



**Clackmannanshire
Council**

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Chlach Mhanann

**Clackmannanshire Council
Housing Service
Housing Repairs Policy
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1. Scope of the policy

Clackmannanshire Council is committed to ensuring that its housing stock is well-maintained, safe, secure and compliant with the Scottish Housing Quality Standard (SHQS), and that tenants live in warm, comfortable, safe and secure homes by delivering a high quality, efficient and effective responsive repairs service to tenants.

Clackmannanshire Council's Housing Repairs Policy provides a framework for how the Council will deliver responsive repairs to its housing stock. Responsive repairs are defined as repairs carried out in response to the tenant notifying of a problem or defect with their home.

The Housing Repairs Policy should be read in conjunction with Clackmannanshire Council's Scottish Secure and Short Scottish Secure Tenancy Agreements, Clackmannanshire Council's Damp and Mould Policy and Rechargeable Repairs Policy.

2. Aims of the policy

The overall aim of this Policy is to deliver a high quality, reliable, efficient and cost-effective responsive repairs service that ensures effective maintenance of the Council's housing stock and provides tenants with a safe, secure and comfortable living environment.

The specific aims of the policy are to:

- Comply with all legal and statutory requirements;
- Ensure that repairs are carried out right the first time and that they meet established target timescales;
- Ensure that the repairs service offers value for money to both the Council and its tenants;
- Ensure that the Council meets its repairing obligations in full;
- Ensure that tenants are aware of, and supported in understanding, their rights and responsibilities in relation to housing repairs.

3. Legislative Framework

The Housing Repairs Policy follows the terms set out in the Repairs, Maintenance, Improvements and Alterations to the House section within the Clackmannanshire Council's Scottish Secure and Short Scottish Secure Tenancy Agreements.

The Council will ensure that this policy adheres to all legislative requirements under relevant legislation and gives due regard to statutory guidance. The rules and regulations governing the Council's responsibilities in relation to carrying out repairs is set out in the following legislation:

- Gas Safety Management Regulation 1998
- Housing (Scotland) Act 1987
- Housing (Scotland) Act 2001
- Housing (Scotland) Act 2006



4. Council's Responsibilities

The Council is responsible for maintaining the tenant's home as set out in the Tenancy Agreement. It is responsible for repairing and maintaining the structure and the exterior of the property as well as any installations within the property which are provided by the Council. The Council will carry out repairs or other work necessary to keep the property in a liveable, wind and watertight condition which is reasonably fit for human habitation.

All repairs will be completed within a reasonable timeframe after the Council becomes aware that repairs need to be completed, meeting the required repair standards and using good quality materials.

Under the Right to Repair Scheme, certain repairs will be carried out within legally specified timescales. For further information, please see section 10 'Right to Repair Scheme.'

5. Tenant's Responsibilities

In line with Clackmannanshire Council's Tenancy Agreement, tenants are responsible for reporting any arising issues, damage, or required repairs to the property to the Council as soon as they are discovered. Tenants must provide the Council with access to their property for any inspection and repair works following adequate notice given in writing.

Tenants are also responsible for taking reasonable care of the property and all fittings and fixtures within it as set out in the Tenancy Agreement. This includes carrying out all repairs and maintenance which are not part of the Council's responsibilities such as keeping the property reasonably clean, repairing and maintaining improvements made by the tenant, replacing lost or broken keys or broken locks and adequately heating and ventilating the property.

In some instances, the tenant will be responsible and may be charged for any costs associated with required repairs or other works to the property and/or any fixtures and fittings within it which the Council carries out on behalf of the tenant. For further information on rechargeable repairs, please see Clackmannanshire Council's Rechargeable Repairs Policy.

6. Repair Categories

The Council categorises repairs based on urgency, ensuring that the most critical issues are addressed first. Repairs are grouped into the following categories:

6.1 Emergency Repairs

Emergency repairs are defined as repairs which are necessary due to a threat or danger to health and safety, or where there is a risk of serious loss or damage to the property. Emergency repairs include, but are not limited to:

- Total failure of central heating systems;
- Loss of water, gas or electric supply;



- Significant water leaks from internal or external sources such as burst pipes.

Appointments for emergency repairs will be made within 8 hours of the repair being reported or by the next day. The Council will aim to complete the full repair during this visit. If this is not possible, a temporary repair will be carried out to make the property and the tenants safe, with any follow-up repair works arranged.

