

The Moray Council
Community Services
Decoration Allowance Policy

1. Scope of policy

- 1.1 This policy sets out the circumstances where the Moray Council's Housing Service will issue decoration allowances. This policy applies to all tenants who have a Scottish Secure Tenancy or a Short Scottish Secure Tenancy with the Moray Council.
- 1.2 A decoration allowance is described in this policy as the payment in vouchers given to assist both new and existing tenants where:
 - a property has been allocated and it does not meet a reasonable standard of decoration. For the purpose of this policy, a property is said to be in an unreasonable standard of decoration when there is excessive damage to wallpaper, smoke stained walls, and so on; or
 - work that has been carried out by the Council, or by a contractor working on behalf of the Council, has caused excessive damage to the interior decoration of the property (see [Section 5](#)).
- 1.3 A flooring allowance is described in this policy as the payment by cheque given to assist existing tenants to replace floor coverings following kitchen replacement works to their home.

2. Corporate Development Plan/ Service Improvement Plan/ Local Housing Strategy

- 2.1 The Decoration Allowance Policy will assist the Council to meet the aims of its Local Housing Strategy and Service Improvement Plan.

3. Principles

- 3.1 The overall aim of the Decoration Allowance Policy is to assist tenants with the cost of decorating their home and, in doing so, to assist in the efficient and effective maintenance of the Council's housing stock.
- 3.2 Decoration allowances are intended as a contribution towards the cost of materials and equipment needed to carry out internal redecoration work. Decoration allowances are intended to allow tenants choice in the decoration of their home. The allowances are not intended to meet the full costs involved.
- 3.3 The award of a decoration allowance does not remove the need for tenants to adequately insure the contents of their homes from damage.
- 3.4 The award of a decoration allowance does not remove the need for staff, carrying out work on behalf of the Council, to take adequate care to ensure that damage does not occur.
- 3.5 The Council will ensure the promotion of equal opportunities by publishing information and documentation in different formats/languages as required. The Council will ensure that no individual is discriminated against on the grounds of sexual or marital status, on racial grounds, or on grounds of disability, age, sexual orientation, language or social origin, or other personal attributes, including beliefs, or opinions, such as religious beliefs or political opinion. All communication with tenants or other customers will be in 'plain language' and it will be made clear who the most appropriate person is to contact in the event of a query. The Council will make appropriate arrangements for communicating with tenants and other customers who have special needs such as people with sight, hearing or learning difficulties, for example by using signers.

3.6 The Council will implement detailed procedures and agreed practices uniformly across the Housing Service for issuing and managing decoration allowances, and will ensure that staff will be given necessary training to support the Decoration Allowance Policy and procedures.

4. Objectives

4.1 The specific objectives of the Decoration Allowance Policy are to:

- give clear guidance on when a decoration allowance will and will not be paid, how much will be paid and in what form, and what can and cannot be purchased with the Decoration Allowance;
- publicise the terms of the policy to enable a wider understanding by tenants, staff and the public.
- identify the checks that The Moray Council will use; and
- give clear guidance on how disputes will be dealt with.

5. Legal Framework

5.1 The Moray Council will ensure that the Decoration Allowance Policy complies with current legislation and promotes good practice.

Landlord responsibility to “make good”

5.2 The Housing (Scotland) Act 2001 Section 27 and Schedule 4 states that landlords must carry out any necessary work within a reasonable timescale and make good any damage caused by them in carrying out the work.

5.3 The Council requires any contractor to 'make good' any damage that they may have caused e.g. repair and prepare surfaces for redecoration, but not to redecorate.

Tenant responsibility for internal decoration

- 5.4 Para 2.2 of Moray Council's Scottish Secure Tenancy Agreement and Short Scottish Secure Tenancy Agreement states that the tenant must take reasonable care to prevent damage to the decoration of the property.

- 5.5 Para 5.17 of Moray Council's Scottish Secure Tenancy Agreement and Short Scottish Secure Tenancy Agreement states that the tenant is responsible for taking reasonable care of the house which includes carrying out minor repairs and internal decoration. Tenants are advised of this when they sign their tenancy agreement.

