management costs

This is the cost of providing Housing Management services such as allocations, tenancy management, rent collection, tenant participation etc. They also cover general office and administration costs.

Void and bad debts

This is the amount of rental income that is lost when properties are empty, or when rent arrears have to be written off because they cannot be recovered.

Reactive Maintenance costs

These include the costs of:

- day-to-day repairs such as electrical, joinery and plumbing repairs, including an 'out of hours' call-out service;
- the staff time and office costs required to organise and supervise these works.

Cyclical and Planned Maintenance, Major Repairs

These include the costs of:

- cyclical maintenance such as external painting, cleaning gutters etc. that is carried out on a planned basis;
- annual gas safety checks and boiler servicing, other statutory safety checks;
- setting aside the funds required for the long term replacement and/or improvement on a planned basis of building components such as kitchens, bathrooms, external doors, windows, roofs etc. over the life of the building;
- maintaining our properties at the Scottish Housing Quality Standard;
- bringing our properties up to the relevant Energy Efficiency Standards for Social Housing;
- carrying out unexpected major repairs;
- the staff time and office costs required to organise and supervise these works.

Insurances

This is the annual cost of the various types of insurance cover such as property and office insurance, public liability, employer's liability, etc.

Loan repayments

This is the cost of the interest charges and annual repayments to banks or building societies for any loan we have taken out to provide funds for the building or rehabilitation of properties.

Fairness

- 3.4 Our approach to setting rents is to be fair and transparent. We will use a points system to determine the amount of rent to be charged each year for each property. Each property will be allocated a total number of points depending on its type, size, amenities and other specified factors (Appendix 1). The rent is then calculated by applying a monetary multiplier to the points total. The value of this monetary multiplier is set each year by our Management Committee as part of the annual rent review process.
- 3.5 The appropriate points will be allocated to any new build and new acquisition properties, to determine their initial rent.
- 3.6 The Management Committee have the discretion to increase or decrease the points for a particular property (and therefore the rent charged) by up to 10% to take account of particular factors affecting the popularity or unpopularity of a property or area. However it is expected that any variation to a property's points will be a very exceptional occurrence.
- 3.7 We recognise that for any new housing developments we will need to take into account the financial viability of the project. Accordingly we may allocate additional rent points. This principle will also apply to properties acquired through the Scottish Government's Mortgage to Rent Scheme. Additional points may also be allocated where properties benefit from energy efficiency measures that will reduce the running costs of the property to the benefit of the resident.
- 3.8 In recognition of the different revenue funding system for some supported/care accommodation projects, we may set rent/occupancy charges for such projects out with our points-based rent setting structure. This will also apply to shared accommodation arrangements. In determining the appropriate level of rent we will consider the costs of factors such as the following in addition to mainstream costs:
- management, including any enhanced management, services provided by us or any agency contracted to provide such services;
 - maintaining or replacing any special equipment or features provided within the accommodation;
 - any specific costs associated with registration of the property or compliance with the requirements of other external regulatory bodies;
 - providing, maintaining and renewing communal areas and facilities and staff accommodation;
 - anticipated void levels where responsibility for rent loss through voids rests with us;
 - providing, maintaining and renewing any furniture, appliances and fittings for which we are responsible; and
 - the availability of revenue funding for the project and / or the resident.

Comparability

- 3.9 We will compare our rents with those set by other local landlords. We recognise that other landlords may have different rent structures for their properties, different methods of funding and different strategic objectives, and where appropriate we will seek to gather information through benchmarking exercises to explain the reasons for any significant differences in rent levels for similar properties.

We will publicise our rent comparison with other landlords as part of our Annual Report on the Charter for our tenants. The results of any comparisons will be reported to the Management Committee as part of our annual rent review exercise.

Fair and accountable Service Charges

- 3.10 We will make a service charge to recover the actual costs of services that are not covered by the basic rent. Where appropriate, an administrative charge of 10% will be added to service charges.

3.11 We will normally only charge for services which are eligible for housing benefit, such as:

- communal landscape maintenance
- cleaning of communal areas
- communal electricity costs
- furniture replacement, in furnished tenancies
- provision of digital TV aerials.

