



ESTATE MANAGEMENT POLICY & PROCEDURES

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For details contact the Association on 0141 578 0200 or e-mail: admin@hillheadhousing.org

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ESTATE MANAGEMENT POLICY & PROCEDURES

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1. AIMS, OBJECTIVES & CONTEXT

1.1 The aim of this policy is to provide tenants, owners and staff with a framework for managing the estate effectively in order to allow residents to:

- enjoy a clean, tidy and safe environment
- live peacefully in their home.

1.2 The objectives of this policy are :

- To ensure that tenants are fully aware of and accept their obligations and responsibilities in relation to estate management.
- To outline the procedures by which the Association monitors/responds to complaints or problems highlighted during inspections. Response times are set according to the nature of the complaint and aim to ensure that tenants are kept fully informed of what the Association can and will do.
- To develop liaison and joint working with statutory or voluntary agencies, such as environmental health, police, social work etc, who might have a legal obligation or some other interest in cases or preventative work.
- To encourage tenant participation in the management of the estate.
- To work towards achieving the relevant outcomes as set out in the Scottish Social Housing Charter and in particular :
 - **Outcome 6** – Social landlords, working in partnership with other agencies, help to ensure that tenants and other customers live in well maintained neighbourhoods where they feel safe
 - **Outcome 11** – Social landlords ensure that :
 - tenants get the information they need on how to obtain support to remain in their home
 - suitable support is available, including services provided directed by the landlord and by other organisations
 - **Outcome 13** – tenants, owners and other customers receive services that provide continually improving value for the rent and other charges they pay

2. ESTATE MANAGEMENT MEASURES

The Association will encourage tenant participation in developing strategies to improve their own environment.

- Housing mix and design will be closely assessed from an estate management point of view. To this end housing management staff will be involved in the early stages of design in any developments of new or existing housing.
- A sensitive approach to lettings will be encouraged and housing management staff should be aware of factors which may make a property

unsuitable for a certain household. It should also be noted that the Association, in accordance with its Allocations Policy, visits all prospective tenants, where possible.

- In the case of those who have or have had a tenancy of their own, a tenancy report is obtained from the relevant landlord before making any offer.

3. PREVENTATIVE ACTION

Estate Management is primarily concerned with ensuring that conditions of let are adhered to as defined within the tenancy agreement.

3.1 The Association believes that much can be done to prevent problems arising by ensuring that tenants are fully aware of their obligations as tenants. This will be achieved in a number of ways:

- All prospective tenants will be taken by a member of staff, usually the Housing Officer, to view the property being offered. This provides an opportunity to discuss stair cleaning rota systems in operation (where applicable) and define garden maintenance responsibilities.
- New Tenants will be talked through the Tenancy Agreement when signing up for a property which allows for a more in-depth explanation of the terms of the agreement.
- New tenants will be required to sign the Good Neighbour Charter and the responsibilities of this will be explained.
- Settling-in visits will be carried out, generally within one month of a new tenant moving into the property. These are an opportunity for the Housing Officer/Assistant to identify and deal with any difficulties being experienced.
- Each tenant will be issued with a Tenants Handbook which provides a quick reference guide to the terms of their tenancy and the service they can expect from the Association.
- Close Meetings will be held as and when necessary.
- Public Meetings will be held as and when necessary.
- Tenant-led inspections will be promoted through the newsletter and through the Customer Care Working group.
- The monthly Customer Care Working Groups' meetings are an opportunity for tenants to raise issues of interest or concern to them.
- Regular Estate Walkabouts afford the opportunity for tenants and others with an interest in Hillhead, to identify problem areas.

3.2 The Association has a responsibility to regularly inspect the area and take prompt action where problems are found.

The Association has a programme of regular inspections of land and property in its ownership. They are designed to highlight a number of issues eg. repairs

required to common areas; maintenance required to the property; action required by other agencies; residents failing to adhere to conditions of tenancy etc.

