



## Mobility Scooter Policy

<b>Date Policy Approved by Board</b>	March 2015
<b>Review Date</b>	March 2018
<b>National Care Standards</b>	None

## **1. Background**

We recognise that our tenants 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.

We also recognise our duty to protect the health and safety of our tenants, staff and colleagues, as well as conform to fire safety regulations.

This policy has been produced therefore to help tenants achieve or maintain their independence without compromising the health and safety of others.

We will conform to the Equality Act 2010 in making sure that our tenants can maximise independent living using the most appropriate equipment available to allow them to do so.

The leasing or buying of mobility scooters forms part of a measure that helps this process. Even though our tenants 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 were introduced to provide local outdoor mobility for people with disabilities who might otherwise be confined to their own home.

## **2. Legality**

Powered scooters 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. electric 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.

Class 3 vehicles are required by law to be registered with the DVLA for road use. Insurance is not a legal requirement but it is essential if the vehicle is to be used and stored within one of our developments.

Class 3 vehicles, or any vehicles longer than 1200mm or wider than 700mm, are not permitted to be stored inside developments or flats, as they are road-going vehicles and difficult to accommodate safely.

For further guidance on types of mobility scooters, please refer to the Mobility Scooter Procedure.

### **3. Training**

Any tenant considering buying a new or used mobility scooter from a commercial retailer will generally be advised on the type of machine, the suitability of the machine and be instructed on all safety aspects of using a mobility scooter.

Tenants who purchase a used mobility scooter, through local newspaper advertising or similar outlets, do not have this safeguard so must be wary. The mechanical condition of the scooter and the condition of the batteries, which are expensive to replace, need to be checked.

We highly recommend that tenants visit an organisation where mobility scooters can be hired and training given, to gain experience before they buy a mobility scooter.

### **4. Permission Requirements**

Tenants must ask for permission from the complex Coordinator/Housing Officer before they buy a mobility scooter. This is to make sure the scooter can be stored safely and there is adequate storage space available before bringing another scooter onto the complex.

No motorised mobility scooter can be stored or used within the complex unless permission has been granted by us.

Permission will be subject to the requirement for the tenant to show proof of adequate insurance for the mobility scooter and will only be granted if there is vacant designated space.

To manage permissions, a permit system must be in place at the development - please see section 'Allocation of Space' for further details.

Where written permission is granted, the tenant 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.

## **5. Storage of Mobility Scooters**

### **5.1 Fire Safety Requirements**

Mobility Scooters are not permitted 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 or minimise the risk of fire reaching the mobility scooter.

### **5.2 Storage of scooters in customers' flats**

Tenants may store and charge a scooter in their flat, as long as the flat is safely accessible and the scooter is Class 1 or Class 2. A Risk Assessment must be conducted to assess this safety, including an assessment of using a lift, if applicable.

Where scooters are being stored and charged within tenants' flats, permission must still be obtained in line with the permission requirements set out in this policy.

Scooters that are being stored and charged within tenants' flats do not impact on the maximum permissible number of scooters recommended for storage or charging within the designated areas of the development.

### **5.3 Storage of Scooters in Developments**

Where tenants are unable to store or charge their mobility scooters within their flats, most developments will have a designated area in the development, in line with the requirements in this policy. The design and location of a development may not always allow scooter storage facilities – this can be confirmed by the developments Coordinator or Housing Officer.

For scooters being stored in a designated area within the complex, each complex will establish a set maximum permissible number of spaces for mobility scooters. This has been agreed by Housing and Property Services and relates to the size and location of the complex and the suitability of appropriate storage facilities.

No mobility scooter can be stored or charged in an internal communal area unless an area has already been specifically designed and designated for this specific purpose and the tenant has permission from the development Coordinator / Housing Officer to do so.

### **5.4 Storage Options**

Storage options can include designated outside or inside areas and must comply with the Health and Safety requirements as set out in this policy.

Examples of alternative storage options can include:

- Disused rooms
- External storage facilities

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 tenant's home or other spaces within a development without written consent from us which will not be unreasonably withheld.

In all cases, tenants must be consulted with to ensure that they support the plans.

#### **5.5 Storage of Scooters without Permission or in Non-Designated Areas**

Failure to comply with the requirements set out in this policy will be treated as a breach of tenancy and enforcement proceedings will commence to remove the mobility scooter from the development permanently.

Any fines imposed on Viewpoint for breach of Fire Regulations, directly attributable to a breach of these storage requirements, will be recharged to the appropriate perpetrator.

### **6. Allocation of a Space**

Please refer to the Viewpoint Mobility Scooter Process for documents required when allocating a space to a customer.

#### **6.1 Designated Areas in development**

We operate a permit system for the storage, charging and use of mobility scooters in developments.

Allocation of a space for a mobility scooter will take place on a first-come first-served basis. If there are already mobility scooters stored on a development, the development Coordinator/Housing Officer will record the details and try to accommodate all scooters in line with the maximum permissible number.

Where the number exceeds the maximum permissible number within the development, the development Coordinator /Housing Officer will work with the tenant to achieve a mutual solution.

A risk assessment must be conducted by a competent person for each designated storage and charging area in the development, prior to allocating a space to a customer.

The development Coordinator/Housing Officer will manage and allocate the designated number of spaces on requests made. Discretion will be used if a request is made on medical grounds with an Occupational Therapist recommendation. It will be the responsibility of the tenant to provide sufficient evidence to support their request for a space.

Once a space has been allocated to a tenant, a permit will be provided.

## **6.2 Customers' Flats**

Tenants must meet the requirements as set out in this policy prior to permission being granted to store and charge their mobility scooter within their flat.

In addition to the requirements, a risk assessment must be conducted by a competent person to make sure the customer can get to their flat safely with their mobility scooter.

Tenants must also comply with any conditions within their tenancy agreement that can be applied to the storage and charging of mobility scooters within their flat.

Once the above has been satisfied, a permit will be provided.

## **7. Charging of Mobility Scooters**

Charging of vehicles should only be undertaken behind a fire resistant door, i.e. purpose built room or within the tenant's home if this meets the requirements. Charging and maintenance should be undertaken in accordance with the manufacturer's instructions.

Vehicles should not be left on permanent charge, and only charged for the manufacturer's recommended time.

## **8. Insurance of Mobility Scooters**

The owner of a mobility scooter kept on our property must provide the development Coordinator/Housing Officer 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.

Any damage to our property caused by a mobility scooter 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.

## **9. Use of Mobility Scooters within a development**

Mobility scooters can only be used inside a development if the permitted storage area (including a tenant's flat) is within the development.

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

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