3.12 The Management Committee will approve any changes to service charges as part of the overall budget.

Shared Ownership Properties

3.13 Rents for shared ownership properties with effect from 2019/20 incorporate the following:

- (a) a Basic Rent calculated in accordance with this rent policy, multiplied by the Association's share;
- (b) a Management Charge, and
- (c) a Service Charge in respect of the maintenance and other services provided by the Association.

The management charge is calculated by taking the average management costs per unit over the 6 year period from 2017/18 to 2022/23. This takes account of the 2017/18 actual management costs and the management costs included in the Five Year Financial Projections approved by the Committee for submission to Scottish Housing Regulator in June 2018.

As sharing owners do not receive the same extent of services as tenants, we then reduce the average management unit cost by 25% for sharing owners.

All Shared ownership rents will rise in line with the annual rent increase in subsequent years.

4.0 ANNUAL REVIEW OF RENT AND SERVICE CHARGE LEVELS

4.1 All rent levels and other charges will be reviewed annually, with any increases implemented from the start of April each year. The decision as to the level of any increase in rents or other charges will be made by our Management Committee at their January meeting.

The meeting will also consider the results of the consultation exercise that will have been carried out with tenants and registered tenants groups on any proposed revisions to rent, in accordance with the requirements of the Housing (Scotland) Act 2001. This consultation will take part every three years as part of our Tenant Satisfaction Survey.

4.2 When calculating rent increases in our annual budget setting process, we will use the Consumer Price Index (CPI) inflation figure for August as a guide.

4.3 All rent revisions will take effect from 1st April each year. Tenants will be given four weeks' notice in writing of any proposed revision to their rent.

5.0 CONSULTATION ON BUDGET AND RENT AND SERVICE CHARGE SETTING

5.1 The Housing (Scotland) Act 2001 and Social Housing Charter places a responsibility on social landlords to consult with tenants on their rent setting proposals. In recognition of this, we will implement consultation measures in relation to the budget and rent setting process, including details of how the rents and service charges have been calculated and how these compare with other similar associations. The consultation measures will be agreed with tenants through the Tenant Participation Strategy and may, for example, include the following:

- Discussions with resident representative groups on budget and rent setting issues (including the Rent and Service Charge Setting Policy);
- Questionnaire based consultation on the budget and rent setting proposals;
- Provision of clear and easy to understand information to all residents on the budget and rent setting process with an invitation to comment on these and attend organised resident meetings.
- Use digital means (i.e. via website, social media, texts etc.) to engage our tenants to take part in the consultation process.

To gain the widest feedback possible, we incorporate this consultation into the three yearly full Tenant Satisfaction Survey. This means that 50% of tenants feedback on this topic in a face to face interview whilst the remainder have an opportunity to comment via a questionnaire. This allows for a more robust representation of tenants' views.

The proposal for the consultation will be determined by the Business Plan objective and is set by the Business Plan Working Group. A report on the outcome of the consultation on the rent and budget review will be submitted to the Management Committee, prior to any rent increase being applied.

- 5.2 We aim to ensure services provided represent value for money and shall incorporate obtaining views on service performance as part of the annual consultation process. These views will be used to supplement other feedback received throughout the year. Those receiving a particular service will be consulted where there are any proposals to vary the scope or specification of that service.

6.0 IMPLEMENTATION AND REVIEW

- 6.1 The Housing Manager is responsible for ensuring that this policy is implemented.
- 6.2 The Housing Manager will ensure that the Management Committee reviews this policy at least every three years.

Reviewed by the Management Committee: 29 September 2021

Next review due by: September 2024

APPENDIX 1

RENT POLICY - RENT POINTS APPLICABLE

Property Type	Points
Flat in a stair	150
Main door flat	160
House – mid terrace	190
House – end terrace	190
House – semi-detached	190
House – detached	200

Property size

1 bedroom, 2 person	0
2 bedroom, 3 person	10
2 bedroom, 4 person	15
3 bedroom, 4 person	25
3 bedroom, 5 person	30
3 bedroom, 6 person	35
4 bedroom, 5 person	40
4 bedroom, 6 person	50
5 bedroom, 6 person	70
5 bedroom, 7 person	80
5 bedroom, 8 person	90
6 bedroom, 6 person	95

Other facilities

Shower over bath*	5
Digital TV Aerials (only applies to upgraded individual aerials)	1

*This only applies where Prospect have installed the shower, or have inherited it in a void property. Where the shower was installed as part of a medical adaptation, no additional charge will be made whilst the tenant who requested the adaptation remains in the property. However the charge will apply to any future tenants in that property.

