

16. CARETAKERS HOUSES

16.1 Tenancy

Some schools will be in a position to offer a house as part of the role of site controller or caretaker. Where such an appointment is made it is essential that any post is offered as a residential appointment stating the employee is required to occupy the accommodation for the “better performance of their site controller duties” and must be subject to a Service Occupancy Agreement. This is a separate agreement to the contract of employment but will need to be cross-referenced.

The Agreements use an exemption within the Housing Act 1985 which prevents security of tenure being granted to the member of staff.

Prior to occupying the premises a service tenancy must be issued. This will be done in conjunction with Corporate Property, HR and the Legal Services Department. This will specify the entitlement to occupy the accommodation only as long as the employee remains employed by the Council in this actual post. The employee should be advised to make enquiries at an early stage of the local housing authority concerning their policies for re-housing residential staff when he ceases to occupy service accommodation.

Where an employee leaves a residential post, he is required to vacate the property in accordance with the Service Occupancy Agreement since he has have no right to remain in the property the final date of employment.

Where the accommodation cannot be made available when a new residential appointment is made there are certain contractual processes that need to be followed. Schools are advised to liaise with HR in such a situation and with all other residential appointments.



Under their occupancy agreement the occupants pay rent, which is passed on to the school in question.

Changes in an employee’s contract of employment must be reported to ensure that the employee continues to live in the premises “for the better performance of his duties”.

Human Resources Section
Tel: 01344 354060
Schools.hr@bracknell-forest.gov.uk

Mike Coles
Corporate Property
Tel: 01344 352476
Michael.Coles@bracknell-forest.gov.uk

16.2 Maintenance and Upkeep

Occupants of caretaker's houses are expected to provide internal floor coverings and curtains/blinds and to look after and keep the premises including the external areas in good condition. This includes cleaning, window cleaning cutting the grass etc.

Maintenance of Caretakers houses at community schools follows the same headings as for school premises set out in Chapter 5, with planned maintenance being undertaken either by the Council on its capital programme, or by the school using Devolved Formula Capital. Day to day maintenance is a school responsibility charged to their revenue budget. Caretakers houses for VA schools are entirely a school responsibility for maintenance.

It is important that schools do not overlook the caretakers house in prioritising funding. As schools receive the rent income from the occupant, they have a legal obligation to maintain the house in a safe and useable condition. There is also a moral obligation to our employees to ensure that the accommodation provided for them and their families is suitable and fit for purpose.

There is a useful benchmark for this in the form of the Government's "Decent Homes" standards for social housing which say that housing should

- be free of health and safety hazards
- be in a reasonable state of repair
- have reasonably modern kitchens, bathrooms and boilers
- be reasonably insulated

16.3 Statutory compliance – Schools' responsibility

Ensure that the following are in date and all works are completed:

EICR – Five year fixed wiring should be completed at the same time as the school has its five year fixed wiring test. All C1 and C2 remedials must be completed in order to obtain a SATISFACTORY certificate. This needs to be completed within the 5 year period and sufficient time needs to be allowed to ensure that remedials can be completed prior to the certificate expiring. No property should be let without this being in place and SATISFACTORY. All testing and works should be completed by an NICEIC accredited contractor. All certificates for remedial works must be retained in order to prove that all recommended works (C1 and C2s) were conducted to prove that the certificate is now deemed as satisfactory. It is not necessary to get another EICR test conducted, but each C1 and C2 item must be matched on the remedial certificate to show work was completed. Further information can be found at:

<https://www.gov.uk/government/publications/electrical-safety-standards-in-the-private-rented-sector-guidance-for-landlords-tenants-and-local-authorities/guide-for-landlords-electrical-safety-standards-in-the-private-rented-sector>

Gas safe certificate – A Landlord Gas Safe Certificate (CP12) must be in place. The boiler should also be serviced at the same time. This must be carried out by a Gas safe registered contractor. This can be completed at the same time as the school boiler service. Any suggested works on this certificate need to be completed and documents filed with the original certificate. No property should be let without this being in place and

in date. Gas safety regulations can be found at:

<https://www.hse.gov.uk/pubns/priced/l56.pdf>

Hard wired detection – From the 1st October 2015, Private sector landlords are required to have at least one smoke alarm installed on every storey of their property and a carbon monoxide alarm in any room containing a solid fuel burning device. It is advisable that hard wired detectors should be installed in the caretaker's property that are all linked. A CO2 detector should also be installed near to where there is a gas appliance in place i.e. near the boiler and gas cooker. A heat detector should be installed in the kitchen. The smoke detectors should be situated in the hall and lounge and at the top of the landing if the property is a two-storey dwelling. If hard wired detection is not installed, then AICO 10 year lithium battery radio linked heat detectors need to be installed as a minimum. If hard wired detectors are installed these should be serviced annually by a competent contractor. Further information can be found at: <https://www.gov.uk/government/publications/smoke-and-carbon-monoxide-alarms-explanatory-booklet-for-landlords/the-smoke-and-carbon-monoxide-alarm-england-regulations-2015-qa-booklet-for-the-private-rented-sector-landlords-and-tenants>

These should be checked by the caretaker once a month and a record kept of these tests. A different detector should be set off each month and when pressed all the detectors should go off together.