In response to an out-of-hours request, the attending tradesperson will assess the reported issue to determine whether it qualifies as an emergency repair. If the nature or severity of the issue has been inaccurately described and/or where the works are assessed to be the responsibility of the tenant, the tenant may be recharged the costs of works in line with the Council's Rechargeable Repairs Policy.

6.2 Non-emergency repairs

All other responsive repairs are classed as non-emergency or routine repairs. Examples of non-emergency repairs include, but are not limited to:

- Minor leaks and overflow;
- Damaged flooring and floor tiles;
- Faults in the central heating system;
- Non-emergency electrical issues.

An appointment for non-emergency repairs will be made within 20 working days of the repair being reported. However, the individual response timescales will depend on the urgency and nature of the repair reported as well as the right to repair timescales (Appendix 1).

In certain circumstances, the urgency of a repair and its response timescale may be flexible and subject to re-categorisation, which includes but is not limited to preventing non-urgent repairs such as a minor water leak from escalating to a more serious issue. This is to ensure that the needs of the tenants with identified vulnerabilities such as older people or individuals with medical needs, are appropriately met.

6.3 Planned Maintenance Works

Planned maintenance includes large-scale internal or external upgrades carried out across multiple properties. These are not classified as reactive repairs but are delivered more cost-effectively as part of a scheduled programme. Planned maintenance works include, but are not limited to:

- Kitchen replacements;
- Electrical upgrades;
- Window replacements;
- Roof and render works.



All planned maintenance works are identified ahead of time. Planned works are scheduled based on stock condition survey data and the expected lifespan of components. Tenants and any affected residents will be advised prior to works starting and given as much as detail relating to the works as practicably possible.

7. Reporting Repairs

In line with the Tenancy Agreement, tenants are required to report repairs that are the responsibility of the Council as soon as reasonably possible to prevent further damage to the property and ensure that the property does not fall into disrepair.

When reporting a repair, the tenant should provide the Repairs Team with:

- Their name and address;
- Details of the required repair;
- Any areas of vulnerability or impairment that may be affected by the reported repair and which may affect the arrangement of the appointment.

Before the repair visit, tenants must ensure the following to allow safe and effective access for Council staff to carry out the repair:

- An adult over the age of 16 is present during the visit;
- Clear and tidy the area around the repair to make it accessible. This may include, but is not limited to lifting carpets, laminate flooring, clearing work surfaces;
- Let the Council know in advance of anything that may stop Council staff to gain access to the property or to the area around the fault;
- Keep pets away from the staff or representatives when they enter the home.

7.1. Emergency Repair

The Council operates a 24/7 emergency repairs service. Emergency repairs cannot be reported online. To report an emergency repair, the tenant must contact the Housing Repairs Team on **01259 452000**.

7.2. Non-emergency Repair

Non-emergency repairs can be reported by visiting a local Council Office, emailing the Housing Repairs Team at repairs@clacks.gov.uk or completing the [online contact form](#).

7.3. Gas Leaks



In the event of a suspected gas leak, the tenant must immediately turn off the gas supply, open windows and contact SGN on 0800 111 999.

The tenant must then contact the Housing Repairs Team on 01259 452000 to report the leak, confirm that SGN have been contacted, and advise that the gas supply has been turned off.

8. Responding to Repairs

Upon receiving a repair request, a Repairs Officer will assess:

- The urgency of the repair;
- Whether the repair is a qualifying repair covered by the Right to Repair scheme and whether the tenant has been informed of this;
- Whether the responsibility lies with the Council or the tenant in line with the Rechargeable Repairs Policy;
- Whether further technical inspection is required.

8.1. Repairs appointment

Where appropriate, non-emergency repairs will be completed by appointment agreed with the tenant, or a person reporting the repair on the tenant's behalf, within the relevant target timescale.

There are 2 appointment categories:

- Morning. Between 8.00am and 12.00pm
- Afternoon. Between 12.30pm and 4.00pm

If the repair is no longer required or the appointment time is inconvenient, the tenant should contact the repairs centre to cancel or rearrange the appointment. Failure to do so may result in a charge made to the tenant in line with the Rechargeable Repairs Policy.

8.2. Exceptions to scheduling appointments

In some instances, the tenant may not be given an appointment when they phone. This includes, but is not limited to the following circumstances:

- Council staff do not need access to the property to carry out the work;
- A larger repair that will involve work by more than one trade.
- An inspection is needed to determine the work required.