PROSPECT EQUALITY IMPACT ASSESSMENT RECORD



Title of policy/ practice/ strategy	Rent setting and service charge policy	
Department	Housing Management	
Who is involved in the EQIA?	Catherine Louch	
Type of policy/ practice/ strategy	New <input type="checkbox"/>	Existing <input checked="" type="checkbox"/>
Date completed	8 September 2021	

Stage 1: Screening Record

What is the main purpose of the policy?

This policy guides us on how we set out rents and service charges annually and the aspects taken into account when carrying out this process.
 The Scottish Social Housing Charter Outcome 14: Rent and service charges has a direct influence on this policy.

Who will the policy benefit and how?

All our tenants are affected by this policy as all our tenants are affected by our approach to rent and service charge setting. All our tenants also have the opportunity to be involved in the consultation which is part of the rent & service charge setting process.

For each equality group, does or could the policy have a negative impact?

Protected characteristic	Negative	Positive/no impact	Don't know
Age	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Disability	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Gender reassignment	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Marriage & civil partnership	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Pregnancy & maternity	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Race	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Religion or belief (including no belief)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sex	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sexual orientation	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

If you answered negative or don't know to the above question you should consider doing a full EQIA.

Are there any potential barriers to implementing the policy?

This policy is only achieved through joint working and the effective management of a range of aspects of the association.

	Yes	No
Is a full EQIA required?	<input checked="" type="checkbox"/>	<input type="checkbox"/>

If you answered no to the above question explain why a full EQIA is not required:

No impact on equalities identified:	<input type="checkbox"/>
Other:	

Stage 2: Data and evidence gathering, involvement and consultation

Include here the results of your evidence gathering, including qualitative and quantitative data and the source of that information, whether national statistics, surveys or consultations with relevant equality groups.

Source	Qualitative evidence provided	Quantitative evidence provided	Which protected characteristics are covered?	Gaps identified/ action taken
Management information data		Annual staff and committee equalities data	Age, disability, gender, ethnicity. In some cases other protected characteristics	Membership data not collected. Implementation of Cx may assist with data collection.
Tenant satisfaction survey		Survey carried out in 2019	Age, disability, gender, ethnicity. In some cases other protected characteristics	Data becoming out of date. Implementation of Cx may assist with data collection.
Committee, Equalities Working Group and Tenants Forum minutes	Equality related issues identified and discussed		Various	
Review of complaints received	Tenant/service user experience	Statistical data on types of complaint	All protected characteristics	Implementation of Cx may assist with data collection and analysis of protected characteristics
Observations/conversations (anecdotal)	Staff/committee/tenant/service user levels of understanding, inclusive practice		All protected characteristics	
Edinburgh Census 2011		Statistical data	Age disability, gender, ethnicity, marital status, religion or belief.	Data becoming out of date.
EdIndex data		Statistical data provided for individuals on the housing waiting list	Age, disability, gender, ethnicity. In some cases other protected characteristics.	Data becoming out of date.
SHR Annual Return on Charter data		Statistical data on staff, committee and tenant profile for RSLs	Disability, ethnicity.	

Stage 3: Assessing the impacts

How might the policy impact on people who share protected characteristics? Include both positive and negative impacts.

