



Solihull
Community Housing
Shaping our neighbourhoods

Mobility Scooter Policy 2019

Mobility Scooter Policy

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1. Policy Statement

Solihull Community Housing (SCH) recognises the value that a mobility scooter can bring to enhance the quality of life of some of our customers and for many it can provide independence and access to external facilities in the wider community, that otherwise they might not have been able to access. For other customers the use of mobility scooters is more of a lifestyle choice and their use is not critical to their continued independence.

This policy considers a range of relevant factors to enable SCH to develop proportionate and risk based procedures and systems. These procedures and systems will act as an enabler to prevent injury and reduce risk to all relevant persons in the event of a fire, to promote independence and to comply with all relevant fire safety and health and safety at work legislation.

It is expected that the use of mobility scooters will increase over time. For any new buildings that SCH plan to build, we will consider the provision of suitable spaces for the storage and charging of mobility scooters at the design stage. For existing buildings, SCH will identify where a building is suitable and what maximum capacity of mobility scooters a building can accommodate, taking into account any fire safety and local considerations.

The Regulatory Reform (Fire Safety) Order 2005 requires that fire risks in common areas should be assessed and actions taken to reduce these risks. In residential buildings mobility scooter fires can pose a life safety risk to tenants, employees, firefighters and others when stored in communal areas and/or escape routes.

SCH therefore has a duty to ensure that mobility scooters for residents of flats are being stored safely. This policy introduces the following:

- a) A mobility scooter registration scheme for scooters used within SCH flats
- b) A management scheme to ensure that mobility scooters are stored and charged safely
- c) Advice for tenants regarding the purchase of suitable mobility scooters and awareness of the health and safety risks associated with their safe storage.

SCH conforms to the Equality Act in ensuring our customers can maximise independent living using the most appropriate equipment available to allow them to do so. Even though our customers meet the cost of mobility scooters privately, SCH has a duty to ensure that these vehicles are being used legally, with full responsibility being taken by the owner who resides in a flat within a multi-storey building. As such, mobility scooters must be registered with SCH.

No Mobility Scooter can be stored or charged in an internal communal area unless an area has already been specifically designed and set aside for this purpose or specific written permission has been granted by SCH. Where designated internal areas have been provided or permission granted to store within a communal area, residents must comply with any health and safety procedures that have been put in place. Failure to comply will result in a breach of either tenancy or lease and the mobility scooter will have to be removed from the communal area immediately.

Charging should be undertaken inside a resident's home or SCH approved storage area, in accordance with the manufacturer's instructions. Under no circumstances may mobility scooters be charged on a communal landing unless approved charging facilities have been fitted and SCH has given permission in writing.

No alterations can be made to the communal building or resident's home, without written consent from SCH. SCH will not unreasonably withhold permission for a resident to place a small scooter shed at the rear of their property where it is practicable to do so, but only after successful consultation with neighbours who may be affected.

Prior to the purchase of a mobility scooter the resident, or their family, must consult with SCH to find out if suitable space is available and/or the most appropriate type of vehicle. If the resident wants to store the vehicle outside of their property the resident must consult with SCH to start the consultation process with neighbours who may be affected.

2. Roles and Responsibilities

Chief Executive

The Chief Executive has overall responsibility for the mobility scooter policy. This includes the actions of contractors acting on behalf of SCH. The Chief Executive is required to ensure that adequate resources are allocated to managing fire risk, including:

- Ensure adequate resources are allocated to manage risk from mobility scooters
- Maintaining an up to date register of mobility scooter owners / users
- Ensuring adequate processes and procedures are in place to manage risk from mobility scooters
- Ensuring sufficient information instruction and training is carried out
- Monitoring the performance of staff and contractors
- Ensuring that members of the public, staff and contractors are not unnecessarily exposed to risk

Directors

The Executive Directors of the company will assist and deputise for the Chief Executive and are responsible for the overall effectiveness of the fire precautions policy in their areas of responsibility. They are required to:

- Ensure adequate resources are allocated to manage risk from mobility scooters
- Monitor the performance of their subordinates against the policy
- Chair/ attend as required the SCH Fire Safety Group, ensuring the mobility scooter policy and breaches of the policy are regularly discussed and identified issues are addressed
- Manage the SCH fire safety tracker, including any identified risks from mobility scooters
- Advise the Chief Executive of any problem arising in connection with the management of mobility scooter risk