Inspections are carried out by the Housing Officers/Assistants; Property Services Officers and the Housing Manager/Property Services Co-ordinator or Property Services Agent according to the following schedules.

Property Services Officers:

- Fortnightly inspections in the growing season, of open spaces and shared back courts following grounds maintenance works
- Fortnightly inspections of open spaces and back gardens to identify areas of dumped refuse prior to fortnightly contractors' clean up operations
- Feeding back to Housing Officers regarding back courts and other areas where dumping is taking place
- Monthly inspections of close entry doors and common paths

Housing Officer/Assistants :

- As a minimum, close inspections are carried out monthly although in certain properties, this may be more frequent.

Housing Manager /Property Services Co-ordinator or Agent

- Quarterly area inspections

Property Services Officer inspections are recorded by the Property Services section and Housing Officer/Assistant inspections by the Housing Management section. Follow up procedures and response times are clearly outlined in the relevant sub sections relating to Estate Management items 4.1 to 4.7.

4. ESTATE MANAGEMENT RESPONSIBILITIES

4.1 Stairs, Communal and Shared Garden Areas

Generally, responsibility for the cleaning/keeping tidy of closes/stairs/bin areas/communal drying areas and shared garden areas rests with the tenant, however in certain properties some of these are carried out on the tenant's behalf by the Association.

In tenement properties stair cleaning rota cards are issued to all tenants. These detail the weekly responsibility of each individual tenant. Where there is an empty property a new rota card will be issued.

The Association is responsible for replacing/renewing lights, as necessary, in all common areas including back courts, stairs, closes, walkways and other areas not adopted by the Council. Where there is no other source of adequate lighting, defective lights will be replaced within 24 hours.

Tenancy Agreement Sections 2.9 to 2.11 : Common Parts

Failure to adhere to the terms of the above will be dealt with as follows:

- Once identified, the Housing Officer/Assistant will visit the tenant(s) and establish whether or not there is a valid reason for the common area in question not being kept properly. At this visit, the tenant(s) should be advised that the common area is unsatisfactory and that it must be brought up to standard.
- If the tenant(s) fails to comply with this request a letter should then be issued informing the tenant(s) that they have a further seven days to comply and that failure to do so will result in the Association arranging for a contractor to carry out the work, the cost of which will be recharged to the tenant(s).
- In the case of persistent failure to upkeep common and shared areas to a “satisfactory standard” guidance should be sought from the Housing Manager on the viability of legal action. If legal action is to proceed, photographic and documentary evidence is necessary.

4.2 Garden Maintenance

Tenancy Agreement Sections 2.9 to 2.11 : Garden Areas

Unless the Association has arrangements in place for garden maintenance (such as in new build developments), tenants are responsible for looking after their own gardens and hedges and keeping them from becoming overgrown or causing a nuisance.

Failure to adhere to the terms of the above will be dealt in the same way as Section 4.1 Stairs, Communal and Shared Areas.

Elderly and/or disabled tenants, if they are unable to do so themselves, and have no other family members able to assist in the upkeep of their garden may, if desired, request that the Association arrange a gardening service throughout the year for a small monthly service charge. Tenants who require this service should contact the Housing Officer/Assistant who will assist them in applying to the local authority Garden Scheme. The Association will also investigate the possibility of offering an in-house gardening service.

4.3 Upkeep of Property

Sections 5.17 to 5.21 of the tenancy agreement identify a range of tenants' responsibilities with regard to the upkeep of the interior of the property, these include:

- Miscellaneous Repairs
- Notice of Repairs
- Notification of Emergencies
- Cold Weather Precautions
- Interior Standards
- Neglect/Damage to Property

Tenancy Agreement Sect.5: Repairs Maintenance Alterations and Improvements

Properties which have not been satisfactorily maintained will be dealt with in the same manner as described in Section 4.1. Similarly, in accordance with Section 5.10 of the Tenancy Agreement, consideration will also be given to recharging the tenant for the cost of any re-instatement work necessary.