Discrimination and Equal Opportunities

- 5.6 The Disability Discrimination Act 2005 places a general duty on all public authorities, when carrying out their functions, to have due regard to the need to ... promote equality of opportunity between disabled persons and other persons and to ... take steps to take account of disabled persons' disabilities, even where that involves treating disabled persons more favourably than other persons. 'Due regard' means that authorities should give due weight to the need to promote disability equality in proportion to its relevance. The Disability Discrimination Act 2005 states a person " has a disability if he has a physical or mental impairment which has a substantial and long-term adverse effect on his ability to carry out normal day to day activities.

Managing Information

Data Protection

- 5.7 The Data Protection Act 1998 governs the way information is obtained, recorded, stored, used and then eventually destroyed. The Moray Council complies with all the requirements of the Act and ensures that personal data is processed fairly and lawfully, that it is used for the purpose it was intended and that only relevant information is used. The council will ensure that information held is accurate, and where necessary kept up to date and that

appropriate measures are taken that would prevent the unauthorised or unlawful use of any personal information given.

Freedom of Information

- 5.8 The Freedom of Information (Scotland) Act 2002 came fully into force on 1 January 2005. The purpose of this Act is to “provide a right of access by the public to information held by public authorities”. In terms of section 1 of the Act, the general entitlement is that a “person who requests information from a Scottish public authority which holds it is entitled to be given it by the authority”. Information which a person is entitled to is the information held by the public authority at the time that the request is made. However, there are exemptions to this ruling to ensure that ‘personal data’ is not disclosed in breach of the Data Protection Act 1998.

6. Decoration allowance

6.1 A decoration allowance may be awarded in any of the following circumstances:

Example 1: when a new tenant moves into a property where the standard of decoration is below a reasonable standard as defined by the Moray Letting Standard (see Section 7);

Example 2: following any response repair work carried out by the Council where the decoration has been extensively damaged (see Para 6.2), at the discretion of the Area Housing Manager (see Section 9); or

Example 3: following any planned maintenance or improvement work carried out by the Council and it is deemed necessary for a decoration allowance to be given, for example, following the installation of a new heating system (see Section 11).

6.2 For the purpose of awarding any allowance, extensive damage may mean partially stripped rooms, badly torn wallpaper that would prove unacceptable to live with, walls poorly painted where extensive work is required to correct and so on.

6.3 No allowance will be awarded where a tenant has caused damage or has neglected the interior decoration of the property.

6.4 A tenant's request for a transfer to another property may be suspended from offers for a minimum of three months if the current decoration of his/her tenancy is not of a reasonable standard (see [Allocations policy](#)).

6.5 A decoration allowance will not be awarded:

- to deal with obvious damage that has been caused by an existing tenant as this will be dealt with under the [rechargeable repairs policy](#);

- to change the interior decoration of a property because it is not the incoming tenant's personal taste (unless the decoration is a dark or strong colour that would prove costly to change, for example black); or,
- to act as payment after an incident a tenant should have been insured for;
- where a new tenancy is beginning as a result of mutual exchange.

- 6.6 No decoration allowance will be awarded for a room where the Council, or its contractor, has completed decoration.
- 6.7 Tenants being awarded decoration allowances will be given information on when the vouchers can be collected, retail outlets where they can be exchanged, and the conditions attached to their use.

7. Decoration allowance for a new tenancy

- 7.1 It will be at the discretion of the Area Housing Officer or Housing Projects Officer, while carrying out a void inspection of a property, with reference to the [Voids Management Policy](#), to determine whether or not the property warrants a decoration allowance.
- 7.2 An allowance may be awarded where:
- the wallpaper is considerably torn; or
 - the walls are badly marked or smoke stained; or
 - the walls have been cleaned but continue to look dirty; or
 - the woodwork has been badly chipped/painted for example, the paint is peeling off the woodwork or has been painted a dark or strong colour that is not easily covered up, and so on.

The above list shows examples only and is not an exhaustive list of circumstances where a decoration allowance may be awarded.

- 7.3 The Council will decide how much decoration allowance is to be awarded before any viewings take place. Prospective tenants will be told how much decoration allowance they would be entitled to at their viewing.
- 7.4 New tenants will be given any decoration allowance when they sign their tenancy agreement.

