

PH Self-Assessment

Housing Ombudsman's Spotlight on Noise: Time to be heard

Oct 2022

Revision Timetable

Review date	Reviewed by	Approved by
Nov 2022	Director of Housing	Director Housing
Nov 2023	Director of Housing	Services Committee Nov 2023

Introduction

The Housing Ombudsman introduced the Spotlight on Noise; Time to be heard in October 2022

Below is our self assessment against the recommendations made by the Ombudsman.

Useful information

Customer Care & Complaints Policy

Complaints Procedure

ASB Policy

[Housing Ombudsman Service](#)

Recommendations	Self-assessment
Decent Homes	
<p>1. The Decent Homes standard should be revised to fully reflect the causes that can result in residents experiencing noise nuisance. By focusing exclusively on external noise, and primarily noise from vehicles or factories, it does not reflect modern living for most residents.</p>	<p>DHS is a statutory standard. All homes meet current DHS standard.</p>
Net zero	
<p>2. Landlords should consider their net zero plans for insulation to ensure that the thermal insulation activity planned will also provide noise insulation and will not make any existing noise transference issues worse.</p>	<p>Net zero strategy being developed.</p>
Void standard	
<p>3. Landlords should update their void standard to ensure that:</p> <ul style="list-style-type: none"> • carpets are not removed unless they are in a poor state of repair • hard flooring is removed when there have been reports of noise linked to the property • properties have adequate insulation from transference noise; and • anti-vibration mats are fitted into the washing machine space as standard. <p>If landlords assess the condition of the carpets as good, they should ask the prospective tenant if they wish to keep them and if so, to sign a liability waiver.</p>	<p>Void standard is periodically reviewed. Last review included ‘gifting’ reasonable existing floor coverings to incoming tenant. Noise from washing machine vibration is not something we get many complaints about.</p>
Good neighbourhood management policy	
<p>4. Landlords should have a proactive good neighbourhood management policy, distinct to the ASB policy, with a clear suite of options for maintaining good neighbourhood relationships and a matrix for assessing which option is the most appropriate. These options should include mediation, information sharing and community building events and, where appropriate, dedicated staffing. This will ensure that low level issues of neighbour friction are dealt with at the appropriate levels and not inappropriately handled as potential ASB. Landlords should engage residents in the development of the good neighbourhood management policy, including residents who have recently raised a formal complaint with the landlord, to assure themselves that it reflects the expectations of residents and will be effective.</p>	<p>Our leases and tenancy agreements clearly set out the expectations around behaviour. Good neighbour agreements/policy cannot be enforced. Our ASB policy distinguishes between noise nuisance and domestic noise and includes mediation as a remedy to normalise neighbour relationships. We have a layered and extensive community offer.</p>

Recommendations	Self-assessment
	<p>Our Estate Boards/Gatherings and JEP are involved with policy development.</p> <p>Our Community Panel recommendations are now accepted in full, and approved, by Board. Resident engagement strategy will be circulated widely early 2024.</p>
<p>5. Landlords should have a triage methodology for identifying whether a noise report should be handled under the ASB policy or the good neighbourhood management policy. This should include a recognition that the time the noise occurred has a bearing on whether the noise is anti-social in nature.</p> <p>Landlords should provide training on this triage methodology, including regular refresher training and whenever there is staff change.</p>	<p>Our ASB policy distinguishes between noise nuisance and domestic noise; and includes mediation as a remedy to normalise neighbour relationships.</p>
<p>6. Landlords should give consideration to separating the role responsible for collecting rent from the role handling noise reports to avoid any perception of a conflict of interest and a concern that the resident might get a different service on their noise report than they might do otherwise if they are in arrears.</p>	<p>We have separate ASB, Housing and Rents Teams.</p>
<p>7. Landlords should review the job descriptions of public-facing roles to ensure that the handling of reports under the good neighbourhood management policy is recognised as part of their housing service provision duties.</p>	<p>Frontline Housing JDs include the following job purpose which incorporates the spirit of this:</p> <ul style="list-style-type: none"> • <i>'Deliver high quality, inclusive, and responsive housing services.</i> • <i>Sensitive to residents' needs, be first and main contact.</i> • <i>Sustain the security of a resident's home with proactive advice and support.'</i>
<p>8. Landlords have demonstrated the benefits of staff being present on some estates to provide early intervention where noise is reported. However, these resources are often limited and targeted at hotspots. Landlords should review its presence on estates and the data and information that prioritises intervention, to support an effective good neighbourhood strategy.</p>	<p>We already have a highly visible workforce on-site through Estate Services, CaN and Housing Teams.</p>