As a preventative measure, the Association carries out cyclical inspections to properties where there is a concern over the condition of the property. In such cases it will be agreed in conjunction with the Housing Manager as to the necessity of and frequency of such inspections.

Tenants must apply for permission to make any alterations or improvements to their properties, before any works commence. Permission cannot be unreasonably withheld.

Unauthorised alterations or improvements may be approved retrospectively if they have been carried out in a professional manner; have enhanced the property; and do not place undue maintenance or replacement obligations on the Association. However, where these have been poorly executed, or in the opinion of the Property Services Officer, they would represent an unacceptable obligation on the Association, the tenant may be asked to remove them and to re-instate as before.

4.4 Landscape Maintenance

The Association is responsible for keeping the many footpaths and open areas in its ownership in a tidy and well maintained condition. Contractors are engaged to carry this out at regular intervals throughout the year.

This service covers:

- Common Paths
- Open Spaces
- Common Landscaped Areas
- Play Areas

The Property Services Officer is responsible for carrying out fortnightly inspections during the growing season in order to monitor the landscape maintenance contractor's performance. Review meetings are held bi-monthly by the Property Services Department to discuss the service and raise any concerns/address any issues.

ROSPA checks are also overseen monthly by the Property Services Department in relation to play areas.

4.5 Receiver Aerials/Satellite Dishes

New Build/Improved Properties

The Association discourages the installation of aerials/satellite dishes to the walls or roofs of these properties, however it recognises that where it cannot provide

access to all of the facilities of the satellite providers, some tenants may wish to install an additional receiver.

In this case, the tenant must apply for permission from the Association. The Association will ensure that the proposed installation will be carried out in a manner which does not compromise the visual appearance or structural integrity of the property and in accordance with any planning requirements. Where tenants have not complied with these requirements, action may be taken to remove the installation and the tenant recharged for any necessary works.

Where properties are about to have external improvements which require the removal of a satellite dish, it will be the responsibility of the tenant to arrange its removal and re-instatement in the proper manner as described above.

Unimproved Properties

Tenants in unimproved properties are permitted to install satellite dishes provided the Association's permission has been granted beforehand and that the installation complies with planning regulations.

4.6 Graffiti and Vandalism

All incidents of graffiti/vandalism should be reported immediately, both to the Association and the local police office. In cases where the perpetrator is known, the cost of making good will be recharged to the responsible individual/s.

Graffiti removal is carried out by East Dunbartonshire Council and the Association aims to ensure that graffiti is removed as soon as is practical. Graffiti of a racist or offensive nature will normally be removed within 24 hours of being reported to the Association.

4.7 Close Entry Systems

It is the duty of every resident to ensure that both common close doors are kept locked at all times. Service times are in operation allowing access to postal services etc.

Where Housing Officers become aware that close entry systems are being left open, they will ensure that everyone in the close is reminded of their responsibility and issue warnings in persistent cases.

4.8 Bulk Uplift

For individual garden areas, bulk items are collected on request by Environmental Services. There is a charge for this service. The Association will ensure that guidance is given to residents requiring the services of Environmental Services. In addition to this the Association has no objection to residents using part of the bin area for storage purposes, in the short term, provided prior agreement has been reached by all residents within the property.

4.9 Pest Control

All residents should report cases of pest infestation and vermin immediately to Environmental Health and the Association. The management of pest control is an issue for the tenant to resolve following guidance given by Environmental Health.

4.10 Litter Picking

The Association carries out litter picking in common areas as part of the landscape maintenance programme, on a monthly basis.

