

South Road Housing Co-operative

Registered Office: 28 George Street, Balsall Heath, Birmingham
B12 9RG

Tenants Handbook

**Policies
and
Procedures**

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South Road Housing Co-operative Limited A Brief History

South Road Housing Co-operative is registered under the Industrial Provident Societies Act 1965 and is defined as a “Fully Mutual Housing Co-operative” under the rules registered with the Registrar of Friendly Societies. The Co-operative like other Registered Social Landlords are registered with The Housing Corporation and are monitored accordingly.

This booklet is a guide to South Road Housing Co-operative’s Policies and Procedures and the way they are implemented.

South Road Housing Co-operative was formed in the winter of 1980 by a group of tenants living in South Road, Handsworth, Birmingham, who wanted more control over their housing. They registered with the Housing Corporation in June 1981 and with the Registrar of Friendly Societies in August of the same year as a fully mutual Housing Co-operative. Its main aim at present is to re-house families in housing need but they have expressed a wish in the future to turn to re-housing elderly and disabled.

The Co-operative receives promotional, educational and administrative services from Birmingham Co-operative Housing Services (henceforth referred to as BCHS). The co-op has a development contract with Midland Area

South Road Housing Co-operative is a small co-op with just over 30 members and as it is fully mutual, all its members are re-housed by the Co-op. The Day to Day decisions involving the running of the co-op are made by the Management Committee who hold monthly meetings, while all other members are expected to attend quarterly general meetings.



The Officers of the Committee are all Co-op members and are voted into office annually at the General meeting in April. The Co-op has a Co-op worker who is employed by BCHS and attends the Co-ops Committee Meetings as well as any of the Co-ops professional consultants who may be invited to attend.

South Road Housing Co-operative

Aims

- **To Build Good Houses**
- **To House families in housing need within the area**
- **To manage good quality housing**
 - **To treat people equally**
- **To ensure everyone has an equal say**

South Road Housing Co-operative is run by a Committee elected each year at the annual general meeting.

Participation of members is the most valuable part of the Co-op Meetings.

A Co-op is like any other organisation; it requires agreement on purpose and a regular review of what it is doing.

The Co-op develops policies based on principles and opinions and of course, relevant law and good practice guidelines.

All members have an equal say and a policy is not adopted or amended until approval is gained via a general meeting to which ALL members are invited.

The ways in which the policies are carried out are - procedures.

South Road Housing Co-operative

Equality and Diversity Policy

1. Introduction

Co-operatives have always been committed to the principles of treating all people equally whilst recognising their individuality. This is stated clearly in the Co-op Principles; in particular Principles 1 and 7.

1st Principle: Voluntary and Open Membership

Co-operatives are voluntary organizations, open to all persons able to use their services and willing to accept the responsibilities of membership, without gender, social, racial, political or religious discrimination.

7th Principle: Concern for Community

Co-operatives work for the sustainable development of their communities through policies approved by their members.

The challenge for housing co-operatives is **putting these principles into action** in a way that responds to the communities that we serve and that meets the legal requirements on public bodies and the regulatory requirements of the Housing Corporation. [See appendix for more details].

The aim for housing co-operatives must be to ensure that we provide and manage housing in a way that is open, fair and democratic and which is rooted in the community. Key policy areas for housing co-operatives are:

2. Ensuring that membership of the co-op is open to all and that the co-op is run in a democratic and open way.

Recruitment and selection of members

The co-op will seek to recruit new members as and when there is a reasonable chance of accommodation being made available. Generally full membership of the co-op will only be offered to people when an offer of accommodation has been made and accepted. In recruiting new members the co-op will take steps to ensure that every opportunity is given to people from the local community and to people who wish to join the local community to put their names forward. Selection for membership will be based on an objective assessment of housing needs and on a 'co-operability test'. This test is designed to assess the extent to which the prospective member is prepared to be

an active contributor to the co-op. The test will be administered in a way that is fair, open and non discriminatory.

Support for members

So that new [and existing] members can feel part of the co-op community the co-op will seek to offer a variety of social and educational opportunities to all members so they can take a full part in the life of the co-op. These opportunities will take account of the full range of people living in the co-op so that they can all be involved if they wish.

Meetings of members

In line with its rules the co-op will hold regular general meetings for all members at which:

- key policy decisions can be discussed and decided on
- members can receive reports on the activities of the management committee and on the performance of the co-ops
- items of general concern and interest can be shared with members

The co-op will seek to ensure that the way in which it holds its meetings and conducts its business does not exclude any member who wishes to be involved. This to include the choice of venue for meetings, the timing of meetings and the provision of childcare.

Formation of the committee

In line with its rules the co-op will seek to encourage all members to consider putting themselves forward to join the Management Committee of the co-op so that they can play a part in running the co-op for the benefit of the members and the wider community.

The Management Committee will seek ensure that the way in which it holds its meetings and conducts its business does not exclude any member who wishes to be involved. This to include the choice of venue for meetings, the timing of meetings and the provision of childcare and of reasonable expenses.

Support for the committee

The Management Committee will seek to ensure that all committee members are able to participate fully in meetings. This should include training opportunities for members and special facilities for members who might be disabled or who might experience some other limiting factor.

Monitoring and reviewing performance

The co-op will monitor the recruitment of new members and the participation by members at meetings and in the Management Committee to ensure that the membership reflects the community and to assess the pattern of involvement in the co-op. If it becomes clear that certain groups are not accessing the co-op and/or they are not participating in the business of the co-op then steps will be taken to address the problem.

3. Ensuring that the housing that is provided by the co-op is accessible to the community

Allocating housing

The co-op will operate a waiting list for people who wish to join the co-op and be provided with accommodation. In operating its waiting list the co-op will seek to publicise when the list is open widely, giving all interested and eligible persons the chance to apply. The co-op will also accept appropriate nominations from the Council and will work with other referral agencies.

When offering accommodation to existing or prospective members the co-op will ensure that the selection procedures are open, fair and open to challenge. The allocations policy of the co-op sets out in detail the access and resident selection procedures of the co-op.

Monitoring and reviewing performance

The co-op will monitor the allocation of accommodation and will seek to ensure that the needs of the community are properly reflected in its allocations whether from its own waiting list or by nominations. Detailed records will be kept of lettings by need group and the co-op will make information available on lettings.

4. Ensuring that new housing provided by the co-op reflects the changing nature and priorities of the community

Researching community needs and aspirations

In seeking to provide new accommodation the co-op will seek to reflect both the changing needs of its members and the needs and priorities of the local community. In doing this the co-op will endeavour to obtain information about future needs and aspirations and to match its accommodation to these.

Looking at new forms of provision

The co-op will seek to provide new accommodation in a way that offers new and prospective members choices and options and which gives people the chance to influence the design and layout. The co-op will try to develop and locate its new housing in a way that brings benefits to the whole community.

5. Providing safeguards for all co-op residents that are designed to deal with harassment and anti social behaviour

A 'good neighbour' policy

Co-ops are designed to be 'run by the members for the members'. Members are encouraged to take an active role in the co-op and this includes seeking to support other co-op members as 'good neighbours'. If differences of opinion occur or there are local disputes then the co-op will seek at all times to bring people together and if necessary to use mediation to overcome conflict.

Strong and effective policies and procedures for dealing with harassment and neighbour nuisance

At the same time the co-op will take firm action in support of members who experience any form of harassment and it will set out clear policies and procedures on dealing with harassment and other forms of anti social behaviour.

6. Ensuring that all partner organisations are committed to the same principles of equality and diversity and that they have effective policies in place.

Management and legal services

In selecting partner organisations the co-op will ensure that their policies on equality and diversity are in line with the co-op's policies and practices.

Contractors

In selecting building contractors the co-op will ensure that their policies on equality and diversity are in line with the co-op's policies and practices.

7. Working to build and maintain inclusive communities

An active role in the neighbourhood

The co-op will seek to play a constructive role in the surrounding neighbourhood and to do all it can to build a strong community. The co-op will work with other organisations that share these objectives.

Supporting good citizens

The co-op will encourage its members to play an active role in the surrounding neighbourhood and it will liaise with other local organisations to identify opportunities.

South Road Housing Co-operative

Equal Opportunities Policy

South Road Housing Co-operative wishes it to be known that it is an equal opportunities housing co-operative and is committed to ensuring equality of opportunity and access to all of its services. In doing so it will have regard to the following relevant equal opportunities legislation:

- Race Relations Act 1976
- Sex Discrimination Act 1975
- Rehabilitation of Offenders Act 1974
- Disability Discrimination Act 1995
- The Protection from Harassment Act 1997
- The Crime and Disorder Act 1998

The Co-op will strive to oppose all forms of discrimination within the co-op and will actively fight discrimination whenever it occurs.

This means that:

In carrying out its responsibilities and in all other activities, the co-op will operate fair and anti-discriminatory policies and procedures.

In the provision of housing services - contracting of agencies, contractors and other bodies to assist to provide those services the co-op will seek to ensure equality of opportunity and fair treatment for all persons.

No person or group of persons applying for housing or for contracts with the co-op will be treated less favourably than any other person or group of persons because of their sex, sexual orientation, race, colour, nationality, ethnic origin, religious belief, class or physical or mental disability.

In carrying out its equal opportunities policy, the co-op will actively assist disadvantaged groups to benefit from its housing services.

In composition of its management committee, the Co-op will actively pursue its commitment to equal opportunity by striving to achieve fair representation of the community in which it serves.

The co-op recognises that tackling discrimination and disadvantage is an immense task and that work in this area will develop over time. It is intended that no groups of people will be excluded. This policy is comprehensive in that it upholds the principle of equal opportunities for all sectors of society.

Breaches of Policy

Any member or officer who harasses, abuses or victimises another person will be in breach of their tenancy agreement and action will be taken in accordance to policy and procedure.

All members are expected to adhere to an agreed Code of Conduct, (see page 12 - 14) which concerns behaviour at meetings and the treatment of confidential information. Any serious breach of the Code of Conduct will be treated as grounds for suspension from the management committee.

Complaints received from any member regarding the conduct of individual members will be investigated by the Co-op's committee / BCHS who will recommend any necessary action to an appropriate meeting.

Harassment of neighbours will be treated as a ground for expulsion from the management committee. It will also be dealt with as a breach of tenancy.

MONITORING THE EQUAL OPPORTUNITIES POLICY

The co-op will undertake monitoring in key areas to evaluate the effectiveness of its equal opportunities practice. Key areas of monitoring will include:

Co-op membership – ensuring that all sections of the community are able to gain access to the co-op's waiting list. A comparison will be made to ensure that the membership of the co-op broadly reflects the ethnic composition of the area in which it operates.

Co-op Committee – the co-op will consider regularly whether all members are getting equal access to active participation within the Co-op and will measure how representative committees are of the membership of the Co-op.

Allocations – the co-op will monitor which groups of people are being nominated to the co-op and which groups are applying directly for housing in relation to those being re-housed.

Tenancy Management – the co-op will monitor the types of complaints (including those involving harassment) that are being made, by whom and their outcomes.

Participation and Consultation – the co-op will ensure that all members are being consulted and given the opportunity to actively participate in the co-op.

A report on this performance information will form a part of the co-op's Annual Report, which will be made available to all members at the Annual General Meeting.

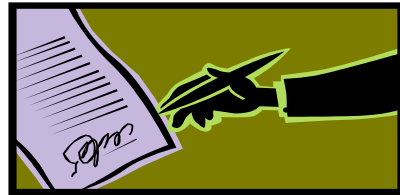
South Road Housing Co-operative

Membership Policy

South Road Housing Co-operative is a fully mutual Co-operative and as such – all tenants **MUST** be members and prospective tenants must be willing to become members.

Members are those who have a share in the Co-operative and whose names are entered in the register of members. All members must pay £1 for one share. This share gives each member a voting right within the Co-operative and the rights and responsibilities of being a member.

All members of the Co-operative will be expected to fulfil their membership requirements and as South Road Housing Co-op is dependent on its members to assist to run the Co-operative, the following are required:



- to attend General meetings and actively participate in the decision making process
- to attend relevant training sessions organised by the Co-operative to ensure the Co-operative is able to meet the requirements of the Housing Corporation under the regulatory code.
(Properly governed 2.2 – The way forward – Our approach to regulation)
- to uphold the Co-operative principles

Those members whom are elected on to the committee will be obligated to attend monthly meetings or send formal apologies in accordance to the Co-operative's standing orders. Committee members who miss 3 consecutive meetings without good reason will be removed from the committee at the discretion of the majority voting at the relevant committee meeting following the absence or automatically at the fourth committee meeting in accordance with 'Rule 37' of the Co-operatives Fully mutual rules.