Managers

Managers are responsible for the detailed arrangements necessary to manage mobility scooters within their areas of control. Where contractors are being managed and there is likelihood that fire precautions may be affected, regular monitoring is to be included to ensure these precautions are maintained. All managers are to ensure that:

- Adequate resources are made available to manage mobility scooter risk in multi-storey buildings
- All employees receive adequate information, instruction and training. This includes the provision of regular refresher training to maintain skills
- They monitor the performance of their subordinates against this policy

SCH Fire Risk Assessors

SCH Fire Risk Assessors are responsible for the completion of fire risk assessments of buildings within their area of control or as directed by SCH management. They are required to:

- Complete fire risk assessments in line with the fire risk assessment schedule
- In line with the hierarchy of control in section 4 below, fully fire risk assess all areas of a building, to ensure that the storage and charging of mobility scooters does not compromise the means of escape
- For mobility scooter storage within the buildings, determine the required fire resisting construction and fire resistant doors, the period of resistance should normally be 60 minutes, except where an area contains no more than 3 mobility scooters or is provided with automatic fire suppression, in which case 30 minutes' fire resistance will normally be adequate
- Make recommendations to management regarding the safe storage and charging of mobility scooters in buildings and how many mobility scooters can safely be stored in each storage area
- Immediately bring to the attention of SCH management any breaches or non-conformities identified due to the way a mobility scooter is being stored or charged

SMBC Health and Safety Team

The Health and Safety Team is responsible for providing a comprehensive advisory service to SCH, covering both client and contracting operations. They will provide advice and guidance when required and report any concerns to the Executive Director of Assets and Development and/ or Chief Executive.

Employees

All Employees of SCH, irrespective of their position, have a responsibility to:

- Take reasonable care for their own Health and Safety and that of other persons who may be adversely affected by mobility scooters, including members of the public, tenants, visitors and contractors
- Co-operate with SCH and its managers to enable compliance with this policy and the legal duties it holds
- Diligently undertake remedial actions to ensure that the desired standard of fire precautions are maintained
- Remove or reduce hazards that, in their opinion, may present a serious risk to health of themselves or others
- Report hazards that have been introduced or that may present a serious risk of fire

Tenants and Leaseholders

This policy is to be read in conjunction with the SCH Fire Safety Policy and Solihull Council's current Tenancy Agreement or Terms of Lease. Most importantly, tenants must not make any material alterations to their homes without the express formal permission of SCH.

3. Fire Risk

Mobility scooters involved in a fire can release large volumes of smoke and generate significant heat outputs. If mobility scooters are stored on escape routes and are involved in a fire, there is a potential that escape routes will become impassable and residents could be placed at significant risk in the event of a fire. Therefore, appropriate measures must be considered within the building fire risk assessment to address the risks posed by the storage and charging of mobility scooters.

Mobility scooters are generally constructed around a steel frame, with plastic fairings, rubber tyres, foam seats, wiring and batteries. They are often retro fitted with vehicle registration number plates, waterproof covers and storage bags.

The type of batteries used in mobility scooters are generally lead acid (wet cell) or sealed lead acid scooter batteries. Other battery types include Gel and Absorbed Glass Mat (AGM) batteries

The recent use of lithium iron phosphate (LiFeP04) batteries instead of lead acid batteries to power mobility scooters has increased risks due to their unpredictable and adverse reaction when subjected to fire. All batteries can give off hydrogen when charging.

Research has indicated that within 3 minutes of a mobility scooter igniting, the temperature of the mobility scooter could reach 375°C. The speed of temperature rise and rapid volumetric smoke production, occupants of a building would need to evacuate very quickly to escape unharmed. Meaning a fire involving a mobility scooter that is being stored within common exit routes, an escape corridor or stairwell would render conditions untenable in less than 3 minutes, since the smoke and heat will make such routes impassable and put occupants at risk.

4. Managing Mobility Scooters

There is no legal obligation to provide storage facilities for mobility scooters. SCH recognises the value that mobility scooters bring to people's lives. We will work with residents so far as is reasonably practicable to find the best solution for the safe storage and charging of mobility scooters.