4.11 Pets

Tenancy Agreement Section 2.5 Keeping of Pets

Association tenants are required to seek permission, in writing, to keep pet/s in the following circumstances :

- If they live in a tenement flat or other type of flat with no exclusive use of a garden, except where a dog is kept to assist a tenant or member of their household with a sensory impairment
- If they already have a cat or a dog and wish another of either
- For any dangerous, exotic or wild animals

Permission to keep dangerous dogs, as defined by the Dangerous Dogs Act 1991, will only be granted where the tenant can provide proof of Police Registration and a certificate confirming the dog has been neutered.

Permission to keep any dangerous or exotic wild animals as defined by the Dangerous Wild Animals Act 1976, will only be considered where a licence has been granted by the appropriate authority and where, in the opinion of the Association, it will not present a nuisance or danger to others.

Whether or not permission requires to be granted, the resident has a duty to ensure that the pet is properly looked after and is kept under supervision and control.

On receipt of a written request for permission to keep a pet, the size of accommodation and the possible disturbance which could be caused to surrounding households will be taken into consideration.

Permission to keep pet/s will not be unreasonably withheld although the Association is keen to limit pets to one per household. Applications to keep more than one pet will therefore be considered on an individual basis.

Applicants will be advised in writing of the Association's decision. When permission is granted it will state the conditions on which the decision has been made and that failure to adhere to these conditions will result in permission being withdrawn. A letter granting/refusing permission will be issued at this point and the Pet Register updated noting where permission has been granted/denied and when.

The Association will deal with pet issues where the animal is causing a nuisance either within the house or common property. With regard to dogs fouling common areas, in the first instance, this should be reported to Environmental Health Department prior to notifying the Association. When the complaint has been lodged the Association will liaise with the Environmental Wardens on the appropriate course of action.

When a tenant's dog/animal is causing a nuisance the following procedure will be followed:

- Visit and advise the tenant concerned that the pet/s should be kept under proper control and that failure to do so could result in the pet being removed from their care. This should be confirmed in writing.
- In the case of a recurring complaint the assistance of the Environmental Wardens where appropriate, should be sought. They may be able to implement a programme of training for the dog and its owner which will improve the situation.
- If the tenant refuses to engage with the Environmental Wardens or comply with his/her recommendations, and/or if there are further complaints, a further visit should be made and a final warning letter sent.
- Where this fails to result in an improvement in the situation, the tenant will be asked to remove the pet from the property within 14 days, again this request should be confirmed in writing.
- When a tenant refuses to comply with this request the matter will be referred to the Housing Manager who will decide whether there is sufficient evidence to proceed with legal action.
- When it is suspected that a pet has been neglected or is dangerous the SSPCA and/or Police, as appropriate, will be contacted.

4.12 Neighbour Complaints/Anti-Social Behaviour

Tenancy Agreement Section 3 – Respect for Others

This section outlines conduct which is expected of tenants and those for whom they are responsible. This is reinforced in the Good Neighbour Charter.

Where a complaint is received, the Association will deal with it in a sympathetic, fair and confidential manner.

A conciliatory approach should be taken by housing management staff at all times and as such the Association would normally encourage both residents to resolve the problem themselves without the formal involvement of the Association.

The Association should ensure that it becomes involved in problems only where necessary and staff should not undertake work which lies with other agencies. Tenants should be advised of their responsibility to contact these agencies, if necessary with support and advice from the Association.

Where the Association has a responsibility to do so, the response should be effective.

Neighbour disputes are often particularly difficult to deal with for the following reasons:

- In many cases the rights and wrongs of a situation are unclear and the facts difficult to establish
- Tenants expectations of the Association's ability to resolve their difficulties can be unrealistic
- In more serious situations, there is often a fear of reprisals
- Ultimate recourse to the law requires evidence and whilst every endeavour will be made to obtain this in appropriate circumstances, it can often be unsuccessful

The Association's objective, where there is substance to the allegations, is to bring about an improvement in the situation by seeking a solution rather than by house transfer or repossession action.

