

## 16. CARETAKERS HOUSES

### 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”.**

### Maintenance and Upkeep

Occupants of caretakers 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

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