Recommendations	Self-assessment
ASB policy	
9. ASB policy timescales should be realistic and achievable. Adherence to timescales should form part of governance reporting.	Our ASB policy includes timescales.
10. Where options for action are included in an ASB policy, there should be clearly set out thresholds when they will be considered and/or when they might be considered inappropriate.	Our ASB policy sets out when enforcement action will be taken.
11. ASB policies should be realistic and practicable. Landlords should review their existing policy for whether it is routinely complied with or whether it is inherently unworkable, particularly in regard to the frequency of updates to residents, the number of stages and the likely outcomes. Landlords should engage residents in the review of the ASB policy, including residents who have recently raised a formal complaint with the landlord, to assure themselves that it reflects the expectations of residents and will be effective.	The ASB Policy is reviewed every 5 years. Our Estate Boards/Gatherings and JEP are involved with policy development. Our recent Resident Survey Deep Dive included residents who had made complaints. Compliance with the policy is periodically tested through Internal Audit.
Allocations policy	
12. All applications for housing should be assessed for the impact on the existing community and not just those considered to be sensitive.	The current Lettings policy includes provision to exclude perpetrators of ASB from the Housing List. Our ASB policy sets out that perpetrators will not be considered for rehousing.
13. When considering housing applications from families or households with multiple occupants, consideration should be given to the suitability of allocating properties above ground floor, where previous reports of noise nuisance (whether upheld or not) have been made and whether any mitigations can be made to the home.	We operate a choice-based lettings scheme which means applicants can choose to bid for any home that they are interested in. A policy that restricted choice could be directly, or indirectly, discriminatory.
14. New tenancy agreements for flats above ground floor should include clauses that hard flooring is not permitted.	Tenancies since 2013 include explicit clauses in this regard. Older tenancies, including those transferred from the Council, include clauses regarding noise that can be enforced where flooring is the cause of the noise.

Recommendations	Self-assessment
Multi-agency relationships	
15. Landlords will often need to work with other agencies, including the police and environmental health, when responding to noise reports, however the strength of those relationships are inconsistent. Landlords should consider the service level agreements they have in place with different bodies and their effectiveness, and whether roles and responsibilities are clear.	We have good operational and strategic relationships with statutory agencies. Realistically, with current financial challenges, it is unlikely that formal SLAs would be feasible.
Data, record keeping and information sharing	
16. Local Authorities should ensure that information shared relating to an applicant's suitability for a vacant home is substantial enough to support any requirements relating to sensitive lettings. Sharing information with housing associations to inform allocations is a lawful basis for processing data. If it is not possible to provide direct access to a housing register to facilitate this, an appropriate download of relevant data should be provided to housing associations.	As Common Housing register partners we have direct access to housing application and assessment information.
17. Databases should align noise reports to both the person the report has been made against and the address the report has been made against. Where the investigation of the report concludes that it is the nature of the address, rather than the person occupying it, that is the reason the noise is occurring, this should be captured on the databases to ensure that the noise report is aligned to the causation.	Our database holds information against the property and the tenant/leaseholder of the property. Case notes include noise source information.
18. Landlords should consider their current approach to retaining the evidence of noise that a resident submits and satisfy themselves it is sufficiently accurate and robust to ensure that they cannot lose the evidence provided. Due regard should be given to the requirements of GDPR for the retention and processing of data.	Our database holds all case information.
Respect	
19. Landlords should ensure the tone of communication does not result in perceptions of bias against, or being dismissive of, the resident reporting noise.	We have recently reviewed our corporate 'tone'; and our policy sets out that we carry out objective investigations.
20. Landlords should begin preparing for the Access to Information Scheme and communicate this to staff in emphasising the need for professional courtesy and respect for residents in internal and external communication.	The Government has not yet published details of the Atl scheme.
Starting the tenancy	