South Road Housing Co-op aims to actively assist all members to meet their membership requirements by providing relevant training and striving to widen the definition of participation.



All members' views, skills and interests are encouraged, welcomed and through working together the Co-operative's overall aims and objectives can be achieved for the benefit of all members. The Co-op will ensure this policy is implemented in conjunction with the equal opportunities policy at all times.

South Road Housing Co-operative exists through the voluntary contribution of its members and therefore active membership is paramount to the Co-operative's success/ existence.

Termination of Membership

Members of the Co-operative cease to be members if they die, resign or are expelled. Members automatically lose their membership if their tenancy ends or if they stop occupying the Co-operative's property. Membership is also lost if a prospective tenant decides they no longer want a Co-op house.

Expulsion from Membership

If a member of the Co-op is guilty of 'conduct detrimental to the interests of the Co-op' he/she can be expelled from membership by a resolution carried by two-thirds majority of those present and voting at a properly notified General Meeting (Abstentions will not count).

Examples of detrimental conduct: -

- Embezzlement of Co-operative funds
- Falsification of Co-op records for either personal advantage or to cover up omissions or mistakes
- Persistent disruption of Co-op meetings
- Misrepresentation of the Co-op

Written details of the reasons for proposing expulsion must be sent to the member at least one month before the meeting will be held, asking them to attend to answer the complaint. The meeting will proceed without the member present as long as appropriate notice has been sent. (The Co-operative's Fully Mutual Rules apply)

If the General Meeting results in the expulsion of a member then their tenancy will be ended and court action will proceed to take possession of the tenancy.



The Co-operative will only take this action when all other options to remedy the situation have been explored and when the Co-op is satisfied that:

- the conduct complained of has taken place
- the conduct complained of was/is detrimental to the Co-op
- the conduct complained of had not ceased.

South Road Housing Co-operative

Code of Conduct policy

The objective of this policy is to specify how co-op members should behave within the co-op, when on co-op business and in connection with any agent, contractor or staff of the co-operative. Co-op members should maintain a high standard of conduct and probity.

General

- The co-op will, from time to time, review the stated values of the co-op, and how those values are implemented in practice.
- Co-op members must ensure that all who reside at the premises and visitors to the premises maintain acceptable behaviour standards and not cause offence towards external agencies and contractors employed by the Co-operative.

Behaviour at meetings

- Co-op members must ensure that their private and personal interests do not influence their decisions, and that they do not use positions of responsibility within the co-op to obtain personal gain of any sort that does not apply equitably to all members.
- Co-op meetings are informal, but all members must recognise the role of the Chair throughout meetings. All questions, comments and points of view should be expressed through the Chair. Co-op members should respect other member's viewpoints and encourage all members to express themselves.
- Discussions not relevant to the meeting should not take place during the meeting.
- All members should abide by the co-op's Equal Opportunities policy at meetings and should ensure that no comments are made that could be deemed offensive.
- Members should not resort to behaviour that could be considered aggressive (e.g. swearing, name calling, shouting, finger pointing). Members may challenge this sort of behaviour either at the time or subsequent to the meeting through the Chair.
- Members should abide by the agenda prepared for the meeting. If members wish to raise issues not on the agenda, they should bring these up under 'Any Other Business'. Wherever possible, the Chair should be notified of such items before the meeting. Repairs must be reported through the usual channels and not at a meeting.
- Members should not attend meetings under the influence of alcohol or non prescription drugs.

Confidentiality

- Members should maintain the confidentiality of all items deemed confidential by the chair of the co-op. Members of the housing management, repairs and finance committees should keep all members' personal information strictly confidential to the relevant sub-committee or staff.
- Sub-committees will ensure that members' personal information is reported anonymously at general or management committee meetings of the co-op.

Declaring a personal interest

- All co-op members should inform the co-op's secretary of any interests that may lead to a potential conflict of interest, such as working for a building company that the co-op may employ as a contractor. The co-op will maintain a register of interests.
- Co-op members should inform the Chair of any personal interest in an issue prior to the discussion of the said issue on the agenda. Depending upon the nature of the personal interest the person may be required to leave the meeting whilst the issue is discussed. Co-op members should not attempt to influence another co-op member on an issue for which they might have a potential conflict of interest.

Hospitality & Gifts

- Co-op members should ensure that they are meticulous about receiving hospitality and gifts when engaged in co-op business to ensure that:
 - personal gifts with a significant monetary value are not accepted, hospitality is not accepted if it could be seen as a way of exerting an improper influence over the co-op's decisions
 - gifts and hospitality are formally recorded in a register, apart from inexpensive items, such as working meals or free calendars.

The co-op will not offer hospitality or gifts to individuals or organisations with which it does business of a significant monetary value or where it could be seen that the hospitality or gifts are a way of exerting an improper influence over the decisions of another person or organisation.

Breaches of this policy

- Where it is determined that a co-op member has breached this policy, the governing body of the co-op will determine what action will be taken. Members of the governing body that are party to a breach of this policy will usually be required to leave the meeting when the breach is being discussed.
- If a co-op member believes that the governing body of the co-op has breached this policy, they should follow the co-op's Complaints Procedure (see page 70 - 72) Where appropriate, a third party will be asked to adjudicate on the matter.

Membership Group Manual

This manual has been produced to provide an overview of the Lettings Sub Committee group for the benefit of **ALL** members.

It is envisaged that:

- Existing active Officers within the group will benefit by having clear job descriptions to refer to, which clearly state their designated roles determined by the general members.
- General members will benefit as the manual provides a clear break down of individual roles and the policy and procedures the membership group follows.
- New members and old alike – will be able to gain an insight to the actual involvement required to take an active role within the group.
- The manual will also provide a guide to general members when they are required to make decisions in respect of membership issues. The manual will assist the decisions being taken by providing a clear reference to policy and procedures.

South Road Housing Co-operative aim to monitor and review all Co-operative activities on a regular basis to ensure the highest standards of service and probity are maintained.

This manual (upon acceptance/ approval) will therefore be reviewed and updated annually to ensure all information is correct and provides a clear reference to ALL tenants.

Amendments, alterations and additions may only be made to the manual following a majority vote at a general meeting that has been duly notified of the proposed changes.

Waiting List Procedure South Road Housing Co-operative

Administration: To be completed by South Road Housing Co-operative and/or their managing agent.

- ❖ Applications forms will only be issued for the general waiting list during the period it is open.
- ❖ Application forms will be allocated a reference and applicants will have 21 days to complete and return the form.
- ❖ Each applicant will receive a leaflet about Co-operatives and a pre questionnaire with the application form.

Returned Forms: To be completed by South Road Housing Co-operative and/or their managing agent.

- ❖ Returned forms will be cross referenced and marked as returned within two days of receipt.
- ❖ Application will be assessed and placed in relevant band and bed size folder in date order within two weeks of receipt.
- ❖ If application form does not contain all relevant information it will be placed in pending file. Applicant will be requested to provide information within three weeks.
- ❖ Upon return of information application will be assessed as above.
- ❖ If information is not received applicant will be removed from assessment unless relevant circumstances have been accepted for extension.

Void Property: To be completed by South Road Housing Co-operative and/or their managing agent.

- ❖ Upon a property becoming void the co-operative or their managing agent will determine if application is due from waiting list, transfer or Local Authority nomination.
- ❖ Waiting List Applicant. In accordance to policy the co-operative or their managing agent will select top three from relevant band and bed size within two days of notification.
- ❖ The co-operative or their managing agent will notify interview committee/officers and obtain a date for interview, which should be no later than four days from notification.

- ❖ Interviewing officers will confirm home or office interview.
- ❖ The co-operative or their managing agent will send notification to applicants giving two or more days notice.
- ❖ If application is from city nomination the co-operative or their managing agent will request a nomination in agreed format within two days of void notification.
- ❖ Action will continue as above.
- ❖ If City fail to nominate the co-operative or their managing agent will record failed to nominate number and continue with waiting list application.

Interview: To be completed by Lettings Sub Committee and/or their managing agent only.

- ❖ Interviewing officers will carry out interviews in agreed format.
- ❖ Interviewing officers will record answers to set Co-operability test and award points after the interview in accordance to matrix.
- ❖ Interviewing officers will notify the co-operative or their managing agent on set sheet within one day of interview. The co-operative or their managing agent will notify applicants of decision within four days of interview regarding the decision. (the co-operative or their managing agent will notify City Council if applicable in the agreed format within one day of interview.
- ❖ The co-operative or their managing agent will return unsuccessful applicants to waiting list or remove as directed by interviewing officer's sheet.

Offer of accommodation Tenancy sign up

- ❖ Tenant sign up will be carried out by the co-operative or their managing agent following the tenancy sign up procedure.

Membership

- ❖ New Tenants will be allocated a share certificate and will pay one pound at sign up.
- ❖ Share certificate will be sealed and issued at next available General meeting at which the Tenant should be present.

General waiting list to be carried out by South Road Housing Co-operative and/or their managing agent

- ❖ A review letter will be sent to all applicants every six months.
- ❖ The applicant will have two weeks to confirm they wish to remain on the waiting list.
- ❖ Returned reviews will be noted applicant will remain on list in current position.
- ❖ Non- returned forms will be noted applicant will be removed in accordance to removed procedure.

Refusal of suitable accommodation

- ❖ Failure to attend an interview without an acceptable explanation will result in your application being removed from the waiting list. Applicants refusing a suitable offer of accommodation without just cause will also be removed from the waiting list for twelve months.

Transfers

- ❖ Transfer requests can be made during a closed waiting list period.
- ❖ Transfer forms will be issued as per waiting list and all other procedures will follow in accordance to the aforementioned.

South Road Housing Co-operative

Community Lettings Policy

Policy Objectives

- to allocate and let properties in such a way as to maximise the potential for new members to become active within the Co-op and/or the community, and to maximise the potential to establish a strong and balanced community
- to ensure that the Co-op's Equal Opportunities Policy is implemented in allocations, transfers and exchanges
- to enable the Co-operative to offer low cost housing.
- To ensure that the Co-operatives homes are let in a timely and organised fashion.

1 EQUAL OPPORTUNITIES

- 1.1 The Co-op will ensure that its allocations policy does not discriminate against any applicant on the grounds of race, religion, gender, ethnic origin, age, disability or sexuality.
- 1.2 **The Co-op will ensure that its allocations policy abides by all relevant equal opportunities legislation including sections 20 & 21 of the Race Relations Act 1976, the Commission of Racial Equality Code of Practice, sections 2 & 30 of the Sex Discrimination Act 1975 and the Disability Discrimination Act 1995. The Co-op will undertake to observe Section 15 of the Housing Act 1988 with regards housing staff, members and their close relatives. The Co-op will also comply with the requirements of the Housing Corporation's Tenants Guarantee 1989.**
- 1.3 Applicants will be invited to describe their ethnic origin, sex and disabilities for monitoring purposes on the application form. Figures on applications and allocations will be compiled on an annual basis and if there is a wide variance between the percentage of allocations to minority groups and the surrounding population, the Co-ops will examine this issue, and propose action to rectify.
- 1.4 Information on making an application in languages spoken within the local community, and in large print, Braille and cassette, will be supplied to any applicant as necessary.

2 ACCESS

- 2.1 Access will not be restricted by requesting deposits, rent in advance or by having residential qualifications.

3 APPLICATIONS

- 3.1 The Co-op will allocate 50% of its properties to Birmingham City Council, and for each of these vacant properties, will request 3 nominations from the Local Authority.
- 3.2 The Co-op will allocate the remainder of its properties, and any properties for which the Local Authority fails to make allocations for within reasonable timescales, to persons on the waiting list.

4. THE WAITING LIST

- 4.1 The waiting list will be publicised as widely and as fairly as possible. Particular regard will be given to advertising the waiting list to ethnic minorities and other potentially disadvantaged groups who are not reflected within the organisation in comparison to data for community.
- 4.2 The waiting list will be opened and closed at the discretion of the management committees. It will include new applicants and exchange applicants, and will include separate waiting lists for 1-bed, 2-bed, 3-bed and 4-bed accommodation. Membership of the waiting list will be reviewed once every 12 months.
- 4.3 Each applicant to the waiting list will be sent:
- information on Housing Co-ops and areas
 - an application form for completion
 - an pre-assessment form to encourage informed choice.
- 4.4 Help and advice on completing the application form will be provided as requested.