Every tenant or leaseholder should notify SCH of their possession of a mobility scooter and a record of this will be kept. To aid this notification, regular communication will be undertaken to raise awareness and a registration form will be supplied to anyone who is identified as potentially owning a mobility scooter.

On receipt of a registration form, an assessment will be made to determine the best method of storage and where batteries will be charged. Management intervention will be required should a mobility scooter be identified that increases the risks from fire.

SCH has consulted on its approach to managing mobility scooters and has agreed the following hierarchy:

1. Kept / Stored within the flat (including a change of model and providing evacuation routes are not obstructed)
2. Convert an internal area where possible
3. Convert an external shed
4. Convert/allocate garage
5. Installation of external storage facility
6. Discuss options for alternative accommodation where appropriate
7. Issue permit for communal area with appropriate conditions e.g. battery dismounted for charging inside the flat
8. Deny permission and remove mobility scooter
9. Undertake legal action (last resort)

This hierarchy is a guide for officers in making the most appropriate decision in individual cases. Where charging facilities are provided, these will be from the tenant's or leaseholder's supply.

Advertising properties

Where properties are identified as not being suitable for a mobility scooter, these will be advertised as such. Tenants wishing to introduce a mobility scooter will be refused permission unless they can demonstrate a mobility scooter can be stored and charged safely within their flat. Where a mobility scooter is refused, tenants can apply for alternative accommodation and their circumstances will be assessed in

accordance with the Housing Allocations Policy. A medical assessment may be required to determine the level of need.

Where a tenant or leaseholder is in breach of the conditions and written permissions of this policy and this presents an unacceptable hazard, SCH will remove the mobility scooter and notify the owner without undue delay. The owner may be charged for storage at the discretion of the SCH officer. Release of the mobility scooter shall only be granted once suitable arrangements for storage and charging are in place. If there are repeated breaches, the tenant or leaseholder will be required to permanently remove the mobility scooter. This may require legal action.

Properties in multi-storey buildings will be advertised with an indication of the facilities for mobility scooters. These advertisements will broadly fall under one of the following headings:

- Suitable for mobility scooters
- Facilities for mobility scooters not yet available
- Not suitable for mobility scooters

Details may be added as available with likely costs where known. SCH will provide essential dimensions of the property to allow users of mobility scooters to determine the suitability of specific models. These dimensions will include the width of doors and widths of communal corridors.

Purchasing a Mobility Scooter

Before choosing a mobility scooter, it is important that you consider your needs and that you are fit to use one, especially if you will be using it on the road and/or pavements, amongst many other people and vehicles.

Before buying a mobility scooter it is important that you take time to consider your options as this may save you time, effort and resources later on. There are many different types of mobility scooter and you need to find one that is suitable for your needs i.e. size, height, weight and restricted movement. You should consider:

- Setting your budget, including the cost of the vehicle, insurance and breakdown cover, maintenance, servicing and repairs and any adaptations required. Use of existing benefits and funding from charities may be available, some benefits and charity funding allow for the benefit or funding to be put towards the cost of leasing or buying a scooter
- It is recommended that you choose a dealer experienced in assessing customer needs. Avoid buying from an untrained sales person. Some vehicle suppliers are members of the British Healthcare Trades Association (BHTA)
- Check whether the dealer can offer appropriate training
- Ask if scooters/vehicles can be hired to gain experience before making the purchase
- Consider your budget limit and whether you wish to buy new or second hand.
- Make sure you are familiar with all the controls on the scooter/vehicle before buying and taking it home
- Check whether there are instructions; second hand scooters may not have them

- Ask if there is a warranty, what this covers and the duration of the warranty.

This policy recommends that all new mobility scooters that are to be purchased by a tenant have been manufactured in accordance with BS EN 12184:2014. Tenants are advised to discuss this with their commercial retailer, prior to purchase to ensure that this is the case.

People who purchase a second-hand mobility scooter through local newspaper advertising or similar outlets, do not have this safeguard so must be wary. The mechanical state of the scooter and the state of the batteries, which are expensive to replace, needs checking.

It is important that your scooter is properly maintained. This will prolong its life and reduce the risk of fire and mechanical breakdown. The manufacturer's handbook will tell you how often your scooter should be tested.

