



EKAYA HOUSING ASSOCIATION

Good Neighbourhood Agreement Policy

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1. Introduction

- 1.1. The purpose of good neighbourhood management policy sets out what you can expect from us when you need our help resolving an issue with a neighbour.

Ekaya Housing Association recognises that Good Neighbourhood Management is an integral part in its role as a landlord and understand that well managed neighbourhoods provide a better quality of life for residents and can act as a deterrent to anti-social behaviour, neighbour nuisance and crime.

- 1.2. Ekaya is committed to providing excellent services, creating safe and sustainable communities and promoting pride in its neighbourhoods. Ekaya will comply with the Regulator of Social Housing Neighbourhood and Consumer Standard through partnership working with its tenants and other agencies as part of its commitment to keeping neighbourhoods and communal areas clean and safe.

2. Policy Statement

- 2.1. The policy provides a clear framework for dealing with behaviours, which are not Anti-social Behaviour (ASB), and unlikely to be a tenancy or lease breach, that require a different response from us as a landlord.
- 2.2. ASB is a term that relates to a wide range of behaviours. We use the Anti-social Behaviour Crime & Policing Act (the ASB Act) definition of housing related ASB as conduct that:
- has caused or likely to cause harassment, alarm or distress to any person
 - Is capable of causing nuisance or annoyance to a person in relation to that person's occupation of residential premises, or
 - Is capable of causing housing-related nuisance or annoyance to any person.'
- 2.3. However, there will be behaviours which would not be reasonable or appropriate to categorise as Anti-Social behaviour

3. Policy Purpose

- 3.1. The Housing Ombudsman report **"Time to be Heard"** particularly focused on how noise and neighbourhood issues are managed by landlords. The report called for a fresh way of thinking on how landlords manage non-statutory noise and nuisance reports to avoid neighbourhood disputes and manage expectations. A key aspect of the report recommended that landlord develop a Good Neighbourhood Management Policy.
- 3.2. This policy covers behaviours that are causing someone a nuisance but that would not be reasonable or appropriate to categorise as ASB. However, these are behaviours that can still cause a great deal of upset and frustration for neighbours

and residents, creating tensions between neighbours and the wider communities. Whilst we may be limited in our responses, this policy is designed to provide a better outcome and set out how we will handle such reports to assist residents.

3.3. The overall purpose of the Good Neighbourhood Management Policy is to:

- Provide excellent quality services, ensuring neighbourhoods are managed and maintained so that all residents and wider residents feel safe and proud to live there.
- Work in partnership with residents and external organisations to provide safe, clean, and sustainable neighbourhoods.
- Encourage active customer engagement in all aspects of neighbourhood management.

4. Policy Scope

- 4.1. This policy sets out the ways in which Ekaya Housing will deliver Good Neighbourhood Management by collaborating with residents, stakeholders, and partner agencies.
- 4.2. This policy details the approach that Ekaya Housing will take when we receive report from a person's behaviour or actions that are not class to be Anti-Social Behaviour (ASB) or a tenancy breach.
- 4.3. Where the behaviour is not Anti-social Behaviour, and unlikely to be a tenancy or lease agreement breach we will not seek to label someone as a perpetrator or a victim, nor will we be likely to consider any of our legal tools which are available to use under Anti-social behaviour (ASB) cases

5. Policy Principles

- 5.1. Anti-Social Behaviour (ASB) is a term that covers a wide range of behaviour. Sometimes people will behave in a way that causes a nuisance, but it would not be reasonable or appropriate to categorise it as ASB. This kind of behaviour can still cause upset and frustration for neighbours and residents, which can create tensions between parties.
- 5.2. If someone's behaviour is causing a problem but it isn't classed as ASB, we will take a different approach.
- 5.3. We will:
- Assess all incidents to understand if they will be dealt with under our ASB policy or good neighbourhood management policy. We will explain our decision to the person who reported the issue as soon as possible.

- Focus on finding a solution to issues, rather than seeking to find fault or blame.
- Ask for the cooperation and support of all parties involved. Please note that if cooperation or support is refused from any party, we may not be able to continue to help
- Consider the support needs of all parties involved and work to identify suitable referrals and support agencies.
- Work with partner agencies and share information; to identify the best possible support and guidance we can offer to the people involved in a case.