5 ASSESSMENT OF APPLICATIONS

- 5.1 The Co-operative and/or their managing agent will assess applicants in line with procedure and place on relevant list. For instance:
- a waiting list for those in **severe housing need – BAND A**

Those whom the co-operative and/or their managing agent consider to meet the following criteria will be placed on the waiting list for those in severe housing need:

- **applicants who are homeless**

- **applicants living in severely overcrowded homes**
- **applicants facing extreme security of tenure issues**
- **applicants living in extremely poor quality housing**
- **applicants suffering extreme forms of harassment**
- **applicants with particular extreme medical conditions, infirmity, disability or criteria caused by the age of the applicant**

- a waiting list for those in **housing need – BAND B**

Those whom the co-operative and/or their managing agent consider to meet the following criteria will be placed on the waiting list for those in housing need:

- **applicants who suffer from less extreme severe housing need criteria**
- **applicants living in non self contained accommodation**
- **applicants living in homes lacking facilities, such as access to a kitchen or bathroom**
- **applicants who need to live nearer to other family or household members**
- **applicants suffering due to family or other disputes**
- **applicants who need to live independently of their family or current household**

- a waiting list for those **not in immediate housing need – BAND C**

- **All other applicants will be placed on this list.**

5.2 Applicants will be placed in the relevant Band in date order. Throughout a 2 year cycle 50% of lettings will be made to Band A, 30% to band B and 20% to band C.

6 INTERVIEW – COMMUNITY/CO-OPERABILITY TEST

- 6.1 Upon a property becoming available an interview process will take place.
- 6.2 An interview will be conducted at the office of the co-operative or their managing agent, or at the applicants address by 2 members of the co-operative or their managing agent. The focus of the interview is to ascertain the applicant's commitment to the community and Co-operative as housing need has already been determined.
- 6.3 The interview committee will make an objective judgement of the applicant's likely participation based on a Co-operability/community test that has formed part of the interview.

7 OFFERING PROPERTIES/INTRODUCING MEMEBERS TO THE COMMUNITY

7.1 The Co-operative is committed to encouraging and assisting successful applicants to become active members. To enable this process the Co-operative and/or the managing agent will follow the 'hand over' procedure to include:

- Introduction to the Co-operatives policies and procedures via a tenant handbook.
- Invitation to become a shareholding member of the Co-operative.
- Information booklet on the local area including doctors, dentists, schools, crèches etc.
- List of the Co-operatives meeting dates
- Date for introductory training
- Date for 'settling in' visit.

8 REPORTING AND MONITORING

8.1 The Co-op and/of their managing agent will keep records of all nominations and allocations decisions made.

8.2 analyse applications to waiting list and lettings to monitor that they reflect the diversity of the community.

8.3 Produce positive action plans to rectify any shortfall as identified by the above monitoring.

9 APPEALS

9.1 All Applicants have the right to appeal against any decision made. Information on the appeals process will be provided as a matter of good practice to applicants/member at the time of the decision.

SOUTH ROAD HOUSING CO-OPERATIVE

Transfer and Exchange Policy

South Road Housing Co-operative aim to provide adequate housing for all of their Tenants and will therefore support and assist those tenants who wish to transfer or exchange due to changes of circumstances / housing need.

In either case the tenants:

- Property must be in a lettable condition (left as found)
- And must have a clear rent account (no rent arrears)
- Must have lived in the property for a minimum of 12 months

In extreme circumstances – exceptions may be made such as:

- Domestic violence, Harassment etc.

Tenants wishing to apply for an exchange or transfer who do not meet the three criteria points must send their request in writing marked confidential to the Appeals Committee or contact a Lettings Sub Committee member to assist with the request if necessary. (Refer to Appeals procedure for guidance)

Tenants who do meet the criteria must contact the co-operative offices and request a transfer application form to complete. Return the completed form to the co-operative offices with as much information as soon as possible. Your completed form will be forwarded to the co-operative committee meeting for approval.

All transfer requests meeting the criteria will be assessed as per the waiting list procedure but priority will be given to members within the Co-op and applications will be placed on a separate transfer list.

If the Co-operative is unable to assist members with alternative accommodation within the Co-op, nomination and referral methods will be considered.

Exchange applicants should follow the exchange procedure.

Lettable Condition

Upon a transfer request being accepted by the Committee, where there are no arrears on account and the tenant has lived in the property for 12 months or more, a home visit will be made to ascertain current condition.

A report will be compiled and forwarded to the Tenant noting any requirements needed for the Tenant to complete prior to transfer taking place.

Available Property.

Upon a suitable property becoming available for transfer the Co-operative will ensure:

1. Rent account is clear.
2. The exiting property condition meets lettable standard and work has been completed as above.

In the event of more than one applicant being suitable and applying at the same point on list priority will be given to active members.

SOUTH ROAD HOUSING CO-OPERATIVE

Exchange Procedure

Submit a written request to seek an exchange via Bordesley Green office for the attention of Committee.



Com-operative or their managing agent will then check request against criteria and provide written approval / rejection within 28 days.



Upon receipt of approval to seek an exchange – identify the person(s) you wish to exchange your property with and obtain exchange proposal form from Bordesley Green offices.



Complete exchange form with both your own and the other person(s) details And submit to Bordesley Green offices.



The co-operative or their managing agent will arrange an Interview with prospective tenant within 3 weeks of receipt the completed forms.



No Rent Arrears



Full occupation of property



Meets Co-operability criteria



Exchange may go ahead



Not suitable to Co-op tenancy



Rent arrears on either account



Under- occupying tenancy
Over occupying tenancy



No exchange

EXCHANGE REQUEST

1. Co-op Tenant Details

Name: _____

Address: _____

Post code: _____

List below how many people live in your present accommodation and their ages.

Name	Relationship to you	Date of Birth

Property type: House / Flat / Bungalow

How many bedrooms are there? _____

Have you viewed the other person's property? Yes / No

Are you prepared to accept it in its present condition? Yes / No

Give brief reasons for requesting the exchange below:

Signed: _____ dated: _____

EXCHANGE REQUEST

2. Details of applicant you request exchange with:

Name: _____

Address: _____

Post code: _____

Landlord Name: _____ Tel No: _____

List below how many people live in your present accommodation and their ages.

Name	Relationship to you	Date of Birth

Property type: House / Flat / Bungalow

How many bedrooms are there? _____

Have you viewed the other person's property? Yes / No

Are you prepared to accept it in its present condition? Yes / No

Give brief reasons for requesting the exchange below:

Signed: _____ dated: _____

SOUTH ROAD HOUSING CO-OPERATIVE

Interview Procedure

The Co-operative Committee to instruct their managing agent to select top three applicants for interview from approved waiting or transfer list.

Liaise with interview panel to ascertain interview date and times. The co-operative or their managing agent to notify applicants of interview giving 7 days notice in writing to applicants - of interview date and time.

- The Co-operative or their managing agent will co-ordinate confirmation of attendance or non-attendance and notify interview officers accordingly.
- A minimum of 2, maximum 3 - interview Officers will carry out interview in accordance to procedure and record in the agreed format. If only one interview officers is available a member of staff from the managing agent may attend.
- Interview officers will decide to whom the vacancy will be offered in accordance to policy and procedure, they will report recommendation to the Co-operative Committee. The co-operative and or their managing agent will issue offer/rejection letter within 5 working days.
- The co-operative or their managing agent will arrange Tenancy sign up.

SOUTH ROAD HOUSING CO-OPERATIVE

Example Appeals Procedure

**Written Appeal received at registered office/ or form completed
With assistance from office worker**



Committee to select panel. Committee or their managing agent to arrange
appeal hearing within 28 days of above & notify all relevant parties



Appeal to be conducted by at least 3 committee members
Not involved in selection process



Co-operative and their managing agent to ensure all information and records
are available
For the Appeal hearing to take place.



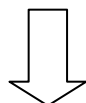
All information to be considered and documented by
Appeals Committee including member & representation party if attended



Following Appeals hearing format notify the committee and their managing
agent of decision who will write to applicant within 7 days of hearing



If applicant is still unhappy with the decision and wishes
To take the matter further



Provide details of The Housing / ombudsman contact & address

Guidance notes
Appeal Hearing Format

Information required for all appeal committee representatives

- Waiting list policy and procedure for reference
- Access to copies of Housing Act 1985, Race relations act 1976, Sex discrimination act 1975, Section 71 –Housing Act 1988 & Tenants Guarantee 1989 or Applicants Charter
- Access to Regulatory Code.
- Any information relating to a previous tenancy with the Co-operative & Reasons for leaving etc.
- Applicants original application, accompanying letters and written appeal
- All Correspondence sent to applicant.

Main Considerations

- Has there been a breach of the Policy or procedure?
- Is the appeal based on a breach of any of the Acts of law?
Or the Tenants Guarantee / Applicants Charter?
- Has all contact from the applicant been correctly recorded and responded to in accordance to procedure?
- Was applicant provided with waiting list policy and appeals procedure?
- Are there exceptional circumstances to be taken into consideration?
- Are all the relevant facts, details of case, copies of correspondence on file to
Make a fair decision?

A comprehensive report should be produced at the end of each appeal hearing including: -

List of representatives present,
Evidence of case used for judgement
Decision- majority
Outcome of hearing
Copy of letter sent to Applicant informing of decision and various options
Available to Applicant.

SOUTH ROAD HOUSING CO-OPERATIVE

Tenancy Sign up Procedure

Liaise with New Tenant(s) re: hand over date and collection of keys



Send Letter for appointment to sign tenancy agreement



Prepare Tenancy File
And relevant information

Sign - up

Ensure information &
Advice available



Ensure all necessary contents
are contained within file



Read through tenancy agreement with tenant(s)
Highlighting important information



Tenancy agreement to be signed by Tenant(s)
& witnessed



Issue a rent book

Discuss methods of payment

Advise on
Housing benefit



Explain retention
If appropriate

Repairs procedure
How to report a repair

Issue relevant
Request forms if
appropriate



Issue receipt for
Share certificate.

Issue section 48, Tenants Guarantee, Tenants Charter
& Policy/ procedure (Handbook)
Obtain signatures for receipt



Issue date for settling in visit , meeting dates and introductory training.
Obtain emergency contact details
& N.I Number

South Road Co-operative's Rent Arrears Policy

As a responsible Landlord we will maximise the rental income of the Co-op and provide a caring housing management service to our tenants.

To enable us to achieve this tenants will be contacted at the earliest possible stage about rent arrears; not only in writing letters to tenants, but also by carrying out visits to the tenants homes.

To maintain rent arrears at a minimal amount the Co-op will take any necessary action in line with procedure to achieve this aim.

Tenants whose rent arrears result in court action being taken against them will be responsible to pay the costs in addition to their existing arrears. Responsibility to pay Legal costs will apply whether the court action results in eviction or a suspended possession order.

Following a suspended possession order – if tenants miss 3 consecutive payments or one monthly payment in accordance to the court order and fail to bring their account up to date within 7 days thereafter – the Co-operative will immediately apply to execute the warrant for eviction.

Housing Benefit Claimants – the Co-op will aim to assist any tenant applying for benefits. If rent arrears are totally due to a housing benefit delay and the benefit department officially confirms this, no action will be taken. However, claiming housing benefit remains the sole responsibility of the tenant. If a tenant fails to provide the relevant proof of circumstances to the benefit office or fails to make a claim – the resulting rent arrears will be the tenant's responsibility to pay and action will be taken against them accordingly.

Rent arrears have many adverse affects on the Co-operative, as rent is the main source of income.

High rent arrears can result in services such as repairs being affected, thus endangering the provision of safe and comfortable housing.

