

Mobility Scooter/Power Wheelchair Policy

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| Version Number | 2 |
| Date Revision Complete | 9 May 2019 |
| Policy Owner | Operations Director |
| Author | Jennifer Deed Housing Services Team Leader |
| Reason for Revision | 3 year review |
| Data Protection | N/A |
| Equalities Impact Assessment Is it required? Yes | This policy ensures that all users of mobility scooters and power chairs are dealt with fairly and equally |
| Proof Read | Jenny Gardner, Regional Manager East |
| Date Approved | 9 May 2019 |
| Approved by | Operational Management team |
| Next Review Due | May 2022 |
| Audience – Training and Awareness Method | This will be briefed out to Housing Teams following approval. |
| Effective Date | 1 May 2019 |
| Internal References | Included at section 1.6 |
| External References | Included at section 1.7 |
| Comments | |

1. BACKGROUND

- 1.1 We recognise that our customers should, under the Equality Act 2010, have a quality of life that allows them to have the provision for full mobility, which includes the right to own a mobility scooter or power wheelchair.
- 1.2 We also recognise our duty to ensure the health and safety of our customers, employees and other colleagues, as well as conform to all relevant fire safety regulations.
- 1.3 This policy has been produced to help customers achieve or maintain their independence without compromising the health and safety of others. We will work collaboratively and innovatively with our customers to find solutions to ensure the safe and convenient storage of their scooters and power wheelchairs.
- 1.4 We will conform to the Equality Act 2010 by making sure that our customers can maximise independent living using the most appropriate equipment available to allow them to do so.
- 1.5 The leasing or buying of mobility scooters or power wheelchairs forms part of a measure that helps this process. Even though our customers meet this cost privately, we have a duty to make sure that these vehicles are being used legally with full responsibility being taken by the owner who lives in a development managed by us. Mobility scooters provide local outdoor mobility for people with disabilities who might otherwise be confined to their own home.
- 1.6 Links to Other Blackwood Policies, Procedures & Guidance

This policy should be read in conjunction with:

- The Tenancy Agreement
- The Occupancy agreement
- Tenants Handbook
- Mobility Scooter/power wheelchair procedure
- Estate management policy and procedure

1.7 Regulatory requirements

This policy has taken the following into account:

- Equality Act 2010
- Use of Invalid Carriages on Highways Regulations 1988
- Fire Safety (Scotland) Regulations 2006

2. DEFINITION

- 2.1 Powered scooters and wheelchairs are defined as 'invalid carriages' under the Use of Invalid Carriages on Highways Regulations 1988. The regulations divided these machines into three classes:
- Class 1 applies to manual wheelchairs.
 - Class 2 applies to machines designed for use on the pavement travelling at speed of up to 4 mph (i.e. power wheelchairs). They may also be used on the road to cross from one pavement to another or where no pavement is available.
 - Class 3 applies to machines that can be used both on the pavement where, like class 2 vehicles, they are limited to 4 mph, and on the road where they can travel up to 8 mph.
- 2.2 Class 3 vehicles are required by law to be registered with the DVLA for road use.
- 2.3 Class 3 vehicles or any vehicles longer than 1200mm or wider than 700mm, are not permitted to be stored and used inside developments or flats, as they are road-going vehicles and difficult to accommodate safely.

3. PERMISSION REQUIREMENTS

- 3.1 Customers living in developments with communal areas should seek guidance and where necessary, permission from their Housing Officer when considering purchasing a mobility scooter/ power wheelchair. This is to make sure the scooter/wheelchair can be stored safely within the customer's own flat. There may be occasions when adaptations are required within the customer's flat to allow adequate storage space before bringing their scooter/ wheelchair into the development.
- 3.2 No motorised mobility scooter/power wheelchair can be stored within the development's communal corridors unless written permission has been granted by us due to the fire hazard that this creates.
- 3.3 Temporary parking of Mobility Scooters and Powered Wheelchairs within the communal areas is allowed for visitors and tenants visiting their neighbours and when engaging in social activities. Although the presence of Mobility Scooters and Powered Wheelchairs will always present some degree of fire risk, we have concluded that the risk from transient or short-term parking is relatively low compared to the risks associated with permanent storage and charging. This is permitted as long as escape routes in communal areas are not restricted.
- 3.4 We recognise the need to support our customers to find innovative solutions to allow vehicles to be stored in suitable locations. We will consider all options available to us to enable and support the use of these vehicles while ensuring we meet our health and safety obligations.

- 3.5 Permission will be conditional on both the customer showing proof of adequate insurance for the mobility scooter/power wheelchair and being able to come to an agreed position on the charging and storage of the vehicle.
- 3.6 To manage permissions, a permit system will be in place at developments that can accommodate internal or external storage, please see section 'Allocation of Space' for further details.
- 3.7 Where written permission is granted, the customer must agree and comply with all conditions placed upon the storage and usage of the vehicle. We reserve the right to withdraw permission at any time if the conditions of the permission are broken.

4. STORAGE OF MOBILITY SCOOTERS OR POWER WHEELCHAIR

Fire Safety Requirements

- 4.1 Fire Safety Regulations require us to ensure that all communal areas and fire escape routes remain clear of obstructions and combustible materials.
- 4.2 Mobility Scooters and power wheelchairs are not permitted to be stored in any internal communal areas unless they are stored behind a fire door or an approved storage area which has approved fire doors. It is essential that both types of storage should be able to minimise the spread of fire arising from or reaching the mobility scooter/power chair.