5.4. Definition

5.5. ASB is a term that relates to a wide range of behaviours. We use the Anti-social Behaviour Crime & Policing Act (the ASB Act) definition of housing related ASB as conduct that:

- has caused or likely to cause harassment, alarm or distress to any person
- Is capable of causing nuisance or annoyance to a person in relation to that person's occupation of residential premises, or
- Is capable of causing housing-related nuisance or annoyance to any person.

5.6. Where the behaviours would not be reasonable or appropriate to categorise as Anti Social behaviour, such behaviour will be managed under the good management agreement policy.

5.7. This policy will run along-side our Anti-Social Behaviour Policy.

5.8. The deciding factor of whether a person's behaviour and associated actions falls under the Good Neighbourhood Management Policy, or the Anti-Social Behaviour Policy is whether the behaviour is deliberate or intended to cause annoyance, alarm or distress.

- Where there is no deliberate intention, the incident will be managed through the Good Neighbourhood Management Policy.
- Where there is deliberate intention, the incident will be managed through the Anti-Social Behaviour Policy

6. What is classed as neighbourhood management?

6.1. We understand that everyone has different tolerances, expectations, and perceptions of the behaviour of other people. This means that certain people will see behaviour as anti-social, even if it is not.

6.2. For clarity behaviours are categories into two and the relevant policy will be used to address the issue.

- **Anti-Social Behaviour (ASB)** – these behaviours are considered to be ASB
 - drug dealing misuse, alcohol-related nuisance, and prostitution.
 - hate incidents motivated by someone's age, disability, faith, sexual orientation or race.
 - harassment, including verbal and physical abuse and threats.
 - acts of violence.

6.3. Behaviour under Good Neighbourhood Management

6.4. Whilst the list is not exhaustive, the below details some of the types of situations that are more likely to be dealt with under this policy, as opposed to our ASB policy:

- Untidy gardens, neighbour disputes.
- Issues with parking spaces including motorbike/car engines/running
- Positioning of wheelie bins
- Boundary disputes
- Cooking smells
- A baby crying
- D-I-Y that is occurring during reasonable hours
- Situations where all parties are contributing to the issue or dispute
- Issues arising from a difference in lifestyle. An example of this is someone working nights and having a problem with a neighbour making noise during the day
- Reasonable dog barking and cats defecating
- Cigarette and smoking cannabis in their homes including odour from cigarette smoke, tobacco smoke, pipe smoke, cannabis smoke etc
- Personal conflict such as 'dirty looks', the positioning of refuse bins, personal dislikes, personal relationship breakdowns, or children falling out with each other.

- incidents of loud music
- General household or living noise (babies crying, children playing, people talking and walking in their homes, closing doors and windows, vacuuming, and using white goods, DIY, working from home in a computer-based role)
- incidents of loud shouting and arguing
- BBQ's and bonfires
- Fly tipping

6.5. Ekaya Housing will consider all the options available when exploring Good Neighbourhood Management issues and will use a range of tools, some of which are delivered in partnership with other agencies, these include:

- Early interventions/ referrals for support – including referrals to Mental Health and Adult services
- Mediation
- Informal undertakings
- Acceptable Behaviour Contracts
- Warning letter
- Refer cases to safeguarding where it is believed any child or vulnerable adult is at risk.

7. Our Approach

7.1. The deciding factor whether a person's behaviour falls under the Good Neighbourhood Management Policy, or the Anti-Social Behaviour Policy is whether the behaviour is deliberate or intended to cause annoyance, alarm or distress.

- Where there is no deliberate intention, the incident will be managed through the Good Neighbourhood Management Policy.
- Where there is evidence of deliberate intention, the incident will be managed through the Anti-Social Behaviour Policy

7.2. Ekaya recognises that reported behaviour can change in terms of severity and the initial assessment under the Good Neighbourhood Management Policy can evolve into Anti-Social Behaviour. We will continually reassess our cases each time a report is received, making sure that all cases are correctly handled under the correct policy

7.3. To decide whether behaviour should be dealt with in line with this policy, we will consider the following factors:

7.4. **Triaging Reports** - We will triage the reports to ensure staff, partners and residents understand how a decision is made about whether a matter should be dealt with under our anti-social behaviour or the Good Neighbourhood Management Policy.