Rent Arrears Procedure

		DECISION BY:	
STAGE	ACTION	BCHS	CO-OP
2 weeks/1 monthly missed	HM1 letter	√	
No contact or payment within 7 days	HM2 (a or b) letter + ATP to sign at appt.	√	
No response at HM2 stage	Issue ATP through the letterbox or through the post and ask tenant to return within 7 days	√	
ATP not returned within 7 days	HM3 letter		
At some point during this stage Housing Officer should contact HB to ascertain if claim has been made and telephone tenant if has contact number.			
No contact from tenant within a further 7 days	HM4 letter advising NTQ/NSP to be issued and appt. Arranged to issue	√	
If after NTQ issued an ATP has finally been arranged and stuck to then no further action will be taken. If delay in rent payment is proven to be HB then action held in abeyance for up to 8 weeks.			
If after 28 day expiry of NTQ/NSP there is no contact or payment	HM5 letter informing Notice expired will enter into court if full payment not made within 7 days (At this stage Housing Officer should be preparing report for committee approval)		√
If after 7 days there is still no contact or payment	HM6 letter advising case entered into court (At this stage office appt arranged to discuss court proceedings)	√	
If an agreement can be made before court hearing then SPO can be granted.			
Default on SPO	SPO 1 letter sent giving tenant opportunity to bring court order up to date within 7 days	√	
No contact or payment within 7 days	SPO 2 letter sent to tenant asking to pay full arrears and court costs outstanding within 14days (At this stage Housing Officer should be preparing report for committee approval)		√
No contact or payment within 14 days	Letter sent to tenant informing that Warrant to be Executed	√	

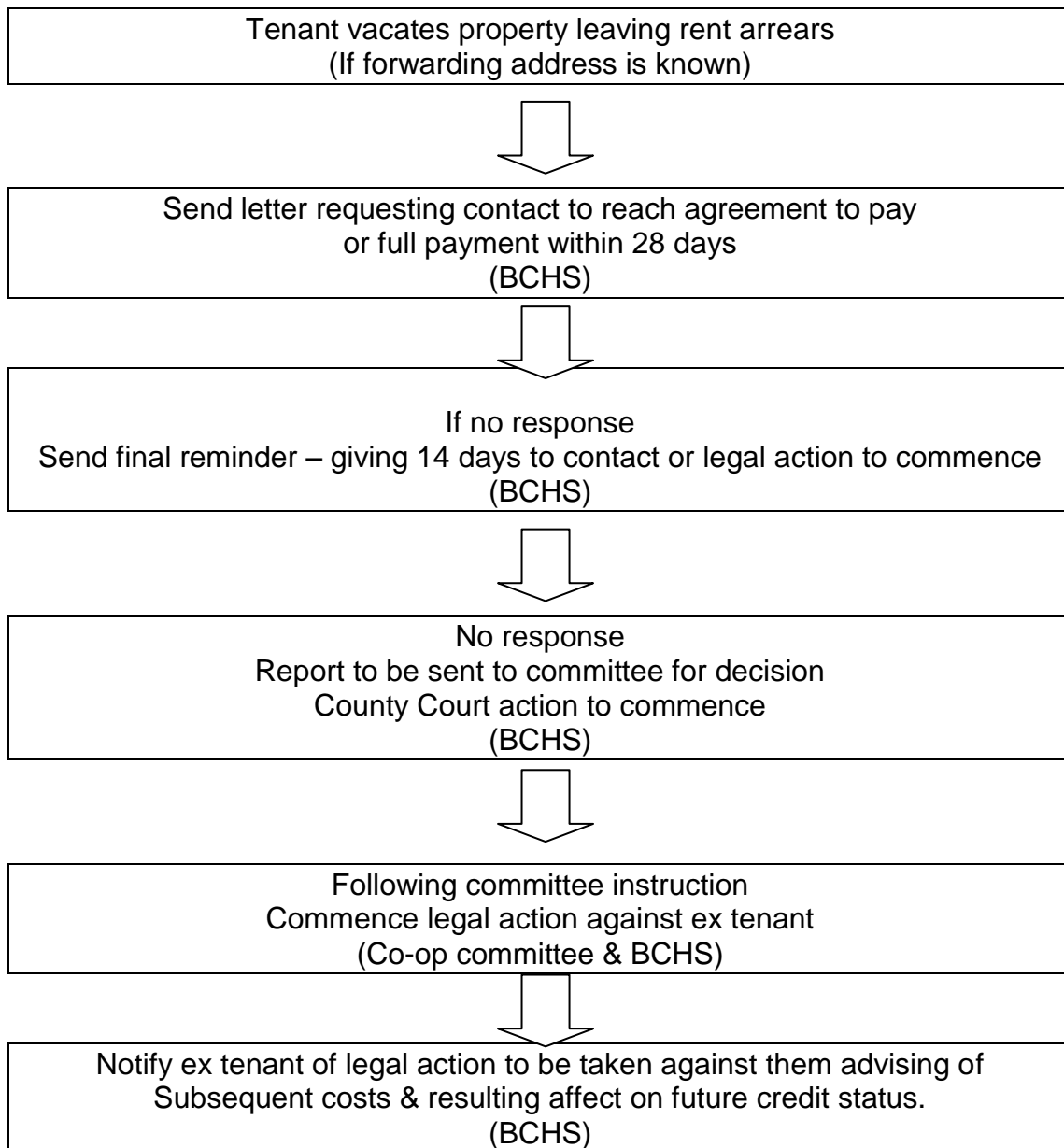
Bad Debts

Tenants who leave the Co-op owing rent must provide a forwarding address. The Co-op will only write off arrears if the tenant has left the Co-op and all reasonable attempts to trace them have failed.

If a court order is not already in place and the ex – tenant - following contact fails to reach an agreement to clear the arrears then County Court action will be taken against them.

Please refer to Ex Tenants rent arrears procedure.

South Road Housing Co-operative's Ex Tenants Rent Arrears Procedure



Court costs – ex tenants will be responsible for any legal costs incurred by the Co-operative, which will be added to arrears.

If no forwarding address is known on vacation of the property – a report to be sent to committee – with various options for consideration.

Committee to notify BCHS of decision(s) made.

Repairs & Maintenance Policy

South Road Housing Co-operative aims to offer the best possible service and maintain properties to the highest possible standards.

Therefore, the Co-operative will ensure that their statutory and contractual obligations are met in accordance to the following Acts of law:

Under section 11 – 17 of the Landlord and Tenant Act 1985

Part (vi) of section 15 and sections 96 – 1 –1 of the Housing Act 1985,

Section 92 of the Public Health Act

Section 4 of the defective Premises Act 1972

& finally the Environmental Protection Act 1990.

If the Co-op fails to deal with repairs in strict accordance with this policy, you should first put your complaint in writing to the Committee of South Road Co-op at the registered office address:

Bchs Office, 106 Alcester Road, Moseley, Birmingham, B13 8EF

(please refer to the complaint procedure and your tenancy agreement)

Who is responsible for what?

The Co-op is responsible for all exterior and structural maintenance of its properties as well as installations for the supply of water, gas and electricity. These include sinks, baths, toilets, central heating and gas fire installations, immersion heaters and power points.

The Co-op is responsible for ensuring that all repairs are carried out in a professional and safe manner ensuring no injury or damage is caused due to the Co-op's negligence.

The Tenant retains the responsibility for any minor repairs and items of maintenance: -

e.g. changing light bulbs, interior decoration of the property.

Repairs reported will only be accepted by a Repairs Section at our Offices on receipt of a completed **Repair Form** (refer to page 41). The Repairs Section at our Offices will assist in completion if required.

Please Note: - Repair Orders will be dealt with from Monday to Friday 9am – 5pm. Those received over the weekend will be dealt with on Monday morning.



With the exception of emergencies – **Telephone: 0121 442 5001**

Speed of repairs service

Repairs will be split into three categories of Emergency, Urgent and Standard.

Emergency

To be repaired or made safe within 24 hours, these include:

- Dangerous electrical fittings and electrical faults
- Plumbing repairs involving running water
- Blocked toilets, sinks, baths and wash hand basins
- Front door locks where there is a security risk
- Broken glass where there is a security risk involved, (these may be made safe within 24 hours and re-glazed within 48 hours)
- Gas escape

All Co-op members should know what to do in emergencies:

Gas – if you smell gas, turn off the gas at the mains supply and telephone the Gas board immediately and inform the Co-op as soon as possible afterwards.

Water – If you have a burst pipe or blocked drains, or the water supply fails, contact the Repairs Section at our Offices immediately.
In the event of a severe leak – turn off the supply at the mains.

Electricity – If the electricity fails or if you receive an electric shock from any fitting, turn off the electricity at the mains and phone the Repairs Section at our Offices.

Please note: If it is not possible to contact the Repairs Section at our Offices
e.g – outside office hours (Monday to Friday – 9am – 5pm)

Please try both of the emergency numbers:



OR

Refer to your emergency contact sticker - located on the inside of your kitchen sink unit cupboard door

Urgent Repairs

These will be repaired or made safe within 7 days:

- Hot water supply and central heating problems (classification of this repair –dependent on weather conditions & occupants of household)
- Dangerous roof tiles
- Rotten flooring
- Leaking overflows

Where a specialist worker is required, or if the work involves obtaining estimates, repairs may take longer

Standard Repairs

All other repairs are included in this category and will be undertaken within one calendar month. Repairs where specialist work is required may take longer. E.g. – where scaffolding is needed.

The Repairs Section at our Offices will notify you if specialist work is required.

Types of repair under this category:

- Front door sticking
- Gate Post loose

Priority Planned Maintenance

- Replace guttering and down pipes
- Re pointing and making good brickwork

Social Conditions

Registered Disabled, Old Aged Pensioners, and families with children under the age of 5 will be treated as a priority in respect of certain repairs. In a case of NO hot water – this will be repaired within 24 hours, other repairs will be prioritised within the existing repair policy.

Repairs Sub Committee

The Committee (who are elected at the first committee meeting following the AGM), has overall responsibility for repairs with certain delegated decision making powers for the following:

Voids control – (Inspection, ordering of work and checking on completion)

Supervision of contracts,

Liaison with contractors and authorisation to carry out repairs,

Authorisation of repair bills to specified amount.

The Repairs Section at our Offices also has the responsibility for the following:

Receiving and recording requests for repairs

Contacting contractors and ordering repairs

Inspecting repairs where necessary

Reporting Repairs

The following repairs system will be used –

South Road Repairs Section at our Offices will only accept repair orders on receipt of a Completed **Repair Form** between the following times:

Monday to Friday 9am – 5pm

Please Note – Repairs Section at our Offices will be happy to assist in completion of the repair form when required.

ANY REPAIR FORMS RECEIVED OVER THE WEEKEND WILL BE DEALT WITH DURING OFFICE HOURS.

In the event of an emergency outside the above hours – all tenants should refer to the **emergency contact sticker located on the inside of the cupboard door under the sink unit.**

Please Note –

When repairs are reported and the contractor arranges an appointment to carry out the repair(s), tenants are advised to stay in or arrange for the key to be left with a neighbour.

If the Contractor cannot gain access to do a repair and has to be recalled – Tenants are reminded that **they are responsible** to pay the call out charge for the second visit.

If tenants call out contractors themselves, without the Co-op's permission, they are responsible for paying the bill – (please refer to emergencies and reporting procedure)

Repairs report form

The tenant reporting the repair will initially complete the repair form and will include:

Name & Address including post code whenever possible

Date and time - repair reported

Description of repair – providing as much detail as possible

Access details – providing detail of times out - e.g. – taking / collecting children from school

Telephone number – whenever possible or other contact details.

It is then the **Tenants responsibility** to ensure the form is given to the **Repairs Section at our Offices who will:**

- Confirm the category of repair to the tenant
- Provide a receipt for the tenant of the repair ordered – including the category
- Order the work with appropriate contractor – subject to authorisation level OR – report to committee to obtain approval/ quotes etc.
- Confirm appointment with tenant or notify of special circumstances if not classed as day to day repair.

Please Note:

If a contractor fails to attend or complete the works ordered it is the **Tenants responsibility** to notify the Repairs Section at our Offices so the work ordered can be monitored and follow up action taken.

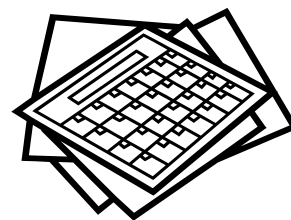
The Repairs Section at our Offices will assume the work has been satisfactorily completed on the appointment date if the tenant makes no further contact.

Repairs Control Book

The Repairs Section at our Offices will maintain all information within the control book to ensure the repairs service is constantly monitored in respect of jobs completed, target times and contractor performance.

The control book will include:

- Date of report
- Address
- Description of work & category
- Name of contractor
- Estimate/quote if applicable
- Date work completed
- Final cost
- Date passed for payment
- Additional comments – e.g. – failed to attend, unsatisfactory work, complaint received etc.



Maintenance Record Card

To be kept in the property file as a record of all repairs carried out on each individual property. This will include:

- Name of current tenant
- Details of repair – forming a complete history

Inspection of Repairs

The Repairs Section at our Offices will inspect repairs when:

- The description of the repair reported is vague
- It is difficult to decide which category the repair should be placed within
- The tenant complains about the quality of work etc. to ensure that the work carried out is properly assessed.
- When a professional inspection is required – a clerk of works will be appointed via BCHS.
- Authorisation is required.

The Repairs Section at our Offices must follow the Co-operative's financial procedures when authorising repairs.