Storage of scooters and power wheelchairs in customers' flats

- 4.3 Customers may store and charge a scooter/wheelchair in their flat, as long as the flat is safely accessible and the machine is Class 1 or Class 2. A Risk Assessment must be conducted by an appropriate Blackwood employee to assess the safety, including an assessment of using a lift, if applicable.
- 4.4 Where scooters or power wheelchairs are being stored and charged within customers' flats, permission must still be obtained in line with the permission requirements set out in this policy.
- 4.5 Scooters and power wheelchairs that are being stored and charged within customers' flats do not impact on the maximum permissible number of scooters/wheelchairs recommended for storage or charging within the designated areas of the development if available.

Storage of Scooters or power wheelchairs in Developments

- 4.6 Where customers are unable to store or charge their mobility scooter or power wheelchair within their flat, the design and location of a development may not always allow scooter storage facilities. This can be confirmed by the development's Housing Officer/Service Manager.

- 4.7 For scooters or power wheelchairs being stored in a designated area within the development, each development will establish a set maximum permissible number of spaces for mobility scooters and power wheelchairs. This will be agreed by Housing and Assets and relates to the size and location of the development and the suitability of appropriate storage facilities. No liability is accepted for damage, theft etc from any designated storage facility.
- 4.8 No mobility scooter or power wheelchair can be stored or charged in an internal communal area unless that area has already been specifically designed and designated for this specific purpose and the customer has permission from the development Housing Officer/Service Manager to do so.

Storage Options

- 4.9 Storage options can include designated outside or inside areas and must comply with Health and Safety requirements. Examples of alternative storage options can include:
- Disused rooms/cupboard space
 - External storage facilities
- 4.10 Under-stairs spaces must not be used as they compromise the fire safety of the means of escape in the event of a fire. No alterations can be made to the communal areas, a customer's home or other spaces within a development without written consent from the Housing Officer/Service Manager which will not be unreasonably withheld.

Storage of Scooters/power wheelchairs without Permission or in Non-Designated Areas

- 4.11 Failure to comply with the requirements set out in this policy will be treated as a breach of tenancy and occupancy and enforcement proceedings will commence to remove the mobility scooter/power wheelchair from the development permanently.
- 4.12 Any legal fee payable by Blackwood for fines imposed on us for breach of Fire Regulations, directly attributable to a breach of these storage requirements by a customer, will be recharged to the customer.

5. ALLOCATION OF A SPACE

Designated Areas in development

- 5.1 Where there are designated areas for storage available within the development, a permit system for the storage, charging and use of mobility scooters/power wheelchairs will be introduced for each development.
- 5.2 Allocation of a space for a mobility scooter/power wheelchair will take place on a first come, first served basis. If there are already mobility scooters/power wheelchairs stored on a development, the Housing Officer/Service Manager will

record the details and try to accommodate all scooters/wheelchairs in line with the maximum permissible number.

- 5.3 Where the number exceeds the maximum permissible number within the development, the Housing Officer/Service Manager will work with the customer to achieve a mutually agreeable solution.
- 5.4 A risk assessment must be conducted by an appropriate Blackwood employee for each designated storage and charging area in the development, prior to allocating a space to a customer.
- 5.5 The Housing Officer or Service Manager will manage and allocate the designated number of spaces. If there is a waiting list for a space, this will normally be allocated to the customer waiting the longest. However, discretion will be used if a request for a space is made on urgent medical grounds with supporting medical evidence. It will be the responsibility of the customer to provide sufficient evidence to support their request for a space. Once a space has been allocated to a customer, a permit will be provided.

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- 5.6 Customers must meet the requirements as set out in this policy prior to permission being granted to store and charge their mobility scooter/ power wheelchair within their flat.
- 5.7 Customers must also comply with any conditions within their tenancy or occupancy agreement that can be applied to the storage and charging of mobility scooters/ power wheelchair within their flat.
- 5.8 Once the above has been satisfied, a permit will be provided.

6. CHARGING OF MOBILITY SCOOTERS/ POWER WHEELCHAIRS

- 6.1 Charging of these vehicles should only be undertaken behind a fire resistant door, i.e. purpose built room or within the customer's home if this meets the requirements. Charging and maintenance should be undertaken in accordance with the manufacturer's instructions. They should only be charged through a 13 amp socket not by an extension lead.
- 6.2 Vehicles should not be left on permanent charge, and only charged for the manufacturer's recommended time.

7. INSURANCE OF MOBILITY SCOOTERS/POWER WHEELCHAIRS

- 7.1 The owner of a mobility scooter/power wheelchair kept on our property must provide the Housing Officer/Service Manager with a copy of the current insurance certificate on commencement of storage arrangements and every year after that. This should include provision for liability insurance in case of damage to buildings and injury involving people who may be living at or visiting the development.

7.2 Any damage to our property caused by a mobility scooter or power wheelchair will be recovered through the owner's insurance company. If the owner does not have a current insurance certificate, they will be personally liable for all costs, and asked to remove the scooter from the development immediately.

8. USE OF MOBILITY SCOOTERS/POWER WHEELCHAIRS WITHIN A DEVELOPMENT

8.1 Mobility scooters/Power Wheelchairs can only be used inside a development if the permitted storage area (including the customer's flat) is within the development. Visitors are permitted to use mobility scooter/power chairs within the development, as long as they are not stored overnight in communal corridors, or block fire exits.

8.2 Where the designated area for storage is outside, mobility scooters/power wheelchairs cannot be used inside the development.

8.3 Where the designated storage area is outside the building and the customer has an occupational therapist recommendation saying they cannot walk from the designated storage area to their flat, they must have a mobility scooter/power wheelchair suitable for storage within their flat. It must not be stored in the corridor or any other communal area.

8.4 This policy will be reviewed every 3 years or earlier if required.