- The intention of the behaviour
- What is causing the behaviour and whether it can be classed as unreasonable activity
- How often the behaviour is occurring
- How long does the behaviour last?
- What time of day issues are happening
- What impact the behaviour is having on other residents

7.5. **Managing customers' expectations** - At an early stage we will manage resident's expectations by making residents aware of actions we as a landlord are able to take, and those actions that we are not able to take and what options available to residents.

7.6. **Terminology** - This policy will not identify 'perpetrators' and 'victims', we may refer to the parties as 'Resident 1' and 'Resident 2'. The purpose of our approach is to build relationships between customers.

7.7. **Request case review** – Resident 1 may appeal at any stage if they believe that their report is being handled under the incorrect policy. If residents disagree with the review decision, they will be informed about our complaint procedure.

7.8. **Resident co-operation** - The purpose of this policy is to develop and strengthen relationships between residents who live near each other. We need the co-operation and support from all parties involved to improve situations. Where parties refuse a reasonable request, we may not be able to assist any further. Where this is the case, it will be clearly communicated to the party concerned.

7.9. **Physical measures to reduce noise transference** – We recognise that noise can transfer between properties due to poor sound insulation and thin walls and this may have an impact on Resident A, even though Resident B is not undertaking unreasonable activities and is not at fault. In these circumstances, we will work with Resident B to consider options for reducing the noise issue where applicable.

7.10. **Property inspections** - We may inspect properties to establish whether any outstanding repair issues are contributing to noise transference. We are unable to commit to sound proofing properties built or converted before 2003 to Part E of the Building Regulations.

7.11. **Void Standard** – We will not remove carpets unless they are in poor condition, or the incoming customer has requested their removal. We will usually remove hard and laminate flooring. We will install anti-vibration mats into the washing machine space as standard in flats above ground floor.

7.12. **Vulnerabilities and support needs** - At all stages we will consider the support needs of all parties involved. We also recognise that sometimes personal circumstances may affect resident's tolerance, perception or ability to cope with certain situations. When we recognise that this could be a contributory factor, we will work with our partners to identify suitable support.

8. Managing and Assessing Reports

8.1. Ekaya Housing will have an expectation that our residents will take responsibility for their own behaviours and actions. In situations where there is a dispute or disagreement between neighbours, we will firstly encourage those residents to try and resolve things themselves, (unless there is a serious risk of harm/violence or abuse). **Refer to Appendix 1 Good Neighbour Guidance**

8.2. We will offer advice on how they might approach their neighbour to resolve the issue conflict.

8.3. We will engage with our residents and encourage them to take responsibility for their personal disputes with their neighbours and resolve problems in a reasonable manner.

8.4. Mediation through informal undertaking will be offered to assist both parties to come to amicable resolutions. Where this is not feasible, we will make referral to external mediation service to support them in reaching a resolution where both parties agree to engage in such service.

8.5. When we receive a report relating to a behaviour concern, we will assess whether it has reached our threshold to be considered under our ASB policy or whether a good neighbourhood management approach is more appropriate.

8.6. We will seek to ensure that our decisions are sound, meaning that they are fully informed and free from bias or assumption. This means that we may need to undertake some investigative work before we are able to determine the types of responses we may take. This may include, but is not limited to:

- Carrying out interviews with the parties involved in a report.
- Conducting wider investigations, such as speaking to other neighbours, liaising with our partner agencies etc.

8.7. Once we have determined how a matter should be managed, we will communicate this promptly and clearly to the relevant parties.