8. Assistance to decorate

- 8.1 Where a tenant indicates that they will have difficulty carrying out decoration works themselves because of a disability, or physical or mental impairment, the Council will, in exceptional circumstances, offer a decoration service.
- 8.2 The Council's decoration service is available as an alternative to the Decoration Allowance and is only available for the rooms which have been previously identified as requiring a Decoration Allowance during a void inspection (see Section 7 and the [Void Management Policy](#)).
- 8.3 The Council's decoration service will take the form of application of emulsion paint from a limited choice of colours to walls, and white gloss paint to skirtings, fascias, doors and so on. The Council will not apply tenant's own wallcoverings and will not lay floorcoverings.
- 8.4 To qualify for this service the tenant(s) must:
 - have a physical or mental impairment which has a substantial and long-term adverse effect on his ability to carry out normal day to day activities (see Para 5.6), AND;
 - be in receipt of benefits such as Disability Living Allowance, Disabled Persons's Tax Credit; Severe Disablement Allowance, Incapacity Benefit, Attendance Allowance or other similar benefits paid to persons with

- physical impairments. Tenants will be required to verify receipt of benefits by showing their Award Letter, payment book and so on, OR;
- be registered blind; OR;
 - have special social or medical reasons to have the decoration work undertaken by the Council. The Council will use its discretion to establish eligibility on this ground. Verification may be requested from a GP, Social Worker, Housing Support Provider or other appropriate professional, but may not be required where evidence is clearly visible.
- AND;
- have no adult member of the household who could reasonably be expected to carry out the work; AND;
 - have no family members who could reasonably be expected to carry out the work. The Council will use its discretion to establish eligibility on this ground.

- 8.5 Tenants who qualify for, and wish to use this service must agree that their tenancy will begin on the same date as it would have if they were receiving the Decoration Allowance. Tenants will be expected to allow the Council contractor access to the property to carry out the decoration works. Tenants will be expected to move their personal possessions, as far as possible, especially ornaments, and other fragile or valuable items in preparation for the decoration works.
- 8.6 Tenants who qualify, and wish to use this service should access it through their Area Housing Officer.

9. Decoration allowances following repair work

- 9.1 An Area Housing Officer may award a decoration allowance following response repair work carried out by the Council where the interior decoration has been damaged.

- 9.2 Where the damage is as a result of neglect of an employee of the Council, or its contractor, then this matter will be dealt with on an individual basis through the Complaints Procedure. (see Section 16).
- 9.3 Once the repair work has been completed and the Area Housing Officer has been informed of any damage to the decoration, an Area Housing Officer will carry out an inspection to assess decoration allowance entitlement.

10. Decoration Allowance Rates

- 10.1 The amount of allowance a property is eligible for will depend on the size/number of rooms that need to be decorated and will be calculated on a room by room basis. The table below shows rates per room and will be used as guidance when identifying the amount of decoration allowance:

New tenancy - decoration allowances per room	2008/9
Kitchen	£75
Kitchen/dining room	£90
Bathroom	£50
Hall (no stair/landing)	£50
Hall (plus stair/landing)	£125
Living room	£90
Living/dining room	£125
Single bedroom	£40
Double bedroom	£50
Vestibule/ utility/ Sep. WC	£30

Table one

- 10.2 The total decoration allowance will be rounded up to the nearest £10.

11. Decoration allowance following planned maintenance or improvement works

- 11.1 During kitchen replacements, tenants will be given the choice of basic decoration done by the Council or a Decoration Allowance. The Council's decoration service will take the form of application of emulsion paint from a limited choice of colours to walls, and white gloss paint to skirtings, fascias and doors and so on.
- 11.2 During heating system upgrades, tenants will be provided with decoration vouchers to compensate for the damage caused to the decoration throughout the house.
- 11.3 Decoration allowances for planned maintenance or improvement works will be paid as follows:

Type of planned maintenance	Amount payable by the Council 2008/9	
	Decoration Allowance (vouchers)	Flooring Allowance (cheque)
Kitchen	£75	£50
Heating system	£100	n/a

- 11.4 Decoration allowances will be issued on the completion the work.

12. Issuing decoration allowances

- 12.1 All decoration allowances will be issued in the form of vouchers and will be produced in denominations of £10, £20, £50 and £100. Flooring allowances will be paid by cheque.

