



Committee Approver	Operations Committee
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Related Documents	<ul style="list-style-type: none"> <li>• The Tenancy Agreement</li> <li>• Tenants Handbook</li> <li>• Mobility Scooter/power wheelchair procedure</li> <li>• Estate management policy and procedure</li> <li>• Allocations Policy</li> </ul>
Location of Electronic Copy	<a href="#">F:\LIVE POLICIES\Housing</a>

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## 1. **Viewpoint's Values**

1.1 Viewpoint is here to help people enjoy their later years. Everything we do is about realising this vision, which is supported by the following straightforward set of values:

- Inspire with positive smiles and words
- Say 'yes I can and I will'
- Celebrate age, experience and wisdom
- Do according to our customers' wishes and ambitions
- Treat people (everyone is a VIP) as we would a 'loved one'
- Work hard, have fun and laugh
- Stay courageous, creative and ahead of the game
- Work with those that share our values

1.2 These values shape us. They are a commitment to our residents, staff and suppliers.

1.3 Ensuring that we have appropriate policies in place will support us to deliver our services in accordance with our vision and values.

## 2. **Policy Statement**

Viewpoint Housing Association is committed to promoting equalities and recognises that our tenants should have a quality of life, which allows them to maintain and maximise independent living. We understand the value that a mobility scooter can bring to the lives of some tenants.

Due to damage to buildings, including lifts, walls and doors caused by scooters it is anticipated that this policy, developed in consultation with tenants, will help to advise and educate scooter users in the safe operation of their vehicles.

## 3. **Aims and Objectives**

This policy is to provide help and guidance to those who currently own or lease a mobility scooter, or those who are considering purchasing or leasing one.

The policy aims to:

- Ensure as far as possible the safety of all our tenants, visitors and staff;
- Ensure that the Association meets its statutory obligations in relation to the Fire (Scotland) Act 2005 and any other legislation which supports health and safety within blocks of flats;
- Provide information on scooters so that they can be of a size which can be stored and charged in the tenant's own home where possible;

- Ensure that residents are aware of their responsibilities relating to storage, charging and use of mobility scooters in and around the building and especially in designated communal areas;
- Ensure that tenants are aware that they are responsible for any injury or damage caused to another person, communal area or other Viewpoint property as the result of their mobility scooter usage;
- Ensure, as far as possible, that tenants who own or lease mobility scooters have adequate insurance cover, which should include public and third party liability to cover damage to buildings, property and grounds, or injury involving residents, visitors or staff.
- Provision of scooter stores for class 3 vehicles or, where it is a safety issue or there is insufficient space to store a class 2 vehicle.

#### **4. Legislation and Related Policies**

##### **4.1 Civic Government (Scotland) Act 1982 Part 8, Section 83**

###### **Fire precautions in common stairs etc.**

(2) It shall be the duty of the occupier to keep the common property free of—

(a) any combustible substances;

(b) anything that might obstruct egress from and access to the property in the event of fire.

##### **4.2 Equalities Act 2010**

##### **4.3 Fire Safety (Scotland) Regulations 2006**

##### **4.4 The Scottish Social Housing Charter**

###### Outcome 1: Equalities

Social landlords perform all aspects of their housing services so that every tenant and customer has their individual needs recognised, is treated fairly and with respect, and receives fair access to housing and housing services

###### Outcome 11: Tenancy Sustainment

Social landlords ensure that tenants get the information they need on how to obtain support to remain in their home, and ensure suitable support is available, including services provided directly by the landlord and other agencies.

5.

### **Scope**

This policy will cover all our flatted developments, whether they are alarmed, sheltered, enhanced sheltered, retirement or mainstream properties. In addition, where properties have their own designated ground this policy will apply in terms of permissions, but not in the provision of storage facilities.

6.

### **Types of Scooters**

6.1

Mobility Scooters are defined as 'Invalid Carriages' under the Use of Invalid Carriages on Highways Regulations 1988. The Regulations divide these machines into three classes:

- Class 1 – Manual Wheelchairs
- Class 2 – Machines designed for use on the pavement, travelling at a speed of 4 miles per hour. They may also be used on the road to cross from one pavement to the other, or where no pavement is available.
- Class 3 – Machines that can be used both on the pavement where like class 2 vehicles they are limited to 4 miles per hour, and on the road where they can travel at speeds of 8 miles per hour. These types of vehicles are required by law to be registered with the DVLA for road use. These vehicles will be licenced in the disabled taxation class where no duty will apply
- 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.

6.2

The following link shows the main features and differences in Class 2 and Class 3 Scooters.

<https://www.ridc.org.uk/features-reviews/out-and-about/choosing-wheelchair/mobility-scooters/class-2-and-class-3-mobility>

7.

### **Permission**

7.1

Prior to a tenant considering the acquisition of any size of mobility scooter, tenants must seek permission in writing from the Association.

7.2

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

7.3

Permission will be subject to the requirement for the tenant to show proof of adequate insurance for the mobility scooter (see section 9 below).