4.12.1 Receiving Complaints

The Association receives many complaints each year and is keen to ensure that those of a serious nature are quickly assessed and directed to the appropriate agencies if necessary; or that staff begin investigation and action as appropriate. Equally, the Association wishes to ensure that tenants with complaints of a minor or trivial nature are encouraged, wherever possible, to deal with these themselves.

In order to deal effectively with complaints requiring the intervention of the Association, all complainants are asked to complete an Anti-Social or Neighbour Complaint Form (Appendix 1).

In order to safeguard those with disabilities or reading/writing difficulties, all complainants will be offered assistance with the completion of the form.

Where the complaint is received verbally but is of a serious and urgent nature, investigation may commence before the receipt of a completed form but in all other cases, a completed form will be required before any action is taken.

Anonymous complaints which can be easily investigated eg. dumped household goods, overgrown garden etc. will be dealt with under normal estate management procedures. Anonymous complaints requiring further investigation which would normally include interviewing the person being complained about, should be brought to the attention of the Housing Manager who will decide whether it is potentially serious enough to merit investigation.

Anonymous complaints which would require further investigation but appear trivial or vexatious will be logged and filed but no action taken.

All complaints will be logged in the Neighbour Complaints Register.

4.12.2 Following up Complaints

(i) Investigatory Stage

a. Categorisation and Timescales

In order to deal quickly and effectively with the most serious or potentially harmful situations, complaints will be assessed and placed in one of 5 main groups. Each group is divided into sub-groups which set out responsibilities for action and different timescales for investigation and resolution.

Group 1 – Threat to Life

This group requires an immediate response, usually by contacting the Police or other emergency services, after which, generally the responsibility for action lies with these other services.

However, there may be situations where the Association has a role to play eg. dumped household goods in a back court, close to the building, which have been or are likely to be set on fire. The maximum timescale for investigating or referring this to the appropriate authority is 1 day, however it will generally be immediately.

Group 2 – Criminal Behaviour

Again, the Association's role in this will generally be to report the matter to the Police but if there are implications for the perpetrator's tenancy, the Association may have a role if a conviction is obtained. The timescale for investigating or referring this to the appropriate authority is 1 day with a further 2 days for resolution as far as the Association is able to at that point eg. request a Police Report.

Group 3 – Major Nuisance – persistent anti-social behaviour

The Association will generally take the lead role with this group but Police, Environmental Services, Community Wardens, Social Work etc. may also be involved. The timescale for investigating this if it is a matter solely for the Association is 3 days; but if other agencies are involved, it is 6 days. The timescale for resolution as far as the Association is able to, ranges from 13 to 16 days.

Group 4 – Minor Nuisance – one-off or infrequent, low level anti-social behaviour

As Group 3 but the timescale for investigations if it is a matter solely for the Association is 10 days; and if other agencies are involved, 15 days. The timescale for resolution ranges from 15 to 35 days depending on the nature of the complaint and the other agencies involved.

Group 5 – Not within the Association’s remit or very minor complaints

Examples include children squabbling and name calling; car parking on public roads. The timescale for investigation if any is required, is 10 days but if it is clear from the start that the matter is outwith the Association’s remit, this will generally be communicated to the complainant as early as possible. The timescale for resolution if investigations have been required, is 30 days.

The above examples are by no means exhaustive and it will be the responsibility of the Housing Manager to determine the appropriate group for other types of complaint as they arise.

b. Investigatory Procedures

Stage 1 – Interviewing the Complainant

If the complaint has been received via the Anti-Social or Neighbour Complaint Form and no prior contact has been made, the Housing Officer will contact the person lodging the complaint

- To advise them of the Association’s role in the complaint
- To advise them of any other agency they should contact and if appropriate, make a referral eg. Police, Victim Support, Homeless Team etc.
- To encourage them to deal with the problem themselves if it is of a minor nature
- To advise them of the next steps
- Where the Association has a role in following up the complaint :
 - To confirm details, frequency of occurrence etc.
 - To obtain any necessary further information
 - To obtain details of any person or agency who can corroborate the complaint