Use of Contractors

The Co-op will aim to use contractors who are local to the properties whenever possible and will ensure correct monitoring procedures are carried out to maintain standard of workmanship and meet their obligations as a Landlord.

The Repairs Section at our Offices will develop and maintain an approved Contractor list.

Paying for Repairs

If the Repairs Section at our Offices receive no further contact from the tenant, following an arranged appointment the Repairs Section at our Offices will automatically assume the repair has been carried out satisfactory.

On receipt of the contractors invoice the Repairs Section at our Offices will check the amount is not in excess of any estimates or quotes supplied and that the record of the repair is complete in the control book.

The Repairs Section at our Offices will then give the Co-op's Treasurer authorisation to pay the invoice.

The Treasurer then raises the cheque for the appropriate amount.

Two authorised signatories must then check the details and sign the cheque.

Members Rights & Responsibilities

(Please refer also to Tenancy agreement & Tenants guarantee)

Members have certain responsibilities to the Co-operative: -

To report repairs

To maintain internal decoration

To take responsibility for damage to property caused wilfully or by neglect.

Do it Yourself

Co-op members are encouraged to do small repairs NOT requiring a technical knowledge themselves, e.g. catches to back gates

Cyclical Maintenance

(Fencing, exterior maintenance, painting etc)

The Co-operative will carry out cyclical maintenance on a four yearly cycle.

Repairs & Redecoration of empty properties

In order to re let a property the Co-op will carry out the necessary repairs in accordance to their obligations. Decoration will only be carried out as a last resort and wherever possible, a decoration grant will be supplied.

(A grant may be paid when proof of purchase has been received (*receipts*) based on the WMBC rates for decoration.

Alterations to this Policy

Any subsequent changes, amendments or additions to this policy must be made at a general meeting of South Road Housing Co-operative.

South Road Housing Co-operative

Statement of Properties additional equipment/installations – e.g. Aerials, showers etc.

Address of Property;

Name of Tenant(s)

Details of additional equipment / installations in property:

Declaration:

I _____ of _____

hereby declare that I have read and understood the contents of this disclaimer and wish to accept the responsibility for the above stated additions to the property.

I am aware that they are not South Road Co-operatives fixtures and fittings and therefore not classed as such under the tenancy agreement.

I therefore accept that I am responsible for all repairs and maintenance to these items from the start of my tenancy at the above address.

Signed: _____

Witnessed: _____

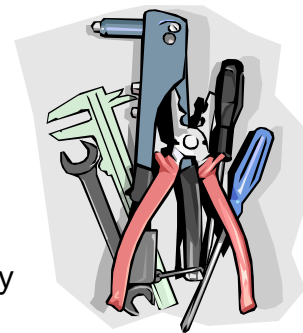
Date: _____

Contractor Selection & Review Policy

As South Road Housing Co-operative aims to offer the best possible repair service and maintain properties to the highest possible standards the selection and review of Contractors is paramount to enable the Co-op to achieve their aim.

South Road Co-operative operates an approved list of Contractors, therefore until the approval process has been completed - Contractors are not placed on the list. To ensure the process is fair and open to all Contractors who apply a standard application form is used and interviews take place based on the following information:

- Adequate Insurance
- Essential / Relevant Qualifications
- Registration with professional bodies
- Accessibility to service (e.g – 24 hours)
- Minimum sized contracts / jobs
- Maximum size contracts / jobs
- Call out charges
- Compliance and operation of equal opportunities policy
- Other commitments affecting service delivery
- Ability / commitment to meet Co-op Target times
- Co-operability – providing appointments, returning confirmation of completion dockets, follow up work etc.



South Road Co-operative respect the views and opinions of their tenants and encourage feedback on Contractor performance. If tenants fail to participate in this process an efficient and effective review process would not be possible.

All Contractors are reviewed annually based on their performance throughout the year – this is carried out through quarterly monitoring reports. All tenants attending General Meetings receive the reports and are responsible to assist in the monitoring process with the following areas being the main factors:

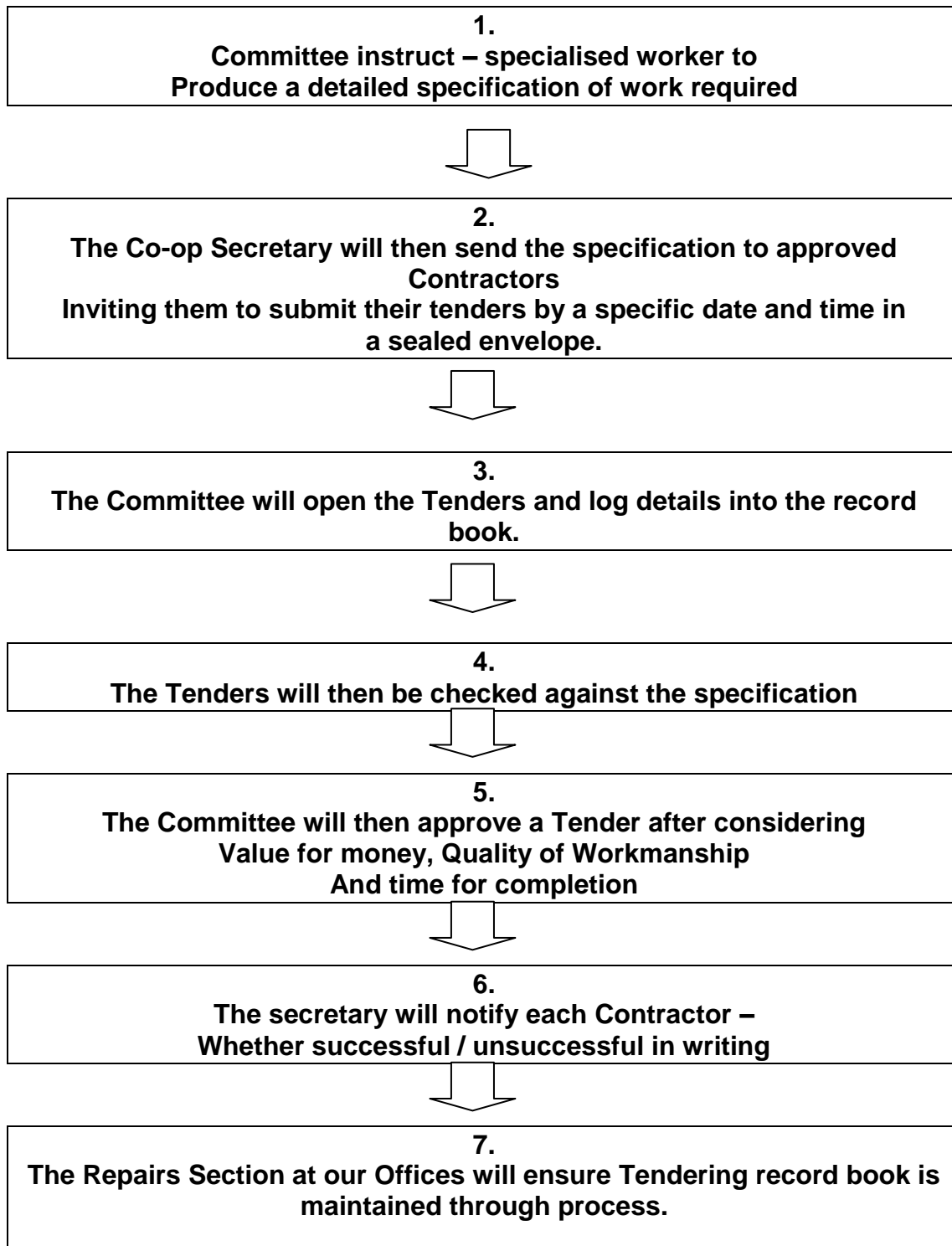
- Target times met / failed
- Complaints received
- Punctuality / Reliability
- Compliance with Co-op Policies and procedures
- Cost effectiveness
- Insurance renewed



Tendering Procedure

If large-scale work is required within the Co-operative it will be necessary to go out to Tender. E.g – Improvement / replacement work over £3,500-00.

The Co-operative will ensure the following procedure is followed:



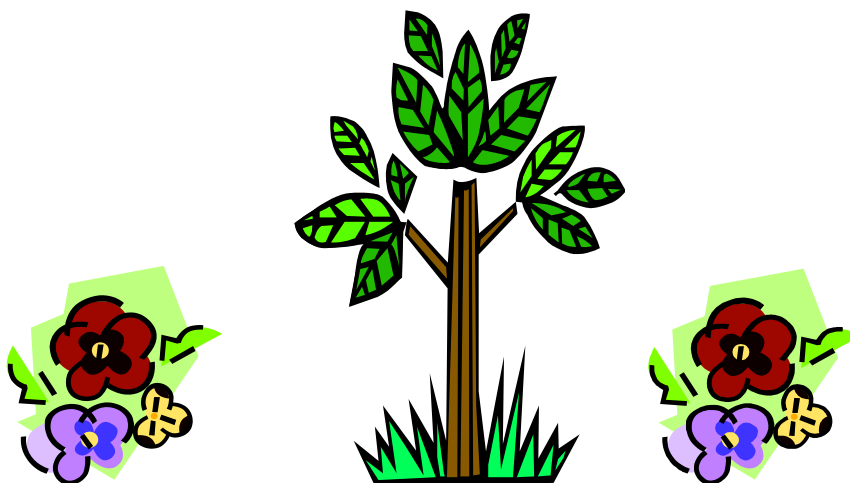
Environmental Policy (Applies to)

South Road Housing Co-operative has agreed to ensure their tenants living within the above area maintain and keep all bushes / shrubs which were planted in the original development, in accordance to the requirements of the Local Planning department.

To enable the Co-operative to achieve this, the co-operation and commitment of the Tenants residing at this site is essential.

All Tenants at the above location are therefore expected to take equal responsibility in the maintenance of the bushes / shrubs on the site.

If the Tenants are unable to maintain the bushes and shrubs at any time the Co-operative will have no alternative than to introduce a service charge to ensure the requirements of the planning department are upheld and good working relationships are maintained.



Finance Policy

South Road Housing Co-operative operates strict financial control throughout the running of the Co-op to ensure the overall aims and objectives of the Co-op can be achieved. The committee are responsible to ensure that they receive sufficient and timely financial information in order to make informed decisions in relation to financial control.



Overall financial control is accepted by those whom are elected onto the committee as determined by the general members at the Co-operative's Annual General Meeting. The committee then elects a Treasurer from those serving on the committee, who takes the responsibilities of this role for the following 12 months. (Refer to Treasurers standing Order -page 78).

This delegated responsibility does not constitute overall financial control and will remain with the committee as a whole to ensure the Treasurer and relevant agency meet all of the Co-operative's financial obligations. The Treasurer alongside three other committee members will be elected to become the Co-operative's signatories and will be obligated to abide by all regulations, policies and procedures related to their role. The committee will ensure no two signatories reside at the same premises or are related to each other. Cheques signed by the Co-operative must always have two signatures on with a third relevant person authorising the payment prior to payment.

The committee will endeavour to ensure:

- all income to the co-operative is banked within 2 working days and appropriate transfers between bank accounts take place to maximise the Co-operative's finances.
- all bills received by the Co-operative are paid on time (mortgages, insurance, affiliation fees etc) and the cheque signing procedure is adhered to at all times.

The committee will NOT operate a petty cash system for reimbursement / expenditure purposes, therefore all expenditure claims will be paid by cheque.

Under the Co-operative's Rules, the Housing Act 1996 and the Housing Corporation's Regulatory Code, the Co-op may not remunerate any member of the Co-op or any member of the committee established by the Co-op in respect of service as a member or as an officer. However, this rule does not prevent the reimbursement of expenses properly incurred by any member on behalf of the Co-op.

The following list of items are examples of legitimate expenses but are not exhaustive:

- Telephone calls,
- Bus fares,
- Taxis
- Additional petrol consumption
- Meal allowance if work carried out over a 4-hour period away from the home on behalf of the Co-op to a maximum of £4-00.

All claims for reimbursement must be accompanied by proof of expenditure, e.g. itemised telephone bill, bus ticket, taxi receipt etc.

The Co-operative's Treasurer will be responsible to approve such expenses and maintain appropriate records with strict adherence to the committee expense procedure at all times.