Energy Performance Certificate

All property that is let must have a Energy Performance Certificate. This certificate must attain a Grade E or above under current government guidelines to allow the property to be rented out. Regulations will be changing in 2026 which will mean all properties must reach a Grade C or above. Therefore, it would be prudent to explore options (usually suggested within the EPC report), to improve the energy efficiency and reduce the properties' carbon footprint over the coming few years in order to reach this requirement. Further information can be found at: <https://www.gov.uk/guidance/domestic-private-rented-property-minimum-energy-efficiency-standard-landlord-guidance>

PAT Testing

All appliances that are owned by the Landlord need to be PAT tested. Whilst there is no legal regulation on the time between inspections, an annual inspection is generally deemed appropriate in educational and housing sectors. This can be done at the same time the school undertakes their PAT testing. Further information and frequently asked questions can be found at : <https://www.hse.gov.uk/electricity/faq-portable-appliance-testing.htm>

Emergency Lights

If there are any emergency lights in the caretaker's property then these need to be tested annually.

Asbestos Management Survey

It is advisable that this report is also conducted on the caretaker's property at the same time as the school' report is conducted. In this way any asbestos found can be monitored, managed and encapsulated or removed as required. This also assists when building work is required. Regular checks should be conducted by the caretaker on the condition of the asbestos, if any is found in the property, and if the asbestos has deteriorated, this should be reported to the person responsible (Headteacher/Bursar). If

refurbishment is being considered then please ensure that a Refurbishment and Demolition Asbestos Survey is conducted to all surfaces to include ceilings, walls, windows, doors and floors and screed underneath the floors. Further guidance on asbestos surveys can be found at: <https://www.hse.gov.uk/pubns/priced/hsg264.pdf>. Further information on Managing asbestos in buildings can be found at: <https://www.hse.gov.uk/pubns/indg223.pdf>

Legionella Risk Assessment

It would be advisable to include the caretaker's property in the Legionella Risk Assessment that the school undertakes. Whilst there are no specific legislation on when this should occur it is considered that 2 years is adequate, or if there are any significant changes to the property an additional report should be conducted after changes are made. Any recommended works should be conducted as soon as possible following the risk assessment report. If the caretaker property is left unoccupied for longer than 2 weeks then a flushing regime to all outlets should be conducted. A new tenant should not move back into the property until this has been thoroughly conducted. The control of legionella bacteria in water systems Approved Code of Practice can be found at : <https://www.hse.gov.uk/pubns/books/l8.htm>

Thermostatic Mixing Valves

If there are any thermostatic mixing valves in the caretaker's property, which reduce the temperature of the water to prevent scolding, these should be serviced annually. All recommended repairs need to be undertaken in order for these valves to work properly and stop scalding. These are often found under baths, in the boiler cupboard or under sinks.

Inspection check list for Caretaker properties

The checklist below has been drafted to help schools ensure that all statutory compliance issues are met.

Schools can ensure compliance with these items by purchasing the Council's Property service level agreements on CanDo. [Can-Do | Bracknell Forest \(bracknell-forest.gov.uk\)](http://bracknell-forest.gov.uk) Where school choose not to purchase the Councils SLAs they must ensure that their alternative arrangements meet the minimum standards as outlined above.

Inspection Type	Frequency	Date of inspection	Next inspection due
EICR – Five Year Fixed Wiring Test	Every 5 years		
PAT Testing	Recommendations of annual inspection		
Gas safe CP12 certificate	Annually		

Domestic Boiler service	Annually		
Hard wired detection	Annual inspection and monthly checks by caretaker		
Energy Performance Certificate	Every 10 years		
Thermostatic Mixing Valves (if any)	Annual service		
Asbestos Management Survey	Annual re-inspections of any asbestos shown within report		
Legionella Risk Assessment	Every 2 years of if any building works are conducted		
Emergency light testing if applicable	Annual		

Rachel Bradley
 BFC Property
 Tel: 01344 351344
rachel.bradley@bracknell-forest.gov.uk