- 12.2 Vouchers will be issued to tenants using a selection of voucher denominations. This will provide tenants with the option of using more than one retailer and/ or more than one transaction.
- 12.3 Decoration allowances awarded to tenants will, where possible, be collected in person by the tenant(s). Before the tenant is given the allowance he/she will be asked to provide proof of his/her identity if not known to the member of staff issuing the voucher(s).
- 12.4 Where it is not possible for a tenant to collect the allowance in person, for example a tenant lives in a remote area, the allowance will be posted using recorded delivery. A receipt will be enclosed with the allowance for the tenant to sign and return to the Area Housing Office.

13. Using decoration allowances

- 13.1 Vouchers will be valid for only 60 days. However, a tenant may be given an extension to this time scale where their situation warrants this, for example, following a family bereavement or prolonged illness. An extension may be given at the discretion of the Area Housing Manager.
- 13.2 Decoration vouchers can be used in any of the retailers that have reached a mutual agreement with the Moray Council. An up-to-date list of retailers will be provided when the vouchers are issued.
- 13.3 Where the cost of the tenant's chosen materials exceeds the amount of their decoration allowance, he/she will be expected to make up the difference. No credit notes will be given where a tenant fails to use the full monetary value of the voucher(s). Vouchers cannot be exchanged for cash.
- 13.4 Vouchers can be used to buy:

- Wallpaper and paste
- Paints, varnishes and woodcare products
- Sandpaper, fillers, sealants and masking tape
- Paste table
- Paint stripper, turpentine and thinners
- Ceramic wall tiles, tile cement and grout
- Other non-powered decorating equipment, for example paint brushes and rollers.

13.5 Vouchers cannot be used to buy:

- Ladders
- Electrical fittings
- Bathroom cabinets
- Floor coverings including ceramic tiles
- Mirrors
- Powered tools or electrical equipment such as drills, sanders or strippers
- Any other product not used for decorating

13.6 Decoration Vouchers cannot be exchanged for cash.

13.7 The Council will only reimburse retailers when their invoice is accompanied by 'spent' vouchers.

13.8 The Area Housing Officer, at their discretion, may wish to inspect the property to confirm that the decoration and/or flooring allowance has been spent appropriately. The inspection may coincide with the tenant's settling-in visit.

13.9 If, at such an inspection the decoration of the property is unchanged or the tenant is unable to demonstrate that they have purchased decoration materials, either through the presence of the materials themselves or the receipts for the materials, the Area Housing Officer may, with the authority of

their Area Housing Manager, recharge the tenant for some or all of the value of the decoration and/ or flooring allowance.

14. Lost or stolen vouchers

- 14.1 Once issued to the tenant, decoration and flooring allowances become the tenant's responsibility. Lost, damaged, defaced or stolen vouchers or cheques will only be replaced at the discretion of the Area Housing Manager, following appropriate enquiries.

15. Review of decoration allowance service

- 15.1 An annual review of all decoration/ allowance rates will be carried out on 1 April each year.
- 15.2 The list of approved retailers will be reviewed annually by the Planning and Development Team, Community Services.

16. Review of decision and complaints

- 16.1 Any tenant who is not satisfied with the manner in which the Council, its contractor(s) or an approved retailer has dealt with any aspect of the service they have received regarding decoration and/ or flooring allowances has the right to have his/ her case investigated.
- 16.2 In the first instance the tenant will write to the Area Housing Manager stating their grievance. The Area Housing Manager will investigate and respond in writing within 14 days of receipt of the request for the review.

16.3 If the tenant is not satisfied with the Area Housing Manager's response, the Area Housing Manager will refer the tenant to the Council's corporate complaints procedure.

17. Performance Monitoring

17.1 The Council will set performance standards in relation to its Decoration Allowance Policy and will monitor its achievement of these standards.

17.2 In order to comply with its service commitments, the Council will monitor the following:

- the number of tenants who received a decoration allowance when their tenancy began;
- the number of tenants who received a decoration allowance following response repair work carried out by the Council;
- the number of tenants who received a decoration allowance following repair or improvement works carried out by the Council; and
- the number of complaints made regarding the issuing of decoration and/ or flooring allowances and their outcomes.

17.3 The performance indicators detailed in paragraph 17.2 will be reported to the Housing Sub Committee on an annual basis.

17.4 This policy will be reviewed in 2011.