In such circumstances, the Housing Repairs Team will contact the tenant to schedule the repair works once the necessary resources have been allocated and are in place.



8.3. Inspection visits

In certain circumstances, a Repairs Officer may need to carry out an inspection before proceeding with the works where there is a need for further information and/or technical decision has to be made regarding the repair. If an inspection is required, an appointment will be arranged with the tenant. The tenant will be informed if no repair is necessary following the inspection.

8.4. Refusal to carry out repairs

Council staff will always adhere to the Council's Health and Safety Policy when carrying out repairs, and will follow all relevant procedures and guidelines. Please note that there may be cases where Council staff may not be able to carry out the works or may reserve the right to refuse to undertake the repair. This includes, but is not limited to the following circumstances:

- There are people smoking in the property;
- People within the property are engaging in antisocial behaviour;
- The operative fears for their personal safety;
- The tenant has failed to clear and tidy the area around the repair and the Council staff cannot gain access to the area around the fault.

9. Allowing access for repairs

In line with the Tenancy Agreement, the tenant is responsible for providing access to their property for any required repairs and inspections.

Where possible, the Council will provide reasonable notice requesting access to and will aim to carry out repairs by appointment, except for emergency works.

If the tenant does not provide access or has missed an appointment for repairs without a reasonable cause, the tenant may be charged for the cost of the call-out associated with the missed appointment.

10. Right to Repair Scheme

Under the Housing (Scotland) Act 2001, tenants have the right to have small urgent repairs carried out within legally prescribed timescales. If not completed in time, tenants may be entitled to compensation.

To qualify for the Right to Repair scheme, the repair must:

- have an estimated value of £350 or less;
- be a 'qualifying repair'. For the full list of qualifying repairs and the associated timescales, please see appendix 1.



At the time of reporting, the Repairs Team will advise the tenant if the repair is a qualifying repair covered by the Scheme.

The Right to Repair will not apply if the cost of the repair exceeds £350 and/or where the Council has been unable to gain access for inspection or for the repair to be carried out. In such circumstance, the tenant will need to make a new repair request and start the right to repair process again, or the repair will need to be re-categorised.

10.1. Compensations

If the Council has started but not completed the qualifying repair within the legally prescribed timescale, the tenant will be entitled to a £15 compensation.

If the Council has not started the repair within the timescale, the tenant has the right to approach an alternative contractor nominated by the Council to carry out the repair, and the tenant will be entitled to £15 compensation.

The alternative contractor has the same length of time to carry out the repair as the Council's main contractor. If they do not carry out the repair within the timescale, the tenant will be entitled to another £3 compensation for each working day until the repair has been completed, up to a maximum payment of £100 for any one repair. If the tenant is in arrears or owes money to the Council, any compensation due will first be used to pay these debts with any remainder issued to the tenant.

11. Exceptional circumstances

In certain circumstances, it may not be possible to carry out the repair within the prescribed timescales. This could be due to factors such as severe weather conditions or delays in sourcing parts from the manufacturer.

In such cases, the Council may need to make temporary arrangement and extend the maximum time to complete the repair. The Council will notify the tenant if there is a need to do this, and an appointment will be offered as soon as the parts become available.

12. Gas Safety

The Council must carry out annual inspections of gas appliances to ensure all appliances are in safe working order. The Council will send a letter to tenants advising when the next gas service is due and will arrange a convenient appointment to access the property. If the proposed date is unsuitable, tenants must contact the Council to rearrange.

The tenant must allow access to their property for this work. If the Council cannot obtain access to a property after three attempts and the tenant has not made contact, the Council may force entry to the home. In such cases, the tenant may be liable for the cost of the forced entry, lock change, and any other associated charges.



Tenants who wish to install or replace their own gas heating system must obtain written permission from the Council beforehand. Any new gas appliance must be installed by a qualified and registered gas engineer.

Once installed, the appliance will become the property of the Council, and the Council will then maintain and service it. If the tenant wishes to take the appliance with them at the end of their tenancy, the tenant must get a written permission from the Council in advance.

13. Circumstances where repairs service will be restricted

In certain circumstances, the Council may limit a tenant's access to the repairs service if the repair is not of an emergency nature. This will be as a last resort, and only after the tenant has been advised of this in writing. The repairs service may be restricted in circumstances where:

- The tenant, family or visitors pose a risk of violent or abusive behaviour towards Council staff or representatives;
- The tenant makes persistent and unreasonable demands for repairs which are not required, or are a result of malicious damage or wilful neglect;
- The home is scheduled for demolition;
- The fault reported is included in a planned maintenance programme to be completed in the next 12 months;
- The tenant has outstanding debts relating to the tenancy. In such cases, the Council will contact the tenant to discuss the outstanding debts, or to agree to a repayment plan before proceeding with the repair.