Cheque Signing Procedure

- 1.) Those who are appointed by the committee to become Co-op cheque signatories will complete a mandate in accordance to the requirements of the Co-operative's bank.
- 2.) Once the bank has accepted the mandate the signatories may start to sign the cheques on behalf of the Co-op with strict adherence to the following stages:
- 3.) All cheques to be signed MUST be accompanied by an invoice / receipt or other relevant paperwork that has been approved by an appropriate person for payment to be made. E.g. Repairs Section at our Offices authorises contractor bills, Rent Officer authorises rent refunds, Treasurer authorises insurance bills.
- 4.) Each Co-op signatory will check that the appropriate paperwork is present.
- 5.) Each signatory will examine the amount on the cheque and ensure it corresponds with the amount on the backing documents.
- 6.) Each signatory will check that an appropriate person has authorised the payment to be made.
- 7.) If the signatory is satisfied the correct procedure has been followed they should sign the cheque and then pass to the treasurer to obtain a second signature or dispatch.
- 8.) Under NO circumstances may a signatory sign a blank cheque.
- 9.) If circumstances arise that the Co-op signatories feel the procedure has not been followed they should refuse to sign the cheque until the above process has been satisfied.
- 10.) If at any time the Co-op signatories wish to raise concerns they should report to the committee and instigate a review if necessary.

Committee Expense Procedure

- 1.) All members who incur expenditure on behalf of the Co-op or whilst carrying out work for the Co-operative must obtain a receipt or verified details of the expenditure incurred in accordance to the Co-operative's financial policy.
- 2.) The member must submit a claim to the Treasurer within 14 days of the date the expenditure was incurred except in the case of a telephone claim then the member must await the itemised bill.
- 3.) The Treasurer will then carry out any necessary checks to confirm the expenditure was properly incurred in accordance to the financial policy and external regulations.
- 4.) Following satisfactory completion of stage 3 the Treasurer will raise a cheque for payment and stamp approved on the relevant accompanying paperwork.
- 5.) The Treasurer will then pass to one of the Co-operative's signatories and the cheque signing procedure will be applied. (Two signatories other than the person approving payment are required).
- 6.) Following receipt of the duly signed cheque the Treasurer will be responsible to forward the payment to the member and whenever possible gain a signature of receipt to complete the process.

The expenses claim procedure should not exceed 7 days from the time the claim is submitted to the time the member receives payment.

Breakdown of Joint Tenancy

Following a report of a breakdown in a Joint Tenancy, each party will be met by a Sub – Committee of the Management Committee to establish whether anyone wishes to retain their Co-op home.

- (a) if they have already reached an agreement between themselves over who should retain the tenancy the Co-op will honour this agreement. The person intending to leave the tenancy must give up their share of the tenancy in writing.

Any rent arrears owed on the tenancy is the responsibility of both parties and should be transferred out of the current account into a separate account where they may both make payments.

- (b) If they are unable to agree over whom should retain the tenancy and it is a joint tenancy, the Co-operative is unable to make this decision for them. Only the court can determine the tenancy, but the Co-op may wish to encourage the party who will retain care and control of the children to remain in the home.

Following the determination of the tenancy by the court, the Co-operative will sign up the tenant who will remain as a new tenant, and follow procedures regarding any rent arrears outstanding as described in (a) above.

N.B – The Co-operative will remain independent in the break down of a joint tenancy. Full advise and assistance will be given to both parties

Proof of a breakdown of a joint tenancy

- Decree Absolute can take some considerable time
- Care and control of the children can also take some time to obtain.

When an agreement over the tenancy is reached between the parties without the aid of a court, the Co-operative will accept a Solicitor's letter as proof that a marriage / relationship has irretrievably broken down.

Domestic Violence / Breakdown of Joint Tenancy

Following a report of domestic violence and request for assistance of the Management Committee, a Sub-committee of the Management committee will interview both parties to establish the circumstances and whether they wish to retain their Co-op home.

Domestic violence is covered by the Homelessness Act, which now Amends Parts VI and VII of the Housing Act 1996.

The Local Authority has an obligation to assist the injured party and associated dependants.

1. If the injured parties wish to remain on the premises and wish to exclude the joint tenant he/she may only do so through the court.

The Co-operative should advise the injured party to immediately seek an injunction to exclude the violent party from the household. In so doing, the Co-operative will advise the injured party to visit a Solicitor.

Injunctions are temporary, sometimes 1 week, 1 month or 6 months and then require renewal.

In the meantime, the applicants may wish to ask the solicitor to obtain a permanent determination of the tenancy through the court. Only when a permanent determination of the tenancy has been given can the Co-operative sign up the remaining party as a new tenant and process any procedures regarding rent arrears on the former tenancy.

The Co-operative will offer support and friendship as required to the injured party whilst the determination of the tenancy is being obtained.

N.B. In all cases the Co-operative rules on breakdown of Joint Tenancy will apply.

2. If the injured party wishes to leave the premises the Co-operative will refer them to the Homeless Persons Officer at Walsall M.B.C.

The Co-operative will provide references for the injured party. The Co-operative will, on request refer the injured party to other Co-operative's known to them. They will write a letter of nomination. The Co-operative, will on request, refer the injured party to other Housing Associations known to them. The Co-operative will accept 28 days written notice from the injured party to give up the tenancy.

- a) Should the remaining tenant have any dependent children, the tenant will be signed up as a new tenant and any rent arrears from the former tenancy will be transferred to a separate account to which both parties may make payments.
- b) Should the remaining person be a single person with no dependent children, the Co-operative will enforce the Notice given by the injured party. Following the expiry of the notice given by the injured party, the Co-operative will not accept rent.

The Co-operative will seek the advice of a Solicitor and apply to the court using the 'McGrady' principle for the repossession of the property.

N.B. The Co-operative will inform Social Services should there be any domestic violence where dependent children are involved. Dependent children are normally those persons under 16 years of age, though the Co-operative may determine dependants as those up to 19 years where child benefit is still payable.

Proof of Domestic Violence Breakdown of Joint Tenancy

As with Breakdown of Joint tenancy, decrees absolute and care and control can take time to obtain.

Where an agreement over the tenancy is reached without the aid of the court, the Co-operative will accept a Solicitors letter as proof that the relationship / marriage has broken down irretrievably.

Where an injunction is obtained to exclude the violent party from the household, the Co-operative will accept a copy of the injunction as proof of violence.

Procedure – Guidelines for South Road Co-operative Committee – when dealing with the individual cases related to racial harassment on South Road Estates.

1. If a complaint of racial harassment is received, which is not related to a housing issue the Police should be informed immediately.
2. On receipt of a report of racial harassment South Road Co-operative Committee should:
 - (i) Advise the local Police station by telephone to avoid unnecessary delay.
 - (ii) Notify other agencies as appropriate (e.g. Walsall Council for race Relations).
 - (iii) Prepare a report in standard format to include all relevant information of the incident.
3. A record will be kept by South Road Co-operative Committee giving details of Racial Harassment, and Officer actions.
4. Where there are problems of definition of Racial Harassment or how to proceed the Committee and BCHS will hold consultations.
5. The decision to transfer the victim of Racial Harassment will be taken when both the Committee and BCHS have been previously consulted. In cases of emergency, either should be contacted.
6. After thorough investigations, BCHS, if it is shown that Racial Harassment has taken place, will be responsible for preparing reports on such cases for submission to South Road Committee for examination and decision as to the eviction of those responsible.
7. South Road Committee will maintain close liaison with the local Police and will together monitor the overall trends and pattern of Racial Harassment in the Co-operative. The Public Liaison Department at Walsall Police Station will be responsible for monitoring Racial Harassment from the Police point of view, and reports of incidents should be forwarded direct from the Co-op Committee to the Public Liaison Department.

Racial Harassment Incident Report Form

Date: _____

(1) Name & Address of Tenant _____

(2) Racial identity of Tenant affiliated:

(UK Black, African, Asian,
Caribbean/ West Indian _____
Cypriot Greek, Cypriot Turkish,
Jewish, Irish, Polish, White, other...)

(3) Type of incident: _____

Full details will be given on main report sheet.

(4) When did the incident(s) take place?

(5) Has this type of thing happened before and if so when?

(6) Have any previous reports been made to any other organisations? If so when?

(7) Racial identity of perpetrators (if known)

(8) Name & Address of Perpetrator (if known & if Tenant wishes to disclose)?

(9) Brief description of allegations made including date, time and place:

(1) Have any agencies been involved (Hospital, Doctor, Social Services, Mobile Parole, Police, HCRE, Ward Councillor, any other please state). Please give full details including name and contact point.

(11) Are there any witnesses? If so give details:

(12) How can tenant be contacted for further discussion?

Signature: _____ Date: _____

South Road Housing Co-op

Anti Social Behaviour Policy

Anti-Social Behaviour Policy

1.0 Introduction

Co-operatives by their nature have always been concerned about the effects of peoples behaviour on others and taken a pro-active approach to resolve issues before they become a serious nuisance. The Co-operatives however recognise that Anti-social behaviour in society in general is increasing. Tackling both anti-social behaviour and the causes of it has become a priority for Government, the Housing Corporation, Co-operatives, RSL's, and Local Authorities. Communities are more aware of the damaging effects a few people can cause to quality of life and are Looking to their Landlords and other authorities to deal effectively with these issues.

The Co-operatives are aware of the need to review their current practises to ensure they continue to operate effective policies and procedures for tackling anti-social behaviour working with the changes in legislation around this area.

The Co-operative will aim to work in partnership with relevant authorities, as far as possible, to assist in the quest to reduce anti social behaviour within their communities.

2.0 Policy Statement

South Road Housing Co-operative is committed to the effective enforcement of this policy and will publicise its existence. The co-operative ethos will remain and where appropriate measures will be taken to solve nuisance before it escalates. This policy will however make it clear that anti-social behaviour will not be tolerated and that the consequences of such behaviour will be extremely serious for perpetrators.

A lot of the legal action that can be taken against Tenants is based on the terms contained within their tenancy agreement and therefore forms part of this strategy to deal with anti-social behaviour. In this respect, Co-operatives will make clear reference to those terms at Tenancy sign up.

In the event of a proven breach of a tenancy conditions in this area the Co-operative will take decisive action which is reasonable and proportionate based on the circumstances of each case.

Co-operatives will ensure that a consistent approach is taken in the way they deal with anti-social behaviour and that residents know what action and support they can expect from the organisation and in what circumstances they will be expected to take responsibility themselves and pursue their own action.

This policy relates to anti-social behaviour, which includes harassment that is not racially motivated. Separate policies on relationship breakdown, domestic violence, and racial harassment are contained within the policy booklet.

3.0 Working in Partnership

Co-operative recognise its responsibilities to the wider community and as such, are committed to ensuring that they work closely with Tenants, residents, community groups and other relevant agencies. Such agencies include the police, other RSL's, local authority anti-social behaviour teams, environmental health departments, neighbourhood wardens and crime and disorder reduction partnerships.

A lot of the partnership approach has already been implemented via the Co-op's agent BCHS attending safer estates meetings working together to identify problem areas and co-ordinated approaches to rectify. Our aim in developing partnership approaches is to discourage and prevent anti-social behaviour, where possible, and to deal robustly with the consequences when it does occur.

In particular, we will:

- be active members of Safer Estates partnerships in all the areas in which we work
- consult with and actively involve Tenants and relevant agencies in our policy-making
- work with residents and relevant agencies to minimise the incidence of anti-social behaviour in and around our properties.
- provide training and literature.
- develop joint training initiatives with the police and local authority anti-social behaviour teams
- contribute to good practice in the areas in which we work
- attend meetings with relevant agencies and community groups to agree approaches to particular situations which are affecting communities

4.0 Implementation of the Policy

The Co-operative recognises the role of committees complaints officer and BCHS in effective implementation of this policy and will ensure clear lines of responsibility within the procedure guide. In Brief:

Complaints officer/BCHS worker

- To recommend courses of action to Committee to ensure that anti-social behaviour is effectively tackled within the Co-op and the communities.
- To give practical support and help to committee members, Tenants and other organisations in dealing with anti-social behaviour effectively
- To have operational responsibilities for the implementation of policies and procedures designed to prevent and tackle ASB
-
- To ensure that they remain aware of any changes in legislation and good practice which impact on the provisions contained in this document
- To recommend changes in the Anti Social Behaviour Policy to the Committee.