8.8. Where new reports and/or new information is available in a case, we will review our decision and determine whether we need to change the approach and deal with the

matter under our ASB policy

9. Specific Behaviour Types

9.1. Cannabis Smoking

- 9.2. Reports relating to a resident smoking cannabis in and around their home. We do not class cannabis smoking itself as ASB unless smoking occurs in restricted communal part such as the communal corridor. These matters should be reported to the Police directly by the resident.
- 9.3. If the Police take criminal action against the tenant in response to the cannabis, then we may take action through our tenancy but this depends on the criminal activities and Police action.
- 9.4. We may consider the impact of the cannabis smoking to be in certain circumstances. For example, where the smoke/odour arising from smoking is having an impact on the health of the person experiencing the smoke. On such occasion, we will work with the person smoking the cannabis, requiring them to take practical steps to limit the impact, refer parties to mediation so the impact of the behaviour can be understood and agreement made between the parties to limit the harm.
- 9.5. Smells from a domestic residence would not normally be deemed a statutory nuisance. Complaints of odour from cigarette smoke, tobacco smoke, pipe smoke, cannabis smoke etc. going from one property to another is not a matter that can be investigated under the Statutory Nuisance. A statutory nuisance cannot be created if the issue is caused by "reasonable use". It is considered reasonable for someone to smoke within their own home and in their private or communal garden.

9.6. Nuisance report

- 9.7. Reports of noise nuisance as result of noise transference between properties due to general living noise such as babies crying, children playing, people talking and walking in their homes, closing doors and windows, vacuuming, and using white goods, DIY (during responsible hours) is not considered as Anti social behaviour. We will work with both parties to find amicable resolutions.

10. Risk and Vulnerability

We recognise that if a report is not a matter which we consider to be ASB, it does not necessarily follow that there is low risk of harm and/or no vulnerability. When we recognise that this could be a contributory factor, we will work to identify suitable referrals and support.

11. Closing cases

- 11.1. Ekaya aims to resolve all cases where possible. We will close cases of report under this policy for a variety of reasons including:
- The problems have been resolved or reduced to a level that is

reasonable.

- Either or all parties are not engaging/cooperating.
- There is no further action that is reasonable or available to us.
- The report cannot be substantiated, are unproven, or are deemed vexatious or malicious.

11.2. We will inform the parties involved in the case that we are withdrawing our assistance, ensuring they are clear where to report any further concerns in future.

12. Persistent, Malicious or Unreasonable Parties

We understand that a party may be disappointed with our decision not to class their report as ASB, or the solutions that we offer. We aim to ensure that we are clear, transparent and fair, providing information about the reason for our decision.

12.1. Report we consider to be unreasonable includes:

- Making reports that a party knows to be untrue, exaggeration or with malicious intent.
- Making repeated contact to report or discuss issues that we have previously already making a decision on, without providing any new additional information.
- Making contact so frequently or in such a way that it creates an unreasonable demand on the capacity or resource of the service.

12.2. In these instances, we may feel necessary to take action against the party in line with the unreasonable behaviour policy relating to persistent reporters.

13. Complaints

13.1. Any party involved who are not satisfied with our reasons for closing the matter can refer to our Complaints Policy if they wish to make a complaint.

14. Monitoring and Review

14.1. We will monitor and learn from the feedback we receive about how we manage and respond to all incidents and issues raised under the Good Neighbourhood Management Policy, to ensure a high standard of our services, in line with the Tenants Satisfaction Measures Standard

14.2. An annual report to Senior Management Team, Ekaya Committee and Board to provide an assurance of our compliance with the policy to share how we are performing and to share and gather best practice.

15. Equality and Diversity

- 15.1. Ekaya is committed to eliminating discrimination and promoting equality and good relations between people of diverse groups. It is recognised that addressing good neighbourhood through management policy will promote positive contribution to the neighbourhood and ensure all cases are dealt with fairly and consistently with the policy.

16. Related policies and procedures

- 16.1. This policy is closely linked to the following policies and procedures:

- Allocations and Lettings Policy
- General Data Protection Regulations Policy
- Safeguarding Policy
- Anti-social behaviour Policy
- Domestic Violence and Abuse Policy
- Parking Policy
- Complaint policy

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Appendix 1 - Good neighbour guidance

Issues between neighbours

No matter where we live, our neighbours have different values or opinions, different lifestyles, and different expectations of others. Unfortunately, this can sometimes result in issues. It is important to remember that being a good neighbour involves compromise.