Protected Characteristic	Description of Impact
Age	We wish to set rents which are affordable to those on low incomes, including those on fixed incomes such as pensioners. Our Business Plan takes this into account when setting Affordable Rent targets. Our consultation options include a range of accessible ways to share views. We offer a Welfare Rights service to ensure we can support tenants to maximise their incomes and access any grants or benefits designed for older people.
Disability	We wish to set rents which are affordable to those on low incomes, including those on fixed incomes such as those unable to work fulltime due to a disability. Our Business Plan takes this into account when setting Affordable Rent targets. Our consultation options include a range of accessible ways to share views. We offer a Welfare Rights service to ensure we can support tenants to maximise their incomes and access any grants or benefits designed for people with a disability.
Gender reassignment	We wish to set rents which are affordable to those on low incomes, including those on fixed incomes such as those unable to work fulltime due to gender reassignment. Our Business Plan takes this into account when setting Affordable Rent targets. Our consultation options include a range of accessible ways to share views. We offer a Welfare Rights service to ensure we can support tenants to maximise their incomes and access any grants or benefits designed for people who are unable to work due to medical treatments.
Marriage & civil partnership	No impact identified other than attempts to minimise impact of low income and insecure working patterns of couples and families as above.
Pregnancy & maternity	We wish to set rents which are affordable to those on low incomes, including those on fixed incomes such as those unable to work fulltime due to pregnancy or childcare issues. Our Business Plan takes this into account when setting Affordable Rent targets. Our consultation options include a range of accessible ways to share views. We offer a Welfare Rights service to ensure we can support tenants to maximise their incomes and access any grants or benefits designed for people who are unable to work due to pregnancy and maternity leave.
Race	No impact identified other than attempts to minimise impact of low income and insecure working patterns of couples and families as above. Options of different language was offered for rent increase consultation. We offer a Welfare Rights service to ensure we can support tenants to maximise their incomes and access any grants or benefits.
Religion or belief (including no belief)	No impact identified other than attempts to minimise impact of low income and insecure working patterns of couples and families as above. We offer a Welfare Rights service to ensure we can support tenants to maximise their incomes and access any grants or benefits.

Sex	No impact identified other than attempts to minimise impact of low income and insecure working patterns of couples and families as above. We offer a Welfare Rights service to ensure we can support tenants to maximise their incomes and access any grants or benefits.
Sexual orientation	No impact identified other than attempts to minimise impact of low income and insecure working patterns of couples and families as above. We offer a Welfare Rights service to ensure we can support tenants to maximise their incomes and access any grants or benefits.

How does the policy promote equality of opportunity?

By setting rents in an open and transparent manner, tenants can establish whether their rent is value for money.

By ensuring our Business Plan Objectives include a focus on Affordability, those on low or insecure incomes can continue to afford good quality homes.

How does the policy promote good relations?

The rent consultation offers an opportunity for a range of ways to share views and influence the decision making process. This can bring people together to discuss issues of importance. By listening and taking action accordingly, Prospect strengthens its relationship with its tenants.

Stage 4: Decision making and monitoring

Identifying and establishing any required mitigating action

If, following the impact analysis, you think you have identified any unlawful discrimination – direct or indirect - you must consider and set out what action will be undertaken to mitigate the negative impact.

Does the assessment show a potential for differential impact on any group(s)?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Is there potential for unlawful direct or indirect discrimination?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No

What arrangements could be implemented to reduce or mitigate any potential adverse or negative impacts identified?

N/A

Describing how Equality Impact analysis has shaped the policy making process

- ◆ No changes made as a result of this analysis.

Monitoring and Review

This policy and EQIA will be reviewed every 3 years.
The consultation process for rent & service charge setting is reviewed annually.
Both are undertaken by the Housing Manager.

Stage 5 - Authorisation of EQIA

Please confirm that:

- ◆ This Equality Impact Assessment has informed the development of this policy:

Yes No

- ◆ Opportunities to promote equality in respect of age, disability, sex, pregnancy and maternity, gender reassignment, sexual orientation, race and religion or belief have been considered, i.e.:
 - Eliminating unlawful discrimination, harassment, victimisation;
 - Removing or minimising any barriers and/or disadvantages;
 - Taking steps which assist with promoting equality and meeting people's different needs;
 - Encouraging participation (e.g. in public life)
 - Fostering good relations, tackling prejudice and promoting understanding.

Yes No

Declaration

I am satisfied with the equality impact assessment that has been undertaken for **Rent and Service charge setting policy**.

Name: Catherine Louch

Position: Housing Manager

Authorisation date: 8 September 2021

Next Review Date Sept 2024