Committee

- To ensure that they remain aware of any changes in legislation and good practice which impact on the provisions contained in this document
- To consider changes in the Anti Social Behaviour Policy and present to General members.
- Ensure that the infrastructure and mechanism for implementing the anti-social behaviour policy is in place including an appropriate budget.
- Be responsible for monitoring the effectiveness of any action taken and for ensuring resident satisfaction with the outcomes

5.0 Definitions

For the purpose of this policy and to provide clarification to staff and Tenants the Co-operative considers the following to be examples of anti-social behaviour:

- a) Use of offensive language
- b) Offensive drunkenness

- c) Using a property or any of the communal areas on a scheme for immoral or illegal purposes, for prostitution, or for the illegal manufacture, sale or use of drugs
- d) Excessive domestic noise, whether from radios, televisions, hi-fis, musical instruments, social activity, daytime or late night parties or gatherings
- e) The depositing of litter or rubbish either in the garden of a property or in any of the communal areas on a development or estate owned or managed by the Co-operatives.
- f) Failure to control the behaviour of pets including taking adequate precautions to prevent the fouling of neighbouring areas
- g) The playing of ball games sufficiently close to neighbouring homes so as to cause a nuisance or damage to Co-op property including boundary fences, trees and shrubs
- i) The carrying out of maintenance or repairs to motor vehicles other than those normally used for domestic purposes by the resident or members of their household
- j) Using threatening behaviour towards neighbours, visitors, committee members, staff or contractors
- k) Actual Physical Violence
- h) Harassment for any reason e.g. due to a persons age, gender lifestyle etc.

6.0 Rights and Responsibilities

A common factor in all anti-social behaviour is that it represents a lack of respect or consideration for other people. It often demonstrates a lack of understanding of the responsibility each individual has towards others in society.

This policy will aim to assist people in accepting responsibility for their own behaviour and its impact on others. If there is evidence that some families or individuals acting anti-socially may be vulnerable and will require help in order to rectify their behaviour. The Co-operative will endeavour to provide support and will assist in the coordination of any necessary intervention on the part of other agencies. Any support provided will include a clear understanding that the protection of the community is paramount and that we will use a range of sanctions, if necessary, to obtain the cooperation of individuals in tackling their anti-social behaviour.

7.0 Legal Framework

The Housing Act 1996 strengthened RSL's powers to deal with anti-social behaviour perpetrated by tenants. Other legislation such as the Crime and Disorder Act 1998, Protection from Harassment Act 1997, the Noise Act 1996 and the Environmental Protection Act 1990 provide powers for dealing with anti-social behaviour and nuisance which can be used separately or in conjunction with the Housing Act 1996.

More recently the Police Reform Act 2002 extended the power to apply for anti-social behaviour orders (ASBO's) to Co-operatives and RSL's whereas previously this power was only available to Local Authorities and the Police.

The Co-operatives Anti-Social Behaviour Procedure provides detailed guidance on the legal remedies available for tackling anti-social behaviour.

8.0 Preventing Anti-social behaviour

Whilst the Co-operative are committed to responding swiftly and effectively to complaints of anti-social behaviour, our primary aim is to prevent it occurring in the first place. In particular we will pay attention to:-

Lettings

- Where possible, we will avoid letting properties where there is the potential for conflict between neighbours e.g. to young single people or families with young children too close to older people.
- Where possible, we will ensure individuals or families with additional support needs are not rehoused in areas where they will be vulnerable to harassment.

Housing Management Practices

- We will be clear about our approach to anti-social behaviour and the remedies available both to us and to our Tenants
- We will give clear advice on what constitutes anti-social behaviour
- We will liaise closely with the community and statutory and voluntary organisations in an attempt to reduce anti-social behaviour on our estates

Design

- To reduce the potential for noise nuisance we will ensure our newly developed properties have adequate sound insulation which, as a minimum, meets applicable Building Regulation requirements
- We will provide suitable boundary fencing and lighting in communal areas to increase security
- As a minimum, to restrict access to unwanted intruders, we will provide door entry systems where there are shared entrances to properties.

9.0 Dealing with Complaints of Anti-Social Behaviour

All complaints will be thoroughly investigated in accordance with the Anti-Social Behaviour Procedures. It is recognised that some issues may initially seem petty but could obscure a more serious problem which may escalate if not dealt with promptly and effectively. The aim of the investigation, therefore, is to establish the facts and decide what action can be taken to prevent further incidents and modify the anti-social behaviour.

Complainants will be kept fully informed of action and progress in relation to their complaint. They will be provided with assistance to complete and maintain any records which we feel will provide evidence of their complaint in the event of action being taken.

All potential solutions will be discussed with the complainant. These may include dispute resolution via a mediation service, civil or criminal court action or an injunction.

In some cases it will be more appropriate for the complainant to take action themselves rather than the Co-operative. In these circumstances the complainant will be notified and given any necessary advice and assistance.

10.0 Confidentiality

It is our aim to preserve, wherever possible, the confidentiality of all parties where an allegation of anti-social behaviour has been made. The Co-operative deal with complaints of anti-social behaviour promptly and sensitively and all information will be treated confidentially. However, complainants will be informed that the Co-operative has agreed protocols for the sharing of information with the Police, other RSL's and Local Authorities through Safer Estates Agreements.

How to be a Good Neighbour

How to quieten your home

It is difficult to define what constitutes problem noise suffice to say the amount of noise made by any one person – or household might seem negligible but can make a real difference to the comfort of neighbours. The following 'simple' precautionary measures can be taken in the home to prevent noise nuisance:

- Think about your neighbours when you are doing something noisy e.g. loud music or DIY and let them know beforehand especially if you are planning a party.
- Keep the volume of TV, radio and Hi Fi as low as possible, especially late at night
- If you want to turn the volume up, use headphones for stereo systems and an ear piece for radios
- Perform noisy DIY jobs during normal working hours
- Mow the lawn only at a reasonable hour
- If your dog barks when left alone, arrange to leave it with a friend
- Do remember that noise and vibration transmit easily through walls and floors
- Do realise that your pleasure should not lead to neighbours distress
- Do be co-operative if asked by a neighbour to reduce noise
- Be extra considerate if your neighbour has a particular reason for needing quiet such as ill health.

Solving Neighbour Problems

A guide for Tenants in South Road Housing Co-operative

Introduction

If your neighbours are causing problems for you, you are not alone. Neighbour Problems are increasing everywhere. Neighbour problems cover a range of issues, from annoying things such as playing music too loudly, to serious incidents like racial harassment and threats of violence.

The first section of this leaflet suggests how you could try to tackle less serious types of neighbour problems yourself. If you are experiencing a serious problem such as harassment contact the Co-operative immediately.

The second section explains how the Co-operative will help you.

The final section gives details of other agencies that can also help the legal powers they have and the types of situations they can deal with.

1. Dealing Directly with Your Neighbour

Whenever possible you should try to solve the problem yourself. Often the best way to resolve a neighbour problem is by the neighbours involved talking face to face and trying to see each other's point of view. Try to arrange a suitable time and place to talk about the problem properly.

Think about what you want to say. Be clear about:

- What the problem is
- How you feel
- What you want

It may help to talk to someone who is not involved, who can help you work out these things before you approach your neighbour such as a member of the Co-operative's Committee.

Meeting your Neighbour

- Be calm and friendly. Say that you are glad that you have got together to sort things out.
- Tell your neighbour what the problem is, how you feel and how it affects you. Non-blaming language will help you get the message across. For example, 'when I hear your TV after 11-30pm. I can't get to sleep and I get angry' is much better than 'You are very inconsiderate with your loud TV keeping me awake all night'
- Listen to what your neighbour has to say in return; they have a point of view, even if you do not agree with it. By listening as well as talking, you help to build a good atmosphere. Problems are often solved when people feel they have been heard.

Trying To Solve the Problem

- Look for common ground. Even agreeing to differ is a start
- Make sure you bring all the issues out in the open. Work on the easier issues first
- Separate the problem from the person. Approach it as if you and your neighbour are getting together to solve a common problem. Two heads are better than one; be open to your neighbours' suggestions.
- Try to find a co-operative solution in which each party participates
- Look at the options before picking the best one for you both.

When You Reach an Agreement

- Make sure you know who has agreed to do what, and by when. It may be a good idea to write this down and both keep a copy. Decide whether you both want the agreement to be legally bonding, and if you do, write it on your agreement.
- Agree a date to check how your agreement is working out
- Agree how you will let each other know about future problems



DO NOT:

- let things build up until you are too angry or upset to deal with them reasonably. Avoid interrupting, shouting and verbal abuse. Don't blame, accuse, point your finger or make threats.
- Assume people are doing things just to annoy you.
- Imagine your neighbour must know what it is really bothering you if you have never told them.
- Retaliate; it will make things worse and put you in the wrong
- Argue about exactly who did what – concentrate on what you want to happen in the future. Avoid bringing up things that have nothing to do with the present problem
- Agree to solutions you think are unfair, just for a quiet life

These tips assume there is no threatening behaviour or danger of physical violence. If there is, you should go to the Co-operative Committee and report the matter to the Police.

2. For Further Help

If you can't sort things out directly with your neighbour or you want some advice or help, please contact the Co-operative Committee.

If appropriate the Committee will refer the dispute to the local Mediation Service.

Mediation Services have trained mediators who do not take sides or make any decisions about the problem, but who can help you and your neighbour come to an agreement.

South Road Housing Co-operative

Anti Social Behaviour Procedure

Preface:

All complainants will be requested to put their complaint in writing to the registered office in a confidential envelope. Assistance will be given to any complainant unable to do so by the office worker taking a statement. All information will be kept confidential. All alleged perpetrators will be given the opportunity to respond to allegations made.

Stage one: Office completion

- ❖ Complaint forwarded to BCHS office, complaint file compiled within two days and acknowledged.
- ❖ Complaint initially graded against matrix
- ❖ Complaint will be brought to the attention of the management committee. Committee delegate an *officer (if appropriate) to deal with complaint along with officer worker from BCHS.

*(Co-op can delegate a complaints officer if deemed necessary)

Green Grade:

- ❖ Complaint officer (if appropriate) and BCHS office worker visit complainant to discuss full details of complaint and record in agreed format. Diary issued.
- ❖ Complaints officer and office worker visit alleged perpetrator and record in agreed format
- ❖ Complaint officers and office worker compile notes.
- ❖ If evidence is sufficient to uphold case complaints officer and office worker visits perpetrator to discuss. A written warning is issued to ensure no further disturbance of kind noted to take place again (see letter ASB1)
- ❖ Notification sent to complainant to state action taken to rectify situation (letter ASB2)
- ❖ Case monitored for one month.
- ❖ If evidence is insufficient perpetrator and complainant informed (ASB3 and 4)
- ❖ Case monitored for one month.
- ❖ Report to the HM Committee meeting for information in agreed format .

Amber Grade:

- ❖ Compliant officers and office worker visit complainant, if applicable to discuss details of complaint and record in agreed format. Diary issued.

- ❖ Complaint officer and office worker visit alleged perpetrator and record in agreed format.
- ❖ Complaint officer and office worker compile notes and report.
- ❖ Sufficient evidence/information Complaints officer and office worker recommend relevant action in accordance to Amber action points, noting why one action is being recommended as opposed to another.
- ❖ Case monitored.
- ❖ Report sent to HM Committee meeting for review/approval in agreed format, action taken in accordance to procedure.
- ❖ Insufficient evidence, BCHS recommend action, if applicable. Report sent to HM Committee for approval.
- ❖ Case monitored during investigation.
- ❖ Complainant kept informed.

Red Grade:

- ❖ Case passed to BCHS as independent agents if applicable or complaints officers interview (BCHS situations from point).
- ❖ Complaints officer kept informed
- ❖ Interviews conducted
- ❖ Complainant kept informed
- ❖ Relevant agencies contacted, including environmental health, police, social services and mediation services (if appropriate).
- ❖ Report to HM Committee recommending relevant course of action in accordance with Red procedure, noting why some action is being recommended against another.
- ❖ Action taken.
- ❖ Case monitored on a weekly basis.
- ❖ If problem persists, instigate tenancy action and/or legal action.

DEFINITIONS

GREEN CASES

- Fouling or litter dropping of communal areas
- Low level noise
- Untidy gardens causing problems
- Dogs barking
- Loud music
- Children/teenagers playing against properties or in a manner to cause disturbance
- Low level abusive language or verbal abuse
- Inconsiderate parking
- Working on vehicles
- Problems with visitors

Actions:

- Investigation
- Understanding/discussion with both parties
- Possible warning letter
- Monitoring of problem

Investigation will take place in all incidents

If problem is acknowledged/proved warning will be issued

If problem is mismatch of expectations, action to assist parties in agreement and understanding will be given

The Co-operative aim will be to resolve all green cases to avoid progress of problem.