For details of the British Healthcare Trades Association visit: www.BHTA.net

For information on mobility schemes visit: www.motability.co.uk

For details of charities that may assist with funding visit:

www.charitychoice.co.uk or www.guidestar.org.uk

Incident Reporting

All incidents involving mobility scooters must be reported through the SCH Contact Centre or by SCH management using the SMBC Accident/ Incident Reporting Form.

In the event of any fire incident involving a mobility scooter (however small), in addition to inform West Midlands Fire Service, a report should also be made to the Medicines and Healthcare Products Regulatory Agency (MHRA). The make and model of the scooter involved will be required as well as the details of the incident. To report an incident visit the following website: www.yellowcard.mhra.gov.uk

Damage

Any mobility scooters kept within SCH properties by tenants should only be kept after permission and consent has been given by SCH. The tenant should have appropriate insurance in place; this should include liability insurance in case of either damage to building, or injury involving other people who may be living at or visiting the property. As mobility scooters are not covered by the SCH contents insurance, separate cover would need to be arranged to provide third party cover (should any damage occur to a premises or to another person). Any damage to Council or SCH property caused by a mobility scooter will be recovered through the owners' insurance company. If the owner does not have a current insurance certificate, they will be personally liable for all costs.

4. Training

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 Manually operated wheelchairs not electrically powered

Class 2 Powered wheelchairs and mobility scooters for pedestrian routes (pavements) and indoor use, travelling at speed of up to 4 mph and do not exceed an unladen weight of 113.4KG. They may also be used on the road to cross from one pavement to another or where no pavement is available. Class 2 vehicles are not allowed on the public highway and are not required to be registered with the Driver and Vehicle Licence Agency (DVLA)

Class 3 applies to mobility scooters that can be used both on the pavement and for indoor use where, like class 2 vehicles, they are fitted with a device to restrict travel to a maximum speed of 4mph, and on the road/ highway where they can travel at up to 8 mph. Class 3 vehicles are required by law to be registered with DVLA for road use. These vehicles will be licensed in the disabled taxation class and display a nil duty tax disc.

The training that is to be given to staff depends on their role and is described below:

All Staff

This policy

Estate Management Officers

This policy
Regulatory Reform (Fire Safety) Order 2005
Equality Act 2010

Caretakers

This policy
Regulatory Reform (Fire Safety) Order 2005
Equality Act 2010

Tenancy Management Officers

This policy
Regulatory Reform (Fire Safety) Order 2005
Equality Act 2010
Options and costs

5. Legislation

The following legislation is applicable to the Mobility Scooter Policy:

The Health and Safety at Work etc., Act 1974 is the primary piece of legislation, which places duties on the employer or person in control of premises to ensure the Health and Safety of their employees, other people who work on their sites and members of the public who may be affected by their work. The general duties are covered in sections 2 – 9.

The Management of Health and Safety at Work Regulations 1999 is the main Statutory Instrument that overtly places the duty on the employer or person in control of premises to take a systematic approach to dealing with Health and Safety by:

- Assessing the risks
- Setting up emergency procedures
- Co-operating with others on Health and Safety matters
- Providing information, instruction, training and supervision

The Equality Act 2010 replaced most of the requirements of the Disability Discrimination Act 1995. The Equality Act 2010 makes it unlawful for an employer to discriminate against or harass a disabled person. Also an employer must make reasonable adjustments for disabled people. It confers rights for disabled persons to access public areas, such as shops, cinemas and communal parts of multi-storey flats.

The Regulatory Reform (Fire Safety) Order 2005 makes provision for conducting fire risk assessments for common areas of blocks of flats and requires the management of those risks. This includes the requirement to reduce fire risk in common areas and maintain the fire protection of the block.

Other pieces of legislation and mobility scooter guidance that need to be taken into account include:

- Use of Invalid Carriages on Highways Regulations 1988
- BS EN 12184:2014
- Fire Safety in Purpose Built Block of Flats Guide
- NFCC Specialised Housing Guidance Care Quality Commission (CQC) Fire Safety Information and Guidance Note 422
- RC59 “Risk Control: Fire safety when charging electric vehicles” 2012 published by the Fire Protection Association on behalf of RISC Authority
- House of Commons Transport Committee, Mobility scooters, Ninth report of session
- The Housing Act 1985 as amended
- Data Protection Act 2018
- Human Rights Act 1998

Get in touch

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