HONEYCOMB

GROUP

DISREPAIR POLICY

Disrepair Policy

Who's this for?	The Honeycomb Group – Staffs Housing; Concrete; Glow
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Approved by	Executive Team
Approved by Customer Assurance Group	Nov 24
Approved by Customer Services Cttee	Nov 24

Version	Date	Description of Change	Author
1.0	**November 2024**	**New Policy**	**Neil Riley**
2.0	**March 2026**	**Updated – minor amends**	**Neil Riley**

1. Policy Overview

1.1 Purpose

Honeycomb Group (HG) is committed to meeting all statutory, regulatory and contractual obligations for the repair and maintenance of the homes we own and manage. This Disrepair Policy sets out how we will prevent, identify, investigate and resolve allegations of disrepair or unfitness for human habitation, and how we will manage disrepair claims in a fair, lawful and proportionate way.

1.2 Scope
This policy applies to all residential properties owned or managed by HG where we have a legal obligation to repair. It applies to all staff, agents and contractors acting on HG's behalf and covers both social and affordable rented homes.

2. Policy Aims and Objectives
HG aims to:

- Provide safe, decent and well-maintained homes and minimise the risk of disrepair arising.
- Resolve reported repairs and disrepair promptly and effectively.
- Comply fully with statutory duties, including the Landlord and Tenant Act 1985 and Homes (Fitness for Human Habitation) Act 2018.
- Adhere to the Pre-Action Protocol for Housing Conditions Claims (England).
- Promote early resolution and alternative dispute resolution wherever possible.
- Treat customers fairly, with particular regard to vulnerability and equality duties.
- Reduce avoidable legal costs and disruption for customers.

3. Legal and Regulatory Framework
This policy is informed by, and will be applied in accordance with:

- Landlord and Tenant Act 1985 (section 11)
- Homes (Fitness for Human Habitation) Act 2018
- Defective Premises Act 1972
- Housing Act 2004 and Housing Health and Safety Rating System (HHSRS)
- Environmental Protection Act 1990
- Pre-Action Protocol for Housing Conditions Claims (England)
- Regulator of Social Housing – Safety and Quality Standard
- Housing Ombudsman Scheme
- UK GDPR and Data Protection Act 2018

4. Preventing Disrepair
HG will seek to reduce the likelihood of disrepair by:

- Investing in its housing stock to meet and maintain the Decent Homes Standard.
- Operating planned and cyclical maintenance programmes.
- Carrying out regular stock condition surveys and risk-based inspections.
- Ensuring homes meet the Void Property Standard before re-letting.
- Recording and monitoring repair performance and repeat issues.
- Learning from complaints, disrepair claims, Ombudsman findings and legal outcomes.

5. Reporting Repairs and Disrepair
Customers are required under their tenancy agreements to notify HG of repairs. HG will:

Provide multiple accessible methods for reporting repairs (including phone, email and digital channels).
Keep accurate records of repair reports, inspections, appointments and works.

Prioritise repairs based on risk, severity and impact on household members.
Keep customers informed of progress and next steps.

Repairs will not be delayed or refused because a customer has rent arrears.

6. Managing Disrepair Allegations and Claims

6.1 General Approach

Where disrepair is alleged, HG will:

Investigate promptly and proportionately.
Inspect the property where required.
Communicate clearly with the customer or their representative.
Seek to resolve issues without litigation wherever possible.

HG accepts that litigation should be a last resort.

6.2 Vulnerability and Reasonable Adjustments

Where a customer is identified as vulnerable, or where household members include children, older people, disabled people, or individuals whose health may be affected by housing conditions, HG will:
Consider vulnerability when prioritising inspections and repairs.
Make reasonable adjustments to communication and access arrangements.
Work with support services where appropriate.

7. Pre-Action Protocol for Housing Conditions Claims

HG will comply fully with the Pre-Action Protocol for Housing Conditions Claims (England).
Key requirements include:
Acknowledging receipt of a Letter of Claim and providing a substantive response within 20 working days.
Responding to expert reports within 20 working days.
Engaging constructively in disclosure, inspections, expert instruction and settlement discussions.

Responsibility for compliance with protocol timescales rests with the nominated case manager, with senior management oversight. Failure to comply may result in adverse cost orders or other court sanctions and will be treated as a compliance risk.

8. Experts and Inspections

Where expert evidence is required, HG will:

Consider joint or single joint expert instruction where appropriate.
Cooperate with inspections in accordance with the Protocol.
Consider findings promptly and agree schedules of work where liability is accepted.

9. Access to Properties

Customers are expected to provide reasonable access for inspections and repairs.
Where access is refused or repeatedly unavailable, HG will:

Take proportionate steps to resolve access issues through communication and support.
Consider reasonable adjustments where vulnerability is identified.
Use legal remedies (such as injunctions) as a last resort where necessary to safeguard health and safety or comply with legal duties.

10. Repairs Responsibility and Recharge
Where HG undertakes repairs that are not its responsibility, or where damage results from a customer's actions or inaction, HG may seek to recover the cost in accordance with tenancy terms and recharge policies.

11. Rent Arrears and Disrepair Claims
Repairs and disrepair investigations will not be delayed or refused because of rent arrears.
Where rent arrears exist alongside allegations of disrepair or unfitness for human habitation:

Rent arrears and disrepair issues will be managed separately.
Customers should continue to pay rent unless a court or formal agreement provides otherwise.
Any compensation or damages agreed or awarded for disrepair may, where lawful, be offset against rent arrears as part of a settlement or court determination.
The net position will be considered when determining possession, settlement and costs.

12. Legal Representation
HG will instruct in-house or external solicitors where required to manage disrepair claims, counterclaims or litigation. HG will retain sufficient internal expertise to oversee external providers and ensure compliance with legal and regulatory standards.

13. Training and Competence
HG will ensure that:

Relevant staff receive training on repairs obligations, disrepair law, the Pre-Action Protocol and customer vulnerability.
Contracted agents and third parties understand HG's expectations and legal duties.
Learning from cases is shared across teams to improve service delivery.

14. Performance Monitoring and Assurance
HG will monitor:

Disrepair case volumes, timescales, outcomes and costs.
Themes and repeat issues across stock or services.
Learning from complaints, Ombudsman investigations and legal claims.

This information will be used to improve repairs services, asset management and customer experience.

15. Data Protection
All personal data processed in connection with disrepair cases will be handled in accordance with UK GDPR and the Data Protection Act 2018.

16. Review
This policy will be reviewed every three years, or earlier where there is a significant legal, regulatory or operational change.

17. Related Policies and Procedures

Repairs and Maintenance Policy
Complaints Policy
Rent Arrears and Income Management Policy
Decant Policy
Data Protection Policy
Void Property Policy

Annex 1 – Definitions

Disrepair
Failure to keep the structure, exterior and installations of a dwelling in repair as required by law, including conditions affecting fitness for human habitation.
Disrepair Claim
A civil claim arising from the condition of residential premises, including claims for damages or remedial works.
Pre-Action Protocol for Housing Conditions Claims (England)
The Civil Procedure Rules framework governing pre-litigation conduct in housing condition claims.
Expert / Single Joint Expert
A suitably qualified independent professional instructed to assess alleged disrepair and prepare a report for the parties or the court.

This policy sets out our approach to dealing with such claims. The policy applies to properties that we own and manage and where we have a statutory, regulatory and contractual obligation to repair.