- 7.4** Permission can only be given if there is adequate space within the house to store and charge the vehicle, or if a scooter store is required where there is a vacant designated space available.
- 7.5** Permission to store and charge a scooter will not be unreasonably withheld; however, this will depend on the availability of a suitable space being designated if the scooter will not fit into the tenant's home. There will also be an assessment and potential impact on other people and will only be granted where the needs and wellbeing of other tenants and users are not adversely affected or put at risk.
- 7.6** Where permission is granted the tenant must agree and comply with all conditions placed upon the storage and usage of the vehicle. If the conditions are not adhered to permission will be withdrawn.
- 8. Training**
- 8.1** Any tenant considering buying or leasing 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.
- 8.2** 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.
- 8.3** We highly recommend that tenants visit an organisation where mobility scooters can be hired and training given, to gain experience prior to purchasing a mobility scooter.
- 9. Insurance**
- 9.1** The owner of a mobility scooter kept on our property must have a valid certificate of insurance for the vehicle. Insurance needs to include public and third part liability to cover damage to buildings, property and grounds, or injury involving tenants, visitors or staff.
- 9.2** A valid insurance policy needs to be in place before the mobility scooter is brought on site and stored either in the property or designated scooter store.
- 9.3** The tenant will have the responsibility to ensure that the insurance is renewed annually and the Association may ask to view this at any time.
- 10. Scooter Maintenance**
- Tenants will be responsible for ensuring their scooter is serviced annually and maintained and charged in line with manufacturers' instructions.

- 11. Storage**
- 11.1** Mobility scooters are not permitted in any internal communal areas, unless they are behind a fire door or an approved storage area, which has approved fire doors.
- 11.2** Under-stairs spaces must not be used as they compromise the fire safety and means of escape in the event of a fire.
- 11.3** No alterations can be made to accommodate a mobility scooter, 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.
- 11.4 Options**
- 11.4.1 Storage in Tenants' Own Flat**  
Tenants may store and charge a scooter in their flat as long as the flat is safely accessible and the scooter is with class 1 or class 2. A risk assessment must be conducted to assess this safety, including an assessment of using a lift, if applicable. Scooters should not be driven within corridors.
- 11.4.2 Storage of Scooters in Developments**  
Where tenants are unable to store or charge their mobility scooters within their flats, our developments will have a designated area in the development, in line with the requirements in this policy. It is noted that this may take time to achieve given that we have very few scooter stores at the present time.
- The design and location of a development may not always allow scooter storage facilities.
- For scooters being stored in a designated area within the complex, each complex will establish a maximum permissible number of spaces for mobility scooters. This relates to the size and location of the complex and the suitability of appropriate storage facilities. This will be defined within the area assessment for mobility scooter stores.
- 11.4.3 Occupational Therapy Recommendations and Storage**  
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. As mobility scooter stores are not to be driven within corridors this would also need to be part of the discussion with Occupational Therapist.
- 12. Charging of Mobility Scooters**
- 12.1** 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.

- 12.2 Charging and maintenance should be undertaken in accordance with the manufacturer's instructions.
- 12.3 Where the Association has provided scooter storage there will be access to electricity to charge the scooter.
- 12.4 Vehicles should not be left on permanent charge, and only charged for the manufacturer's recommended time. Tenants will be advised that the purchase of a timer for charging their scooter is advisable to assist with this.

**13. Consultation and Communication**

13.1 Viewpoint Housing Associations is committed to consulting with tenants in the development of its policies. There are certain areas where, as a responsible landlord and property owner, policy decisions have to be taken in line with Health and Safety considerations, legislation and guidance from bodies such as the Scottish Fire and Rescue Service. The safe storage and charging of Mobility Scooters is one such area.

13.2 Tenants have been consulted on this policy and comments have been incorporated within the policy where appropriate.

13.3 Staff members have also been consulted on this policy.

**14. Equality Impact Assessment (EIA)**

An Equality Impact Assessment has been carried out for this policy, identifying positive, negative and unknown impacts.

Viewpoint will treat all customers with fairness and respect in line with its Diversity Strategy. Viewpoint recognises that we have an ethical and a legal duty to advance equality of opportunity and prevent discrimination on the grounds of age, sex and sexual orientation disability, race, religion or belief, gender reassignment, pregnancy and maternity, marriage and civil partnership.

The Association will ensure that it complies with the Equality Act 2010 and every effort will be made to treat such request favourably. Permission will only be refused where, following a full risk assessment, it is believed necessary so as not to endanger the health and safety of any person; or where to accommodate the request would involve making major physical alteration to the premises which would be unreasonable in terms of cost and /or disruption to other services users; or there is no space to accommodate the request.

Upon request, the Association will make the information on the use and storage of mobility scooters available in alternative formats such as large print, braille or other languages.



**15. Privacy Impact Assessment (PIA)**

The initial screening questions of a PIA have been completed and as a result of the assessment no potential information risk has been identified

**16. Compliance and Support**

It is the responsibility of all staff to make sure they are familiar with the contents of this policy and the consequences of non-compliance.

It is not anticipated that any formal training is required, however if this is needed then this will be given to all staff affected.

Assistance will be sought from Viewpoint Health and Safety Officer to draw up a risk assessment for applications to keep a mobility scooter and for identifying suitable areas for siting scooter stores.

**17. Monitoring and Evaluation**

This policy will be subject to regular monitoring by

- Maintaining a record of applications accepted and those refused (with reasons)
- Monitoring by staff to ensure that the conditions are followed and action taken where required
- Drawing up an assessment plan for each area and identified need
- Raising awareness of the policy through Newspoint and through staff. A leaflet will be available for tenants considering the acquisition of a mobility scooter.

This policy will be reviewed three years from the date of approval, or earlier should the need arise to reflect changing circumstances or changes in legislation or good practice standards.