Sometimes it can be best to ignore an issue. When your neighbour was noisier than normal because they were having a birthday party or another one-off event or they just needed to put some shelves up. Although this might have disturbed you, a bit of tolerance can avoid this situation turning into a bigger issue.

Wherever possible, and when it is safe to do so, step one in any dispute is to try talking. Often, neighbours might not realise that their behaviour is causing a problem. It is important to be reasonable and avoid confrontation.

Talking to your neighbour

If you decide to approach your neighbour, try to remember to:

- Pick a time when you are feeling calm. Shouting or being angry will cause more issues.
- Think about what you want to say and keep the conversation about the main problem.
- Let your neighbour know what is causing you an issue and explain why.
- Avoid jumping to conclusions
- Listen to the other person's response. They might have a good reason for their behaviour, or it might have been a one-off occasion.
- Try to reach a solution that you are both happy with.
- Walk away if either of you are getting angry.

If there is any reason that you cannot approach your neighbour and you need our help to try and resolve an issue, please get in touch. We will review your case to understand whether we will deal with it in line with the good neighbourhood management policy.

If we find that the issue you are reporting should handle in line with our Anti-Social Behaviour (ASB) policy, we will open a case to investigate.

How to be a good neighbour

Keep the noise down.

Remember that no house or flat is totally soundproof. Everyone can expect to hear some noise from neighbours. There are things you can do to minimise disturbance:

- Talk to your neighbours about what they can hear from your home, especially if you live in a flat.
- Keep your TV and music at a reasonable level. This is particularly important if you have your windows open because the noise will travel further.

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- Keep TVs and audio equipment away from any walls that you share with a neighbour and off the floor, if possible.
 - Only clean and carry out D-I-Y during reasonable hours.
 - If you have permission to keep a dog, make sure it is not left barking in your home or garden for extended periods of time.
 - Tell your neighbours if you are intending to hold a party.
 - Ask guests to leave quietly, without banging doors or revving car engines.
 - Remember that noise can travel through walls and floors. If people live below you, fit carpets and underlay. The only places you are not allowed to do this are your kitchen and bathroom.
 - Close doors gently - do not slam them.
 - If possible, make sure your fridge, freezer and washing machine are not next to any connecting walls.
 - Stand washing machines and/or spin dryers on a piece of carpet or a rubber mat, to reduce vibration.
 - Mow the lawn or use loud garden equipment at a reasonable time.
 - If you will be conducting potentially noisy activities, such as using power tools or working on adjoining walls or floors, let your neighbours know beforehand. Use hand tools wherever possible, to minimise disruption.

Look after your garden and communal areas.

- Keep your garden tidy and free of rubbish.
- If your neighbour's trees or hedges are a problem, you can prune or remove anything that comes over to your side of boundary. Be aware that some trees are protected so it is always best to check with your neighbour before you take any action.
- Keep communal areas free of prams, bicycles, and any other personal belongings.
- If you share a communal door, please make sure it is always kept closed and you do not let anyone in that you do not know.
- If you have a communal bin area, please dispose of your rubbish correctly and make sure the area around the bins is kept tidy.
- If you have a dog, make sure you clear up any dog mess. Remember that not everyone is comfortable around dogs so make sure dogs are not left to roam free in communal areas.

Car parking

- Park considerately and make sure you are not blocking entrances, dropped kerbs, garages or pavements.
- Remember that anyone can park on a public road, if they are following any signposted restrictions and not causing an obstruction.
- Most car parks owned by Ekaya can be used by all residents and visitors where there are no dedicated parking spaces.

Bins and recycling

- Make sure you put all rubbish in the bins provided.
- Remember to put your bin out for collection on the correct day and always bring it back in after it has been emptied.

Vehicles and repairs

- Do not rev engines excessively.
- Close doors quietly and use horns only in emergencies.
- Keep in-car music levels down.
- If possible, conduct work in a garage.
- Try to do noisy repairs during the day.

Children playing/ball games

- Remember that children need to play. While that can sometimes cause an annoyance, that is not usually the intention.
- Try to make sure your children do not kick balls against walls and fences.
- Encourage your children to use local parks and designated play spaces, if you feel they are safe there.
- If you are being disturbed by children playing, do not speak to them directly. Talk to their parents, if you can.