AMBER CASES

- Repeats of reported green incidents previously discussed
- Verbal abuse
- Damage to property, vandalism, graffiti
- Nuisance from vehicles
- Dumping of vehicles
- Boundary disputes
- Constant visitors at unsociable hours
- Behaviour deemed to be causing low level harassment

Actions:

- Investigation
- Mediation
- Acceptable Behaviour Co-operative Contracts
- Other agency involvement, eg Environmental services, Police, safer estates, etc
- Training and support
- First stage legal proceedings (Notice to Quit)
- Injunction

The Co-operative will aim to assist perpetrator to review behaviour taking into account any personal circumstances adding to the problem. The Co-operative will where possible, try to mediate between parties to resolve the issues if appropriate.

The well being of the complainant, however will be noted and actions to resolve and assist must not cause any further distress to the complainant. Assistance will only be given where goodwill and acknowledgement of the problem is demonstrated by the perpetrator.

The Co-operative will involve other agencies, if needed, to assist the process of resolution.

The Co-operative will take the first stage in legal action if necessary.

RED CASES

- Repeats of reported Amber incidents previously discussed and actioned.
- Combination of Green and Amber incidents previously reported
- Breach of Anti-Social Contract
- Isolated Green and Amber incidents previously reported culminating into overall Anti-social behaviour patterns
- Violent or criminal behaviour (*point 5 onwards*)
- Intimidation, aggressive and threatening behaviour
- Using property for illegal purposes
- Harassment
- Domestic violence

Actions:

- Investigation/contact with other agencies immediately if appropriate
- Tenancy powers, Notice to Quit and Eviction proceedings
- Other legal powers working with relevant bodies to bring cases to court
- Combination of both also will be considered
- Injunctions
- Working in partnership with other Agencies
- Anti-Social Behaviour Orders (ASBO's)

The Co-operative makes clear that Red incidents are not tolerated and there is a serious threat that loss of Tenancy will occur.

It should be noted that in cases of repetitive behaviour the Co-operative will have already tried to assist and therefore Legal actions will be taken on these cases. In most other actions Legal proceedings will be used but dependent on incident and circumstances eviction proceedings may not be used immediately but will always be considered.

Warning Letter

A letter may be sent by South Road Housing warning a Tenant that a certain incident has occurred and been proven/accepted. The letter will inform the tenant that the behaviour is not acceptable and will remain on file. The letter may be used in the future if incidents occur again.

Mediation

Mediation is a form of conflict resolution. It is a process in which an impartial third party helps disputing neighbours to work out an agreement where by they can live peacefully next to each other. It is used increasingly and is found to be very effective in dealing with neighbour disputes. The people in the dispute work out the terms of the agreement, not the mediator.

Training and Support

In certain cases the Anti-social behaviour may be able to be eliminated by providing training and support. The Co-operative will assist in raising awareness of the behaviour causing offence and offer solutions to the perpetrator of measures to take to eliminate problem. South Road Housing will work with other agencies in this area where appropriate eg social services/welfare teams/mental health workers etc.

Tenancy Action

The Co-operative has a clause in its tenancy agreement specifically prohibiting nuisance and anti-social behaviour by tenants, those who live with them and their visitors. To help protect tenants from the actions of others, we also have expected standards of behaviour in the tenancy agreement.

Nuisance and anti-social behaviour will be considered a serious breach of the tenancy agreement and the conditions of the tenancy agreement will be enforced firmly and fairly.

All new tenants will be advised of their obligations at the start of the tenancy.

Legal action

Legal action will be considered to tackle problems if all other approaches have failed to stop a nuisance and there is little likelihood of the behaviour improving. The Tenant will be aware of the Co-operatives intention to take matters to court with the issue of a Notice to Quit served upon them. The Tenant may still have the opportunity to amend their behaviour during the notice period.

Acceptable Behaviour Co-operative Contracts (ABCC's)

An ABCC is a written agreement not to act in a specific manner. It is made between a person, and South Road Housing Co-operative, (other agencies

may sometimes be used). It may be used by South Road Housing with tenants and or parents and children of the Co-operative in agreement to stop some forms of behaviour. It does not mean someone is guilty of a crime, but if the contract is broken then it can be used in court as evidence in legal proceedings.

Antisocial Behaviour Orders (ASBO's)

A court can instruct someone to stop behaving in an antisocial manner and can exclude that person from a specific area or location for a minimum of two years. Breaching an ASBO is a criminal offence and will be dealt with by the courts, which can fine or imprison the person concerned.

Injunctions

An injunction is an order of the court that requires a person to do something or stops them from doing something. Injunctions are normally used when there has been violence or threats of violence. A breach of an injunction is a contempt of court and can lead to a fine or prison sentence.

Possession

If South Road Housing Co-operative can prove a breach of a tenancy condition, we may apply for possession of the perpetrator's home. Removing someone from their home needs a court's decision. The courts will only take this decision as a last resort so it is something we will ask for only when all other measures have failed. If a criminal act has been committed and action is being taken by the police we may be able to use this information to prove a breach of tenancy conditions.

ANTI SOCIAL BEHAVIOUR MATRIX

	<u>Green</u>	<u>Amber</u>	<u>RED</u>
Fouling/litter communal areas			
Low level noise			
Untidy litter bins, gardens etc			
Dogs barking			
Loud music			
Children/teenager disturbance outside property			
Low level language/verbal abuse			
Inconsiderate parking			
Working on vehicles			
Noise/problem with visitors			
Repeat of green incident already discussed			
4 th green incident reported			
Verbal abuse			
Damage to property, vandalism graffiti			
Nuisance from vehicles			
Dumping of vehicles			
Boundary disputes			
Constant visitors at unsociable hours			
Behaviour deemed to be causing low level harassment.			

Repeats of amber incidents previously reported and action taken			
Combination of green and amber incidents reported culminating into overall ASB			
Breach of Anti social contract			
Violent or criminal behaviour			
Intimidation aggressive and threatening behaviour.			
Using property for illegal purposes			
Harassment			
Domestic violence			

Complaints Action sheet

Complainant _____

Address _____

Perpetrator _____

Address _____

GRADE Green Amber Red

DATE	Action Taken	Next Step	Date

Has this incident been reported to the Police?	
Yes	No
<input type="checkbox"/>	<input type="checkbox"/>

If yes, Crime Ref No: Police Officer Name: Police Station: Date:

Any other comments:

Has diary sheet been issued? YES / NO (delete as applicable)	Has procedure been explained? YES / NO
--	--

What support is needed ie, refer to other agencies?

Signed tenant:	Signed Officer:
-----------------------	------------------------

Date:	Date:
--------------	--------------

Office completion:	
GRADE: GREEN / AMBER / RED	
Notified HM Committee (date):	
Delegated Complaints Officer:	Co-op Officer:

HOME VISIT INTERVIEW SHEET

Interviewee-----

Officers interviewing -----

Complainant **Alleged perpetrator** **Witness**

Purpose of Interview-----

Please record interview/home visit:

Complaints and Grievance Form

Please complete this form in FULL and return it as soon as possible to the Co-op Chairperson – Thank you.

Name: _____

Address: _____

Name & Address of Person(s) whom complaint is about:

Details of complaint:

Date & Time of incident: _____

Has this happened before? YES / NO

Has it been reported? YES / NO When? _____

Who to? _____

If there is additional information you would like to give please use the back of this form or attach a separate letter.

If you have a problem in completing these details – try and obtain advice from an impartial person i.e. someone not involved in your Co-op or the issue.

All information given will be treated as CONFIDENTIAL.

Please consult the Co-op policy documents regarding complaints & Grievances.

South Road Housing Co-operative Complaints procedure

South Road Housing Co-operative aim to ensure that all co-op members or other people external to the co-op making complaints to the co-op are dealt with in a fair and objective manner.

GENERAL

Most disputes and problems can be resolved through common sense negotiation and compromise. However, there may be occasions when the co-op will have need of a formal procedure for the resolution of complaints that fall outside the neighbourhood disputes procedure this may be when:

- a) Complaints about a co-op member's handling of co-op business.
- b) Complaints about external agencies / contractors used by the co-op
- c) complaints received from another organisation against the co-op.

Some complaints will not fall under the co-op jurisdiction and the co-op will be able to do little other than offer advice. However, the co-op may be able to act, particularly if the complaint concerns one of two main areas:

- 1) The conduct of a co-op official engaged in co-op business.
- 2) Breaches of tenancy agreement.

DEALING WITH COMPLAINTS

Stage One: The complainant should make an official complaint to the Co-operatives registered office address. The co-op may choose to delegate this function to an independent organisation, but the independent organisation should remain accountable to the co-op's management committee. The complaint should be in writing, although, if necessary assistance may be offered to put the complaint in writing. The committee should attempt to find an immediate satisfactory resolution to the problem, but that may not be possible. A sub committee should be elected and authorised to take any urgent action necessary.

Stage Two: The sub committee / agency will present the complaint to the next committee meeting. If the complaint requires urgent action, an emergency meeting should be called. The sub-committee should ensure that its members are not party to the dispute concerned, and if that is the case, it should seek an independent representative to advise on the problem. In the case of serious allegations, particularly regarding a co-op officer's behaviour, a representative from an independent organisation will be involved.

- Stage Three: The sub-committee / agency should respond in writing to the complainant within 5 working days, arranging visits to the complainant and other parties to the dispute. These visits should, wherever possible, be carried out within 14 days of notification of the visits, and should be witnessed by at least one co-op member who is not a party to the dispute.
- Stage Four: Once the sub-committee / agency have completed their enquiries, they will communicate in writing their findings to all parties to the dispute, although they may need to give regard to any matters that may need to remain confidential. This letter will also give the disputants the opportunity to appeal against the findings in writing within 5 working days of receipt of the letter to the co-op committee, and will offer the disputants any help needed to formulate a reply.
- Stage Five: The sub-committee will report any appeal against its decision to the co-operatives committee at the earliest possible occasion. An extraordinary meeting of the committee may need to be called to discuss the problem. Any meeting called will be in the absence of the parties concerned in the complaint unless there are substantial grounds to deem otherwise. All meetings of this nature will be strictly confidential to the members of the governing body and any independent representative involved.
- Stage Six: At the committee meeting, decisions will be made about what should be done over a problem and if necessary these decisions will be voted on. Any decisions taken will be recorded confidentially in the minutes of the meeting.
- Stage Seven: The decisions taken will be communicated in writing to the parties to the dispute within 5 working days of the meeting.
- Stage Eight: If a party to the dispute is not satisfied with the outcome at this stage, they may appeal in writing to a general meeting of the co-op. In such an eventuality, all papers relating to the case should be circulated to all co-op members at least 14 days prior to the general meeting.
- Stage Nine: Any co-op member also has the right to make a formal complaint to the Housing Ombudsman. The co-op will provide members with information on how to do this, but it may be in the complainant's interest that this course of action is only pursued if the co-op's complaints procedure has been exhausted and the member has not received satisfaction.

SPECIFIC AREAS OF COMPLAINT

1 Complaints about the conduct of a co-op official engaged in co-op business

Where a complaint has been received and substantiated about the conduct of a co-op officer, the co-operatives committee should consider whether it is appropriate that the member continues to serve in that role, or whether the member should remain a member of the management committee (where appropriate).

2 Complaints that include reports of tenants being harassed

Please refer to pages 52 - 53

3 Complaints concerning neighbourhood disputes

Please refer to page 55 - 69

South Road Housing Co-operative Confidentiality Policy

It is the aim of the Co-op to provide a competent and professional service to all tenants and applicants to the Co-operative ensuring confidential information is respected and maintained at all times in accordance to the Co-operative's legal and contractual obligations.

To enable the Co-op to achieve this aim the management committee will ensure all members are provided with relevant information related to their role as a committee member at the first meeting following the co-operatives Annual General Meeting (AGM).

This information will contain details of their individual roles and responsibilities and in particular the responsibilities they are accepting in relation to confidential information, how it is stored and the legal implications of any breach of such information.

Each member will then complete a statement relating to this information confirming they have read and understood the document they are signing, which obligates them to abide by all relevant policies and procedures related to their role as a specific officer or as a member of the committee.

In addition to the above the Co-op will provide guidance and offer training to all those elected onto the committee with particular reference to the Data Protection Act and Legal aspects affecting this policy.

In the event of a breach of confidentiality the following areas within this handbook may be relevant:

- Membership policy – page 15 - 16
- Code of conduct – page 17 - 19
- Complaints procedure – page 88 - 90

The 'RULES' of the Co-operative will apply in all substantiated cases and the Co-op will take action accordingly.

The overall responsibility to ensure this policy is implemented and monitored will remain that of the duly elected committee following the Co-operatives AGM each year. However, aspects of training / information production may be delegated to relevant external bodies to carry out or produce.