Recommendations	Self-assessment
<p>21. Landlords should provide information leaflets on ‘how to be a good neighbour’ as standard with the new tenancy induction pack, especially on estates where there have been ASB issues previously or where sensitive lettings policies are in place.</p>	<p>New tenants are required to watch a new tenancy video, and confirm they understand their tenancy obligations at sign-up.</p> <p>We use newsletters and social media to reinforce messaging.</p>
<p>Existing tenancies</p>	
<p>22. For existing tenancy agreements where hard flooring is only permitted with permission and/or with conditions (such as appropriate underlay or that permission will be rescinded if a noise report is made), if a noise report is made, those clauses should be inspected against and enforced.</p>	<p>This is already in our policy and procedure.</p>
<p>23. For existing tenancies where carpets were removed and/or hard flooring is present, the landlord should signpost residents where appropriate to funding for carpets and rugs.</p>	<p>We signpost residents to funding, charities and other cheaper retailers, and have a hardship fund to support the most vulnerable tenants.</p>
<p>Handling a noise report</p>	
<p>24. Landlords should assure themselves that it is clear to residents when and how to report noise nuisance to them, with a full range of accessible and inclusive options available for residents to report noise.</p>	<p>Residents can report online, by phone, via social media, in writing, by email, through the portal, face-to-face to any member of staff and in centres.</p>
<p>25. Residents must be clearly told if their noise report is being handled within the good neighbourhood management policy or is considered to be ASB.</p>	<p>Our ASB policy distinguishes between noise nuisance and domestic noise, and residents are advised following initial investigation.</p>
<p>26. If landlords are aware there is going to be a delay in addressing a noise report and the timescales provided to the resident will not be met, explain this at the earliest available opportunity and provide revised timescales.</p>	<p>We agree contact frequency with the complainant; and provide on-going progress on actions and decisions regarding the case.</p>
<p>27. If a policy stipulates that certain options must be considered when responding to a noise report, it is essential for the landlord to demonstrate consideration of that option and this must be documented, even if the decision is not to use that option to enable the landlord to answer any subsequent complaint. The decision should be clearly communicated to the complainant including the reasons why.</p>	<p>Regular case reviews are held, and decisions made on the case logged on the database.</p> <p>Our ASB policy sets out when enforcement action will be taken.</p>

Recommendations	Self-assessment
<p>28. Noise recordings submitted by residents should always be listened to by the case handler to ensure robust investigations that are informed by a true understanding of the noise being reported.</p>	<p>Resources are prioritised based on an assessment of risk.</p> <p>Whilst we aim to listen to all evidence submitted by residents, the volume means that this can be challenging.</p>
<p>29. Landlords should review the current provision of staff training, supervision, guidance and support and whether this is conducive to ensuring high standard of customer care. Particular consideration should be given to how confident and equipped staff feel in having difficult conversations, including managing expectations and delivering unwelcome news.</p>	<p>We have separate enforcement and support roles in our Team.</p> <p>Our Team is stable and experienced, and new starters are offered targeted induction.</p> <p>On-going training and personal development are available to all staff.</p> <p>We periodically roll out safeguarding training to all staff and contractors.</p>
<p>30. Line managers should be aware of an individual's caseload and the significant decisions taken in those cases and, wherever possible, handover meetings should be conducted where the ownership of a noise report is transferred.</p>	<p>Regular case reviews are held, and decisions made on the case logged on the database.</p>
<p>31. Landlords should ensure that information is provided as standard to residents who make noise reports about their right to make a complaint if they are dissatisfied with the landlord's proposal for handling the situation or the actions taken by the landlord to address the situation.</p>	<p>There is information on our website, and regularly included in newsletters, social media and messaging.</p> <p>The Community Trigger is also specifically included in our ASB policy and offered as an alternative to the HOS when a formal complaint is made.</p>
<p>32. The member of staff who has been handling the noise report that is being complained about should never be allocated the complaint to investigate.</p>	<p>Our practice is for managers to investigate complaints.</p>