Following discussions with the complainant, staff will have the delegated authority to act in the following manner:

- to continue to Stage 2
- to take no further action if the complaint is perceived to be very minor or malicious in nature
- to take no further action after advice and assistance has been given if the complaint is outwith the Association’s area of responsibility

Stage 2 – Gathering Supporting Evidence

The Housing Officer will carry out one or more of the following as appropriate :

- contact other witnesses who can corroborate the incident
- request a Police report
- contact the Night Noise Team for a report
- contact the Environmental Wardens for a report
- carry out a visual inspection
- hold a close/street/complainants meeting to discuss a common problem
- arrange a meeting with the Police or other appropriate agency

Stage 3 – Interviewing the Person being Complained about

This will generally take place once any supporting evidence has been obtained however there may be situations where it is appropriate to carry out the interview prior to this.

As the objective in most cases is to resolve the situation, generally the approach will be conciliatory. This is particularly important where the person denies acting in the manner which gave rise to the complaint and there is no corroboratory evidence. In such cases, the Association cannot be seen to be taking sides but rather should be there to offer advice.

c. Follow up

Housing Officers will have delegated authority to implement the following as appropriate :

i. To re-inforce tenancy conditions

Criteria : Where it is a first Group 3 or 4 complaint

ii. To issue a verbal warning (confirmed in writing) and monitor situation

Criteria : Where it is a subsequent Group 3 or 4 complaint and there is corroboration

iii. To issue a formal written warning

Criteria : Where (ii) above has failed or where a Group 1 or 2 complaint has been found proven. Note : The advice of the Housing Manager should be sought regarding a Group 1 or Group 2 complaint to determine whether it should move straight to (v)

iv. To refer to a mediation service

Criteria : For Group 3 and 4 complaints where at least one party consents. (Note however that it requires the consent of both parties for mediation to take place)

v. **To issue a final warning letter advising of intention to serve a Notice of Proceedings or to seek an Anti Social Behaviour Order**

Criteria : May be considered for Group 1, 2 or 3 complaints found proven.

d. **Legal Action**

The decision to issue a Notice of Proceedings or seek an Anti Social Behaviour Order will be taken after consultation between the Housing Officer/Assistant and the Housing Manager or Director.

• **Notice of Proceedings**

Once a Notice of Proceedings has been served the following procedure must be followed:

- Notify lawyer and send case notes and letter
- If subsequent complaints of nuisance are received, staff should visit both parties and issue a further and final warning.
- Where complaints continue to be received, final warnings should continue to be made until the case is called in Court.

• **Anti Social Behaviour Orders**

Where an Anti Social Behaviour Order is being sought, the Association must consult with the Chief Constable and should consult with the Local Authority.

The following documentary evidence is required to strengthen the case against an anti social tenant :

- A chronological record of visits, reports and letters issued.
- Police reports substantiating incidents pertaining to the case.
- Legal statements from complainants and witnesses.
- Legal statements from staff involved in the case.

5. **MONITORING AND REPORTING**

The Housing Manager and Property Services Co-ordinator/Agent are responsible for monitoring compliance with the relevant sections of this policy on a day to day basis.

The Management Committee receives detailed annual reports on the number and type of neighbour complaints and the outcomes; and quarterly summary reports.

Where a Decree for Eviction or an ASBO is being pursued, anonymised details are provided to Committee for approval.

6. APPEALS

Any tenant unhappy with the way they have been dealt with by staff members should follow the complaints procedure as laid out in the Association's Complaints Policy.

7. POLICY REVIEW

The Management Committee will review the Estate Management Policy every three years or earlier if deemed necessary. The review will take account of legislative changes; guidance from SFHA/Scottish Housing Regulator/CIH etc.; any changes in other relevant policies; and resident feedback.

Prepared by : Elspeth Sharkey
Designation : Housing Manager
Date : 26th November 2015