14. Equal Opportunities and Diversity

Clackmannanshire Council is committed to the elimination of unlawful discrimination, advancing equality of opportunity and fostering good relations between people.

The Council believes that equality of opportunity should be a guiding principle in all of its activities. The Council aims to ensure that its commitment to equality is embedded in all council services and in the organisations that it funds.

In accordance with the Equality Act 2010, the Council is actively working towards the elimination of policies and practices that discriminate unfairly on grounds including age; disability; gender reassignment; marriage and civil partnership; pregnancy and maternity; race including colour, nationality, ethnic or national origin; religion or belief; sex; and sexual orientation.

15. Privacy Statement

Clackmannanshire Council must adhere with its legal obligations under Data Protection Legislation as set out in the Data Protection Act 2018 and UK General Protection Regulation (GDPR).



In order to provide the required and/or requested services, the Council will collect, store and process relevant personal information or data.

Personal information may also be shared with other partner agencies and organisations.

Personal information will be kept securely, as long as required by law and/or by specific service requirements. Once the data is no longer required, it will be securely disposed of. The Council has a Record Retention Schedule which sets out the period of time and reasons for keeping particular records. The Retention Schedule is available on request.

Under the Data Protection Act 2018 and the Freedom of Information(Scotland) Act 2002, individuals have the right to access personal information and data held about them by Clackmannanshire Council as well as the right to access information from records held by the Council.

To submit a Subject Access or Freedom of Information request, please follow [the link](#).

To make a complaint in relation to the Council's handling and processing of personal data and information, please contact the [Information Commissioner's Office](#).

For further information on Clackmannanshire Council's data protection practices, please visit the Council's [Data Protection Statement](#). For the Council's Data Protection Policy, please follow the [link](#). For further information on freedom of information laws, please visit the [Scottish Information Commissioner webpage](#).

16. Complaints

If the tenant is dissatisfied with the provided services and/or the standards of service, please follow the Council's Complaints Procedure. Complaints can be made in person, in writing, by email or online. For further information on the Complaints Procedure and how to make a complaint, please visit the [Council's Complaints Procedure webpage](#).

If the tenant remains dissatisfied with the final decision or the way the complaint has been handled following the Council's Complaints Handling Procedure, they can make a complaint to the Scottish Public Services Ombudsman (SPSO) by completing a [complaints form found online](#) or calling on 0800 377 7330.

For further information on how to make a complaint to SPSO, please visit the [SPSO website](#).

17. Monitoring and Reviewing

The Council will monitor its performance in delivering the commitments set out in this policy through a range of key performance indicators. This will include assessing how effectively target timescales are being met, alongside several indicators linked to the Scottish Social Housing Charter.



To ensure a high standard of workmanship, the Council will carry out post-inspections on a random sample of completed repairs. These inspections will cover work undertaken by both Council officers and sub-contractors.

The Council will also actively seek tenants' views through customer satisfaction surveys. The feedback gathered will help to identify any issues with the repairs service and inform future improvements.

The Council will review and evaluate this policy every 3 years to ensure the adherence to the relevant legislation and statutory guidance as well as changes in organisational practices and policies.



18. Appendix 1. Qualifying repairs under the Right to Repair Scheme and the associated timescales

Type of Repair	Timescales (days)
Blocked flue to open fire or boiler	1
Blocked or leaking foul drains, soil stacks or toilet pans where there is no other toilet in the house	1
Blocked sink, bath or basin	1
Electric Power	
• Loss of electric power	1
• Partial loss of electric power	3
Insecure external window, door or lock	1
Unsafe access to a path or step	1
Significant leaks or flooding from water or heating pipes, tanks, cisterns	1
Loss or partial loss of gas supply	1
Loss or partial loss of space or water heating where no alternative heating is available	1
Toilet not flushing where there is no other toilet in the house	1
Unsafe power or lighting socket, or electrical fitting	1
Water Supply	
• Loss of water supply	1
• Partial loss of water supply	3
Loose or detached banister or handrail	3
Unsafe timber flooring or stair treads	3
Mechanical extractor fan in internal kitchen or bathroom not working	7