

Two Towers Housing Co-op

Residents' Disputes Policy and Procedure



(Chapter 6 Schedule 7)

Applies to both secure and introductory tenancies and lessees

1 Scope of the Policy

- 1.1 The Resident's Disputes Procedure is available to all lawful residents of the TMO who have a complaint about another resident of the TMO, which does not involve allegations of threats of violence, intimidation or abuse. In such cases, it would be more appropriate to use the Anti-Social Behaviour and Harassment Procedure (Schedule 6).
- 1.2 Residents are also entitled to use Southwark Council's procedures for addressing disputes between neighbours. However, residents are encouraged to seek to resolve disputes within the framework of the TMO.

2 Procedure for Making a Complaint

- 2.1 A resident can make a complaint in writing, in person, by telephone or by email to the TMO office. The complainant will be required to complete a Complaints Form. The Complaints form will set out the
 - Nature of the complaint
 - Details of the complainant
 - Details of the resident being complained about
- 2.2 The TMO will assist any resident in completing the Complaints Form, including arranging for translation/interpretation.
- 2.3 In the interests of fairness and accuracy, the TMO will also assist any resident responding to a complaint.

3 Procedure for Investigating and Deciding Complaints

- 3.1 Complaints will be investigated in a timely manner. The investigation of a complaint will be carried out by the TMO Estate Manager or be delegated to a suitably qualified member of staff, and may involve:
 - Interview with the complainant
 - Interview with the resident(s) about whom the complaint has been made

- Interviews with witnesses
 - Obtaining evidence, such as photographs
 - Review of tenancy files
 - Liaising with Council officers or staff from other agencies
 - Any other reasonable steps necessary to be enable a fair decision to be reached regarding the validity of the complaint
- 3.2 At the conclusion of the investigation, the TMO Estate Manager will decide on whether the complaint has been substantiated and what action should be taken. Wherever possible, the TMO shall endeavour to seek resolution of neighbour disputes through voluntary agreements or through mediation.

4 The Rights of Both Parties to the Complaint

- 4.1 The complaint will be dealt with in accordance with the TMO's Equal Opportunities and Confidentiality policies. Both parties to a complaint have rights in respect of confidentiality, representation, the right to be accompanied during an interview by a friend, witness or advocate, and the right to be supported by a translator or interpreter.
- 4.2 When interviewing the complainant and the resident(s) about whom a complaint has been made, TMO staff will clearly explain the procedure to be followed and the rights of the parties.
- 4.3 At the conclusion of the investigation, both parties to the complaint will be informed of the decision of the Estate Manager and of their right to appeal against the decision.

4.2 Appeals

- 4.2.1 If either party wishes to appeal against the Estate Manager's decision, this request should be submitted in writing to the TMO within 10 working days of the decision being notified and set out the grounds on which the appeal is being made.
- 4.2.2 The appeal will be heard by a Panel composed of three members of the Management Committee, which will consider the grounds submitted for appeal and will review the original investigation. Documents used in relation to this appeal will be prepared by the Estate Manager in accord with the Code of Confidentiality.
- 4.2.3 Both parties will be informed in writing of the decision of the Panel.
- 4.2.4 If either party to the complaint wishes to pursue the matter further, the TMO will direct them to the appropriate Council office.

5 Record Keeping and Monitoring Arrangements

- 5.1 For a minimum of two years, the TMO will keep detailed records relating to complaints, including
- Complaints forms
 - Interview recordings/transcripts/notes
 - Correspondence
 - Evidence sought and obtained
 - Agreements
 - Decisions
 - Referrals
 - Appeals
- 5.2 The Estate Manager will ensure that all complaints and investigations are reported quarterly to the Management Committee and the Council. Reports to the Management should conform to the TMO's Confidentiality policy.
- 5.3 Each year the Management Committee will review the Residents' Disputes Policy and Procedure.