

Introduction

The Scottish government is reviewing the Property factor Code of Conduct. With these changes some updates will be required for WLC documentation relating to factoring. Primarily the Written Statement of Service (WSS) will need some updates to ensure that WLC remains compliant and acts in the best interest of customers.

A revised Code of Conduct (Code) for Property Factors was approved by the Scottish Parliament earlier this year and comes into force on the 16th of August 2021

Documentation Review

The new code of conduct has been scrutinised for changes to current legislation that require us to make changes to documentation and/or internal processes. The changes required are laid out in the table below

Section	Change/action required
Introduction to the Code of Conduct	Statement added to advise what may happen if a property factor is found by the First-tier Tribunal to have failed to comply with a PFEO
Overarching Standards of Practice NEW	None
Section 1 – Written Statement of Services	<ol style="list-style-type: none">1. Addition of the date the Code of Conduct was amended2. Update to the 2011 Act web address3. Update to the Property Factor Registers web address4. Statement if a factor does not comply with a PFEO5. Included FTT web address
Section 2 – Services Provided	<ol style="list-style-type: none">1. Contact details for notification of repair added2. Information on how to notify of an emergency repair3. Common-repair website address change4. Under One Roof web address change
Section 3 – Financial Obligations	<ol style="list-style-type: none">1. Statement advising overpayments will be refunded when informed2. Section advising we do not have floating or sinking funds
Section 4 – Debt Recovery	<ol style="list-style-type: none">1. Contact details for Advice Shop and Citizens Advice Bureau
Section 5 – Carrying Out Repairs and Maintenance	<ol style="list-style-type: none">1. New section added advising of the use of in-house staff and external contractors2. A statement that a collateral warranty may be requested by homeowners for major works carried out, confirmed to be with the product manufacturers3. A link to our website detailing our tendering process and insurance provision4. Advising of methods to inform of repairs including in an emergency
Section 6 – Communication Arrangements	<ol style="list-style-type: none">1. Statement advising of our property factor registration number being on all documents2. Statement advising of a new WSS being issued if there are any major changes

	<ol style="list-style-type: none"> 3. Including the sum of repair works completed before home owner consultation £200 as a guide 4. Details for where you can request documentation
Section 7 – Building Insurance	No change
Section 8 – How to End the Arrangement	<ol style="list-style-type: none"> 1. Statement advising no charge for termination of the policy
Section 9 – Change of Home Ownership	<ol style="list-style-type: none"> 1. Statement advising over paid fees will be returned within 3 months 2. Statement advising new WSS will be issued to the new home owner
Section 10 - Complaints	<ol style="list-style-type: none"> 1. First Tier Tribunal address change and included their email
Section 11 – Data Protection	No change
Section 12 – Declaration of interest	No change

The majority of the changes are minor, updating web addresses, the section numbers have changed and additional information has been included.

Section 5 – Carrying Out Repairs and Maintenance is one to review as this section is entirely new, although it focuses on our tendering process which is already publicly available on the West Lothian Council website.