

Policy Name: Neighbours

Approved by: Chief Executive Officer

Date effective: May 2019

Due to be reviewed: May 2022

Section 1 – Introduction

PURPOSE

This Policy outlines the position of VincentCare Community Housing (VCCH) with regard to tenant and neighbour relationships and provides associated guidelines for occasional instances where there may be disputes or disagreements between tenants and neighbours.

Many VCCH properties are situated together and in proximity to neighbours and, like all communities can be home to a diverse range of people with different lifestyles, cultures and family compositions. Being a good neighbour means being mindful and respectful of others, particularly in terms of noise, the behaviour of visitors and pets and the use of shared areas such as parking places, laundries and gardens.

The policy promotes effective communication and co-operation between tenants and their neighbours as well as a philosophy of discussion and cooperation for solving issues or concerns that may arise from time to time.

It also promotes the following good neighbour characteristics:

- Being friendly and helpful
- Providing assistance to others
- Contributing to the local community
- Being mindful of others
- Performing good deeds
- Being respectful of others privacy and lifestyles
- Alerting others to hazards and dangers

It also provides guidance on the processes for satisfactorily settling potential disputes between tenants and neighbours in a manner which achieves fair and equitable outcomes, while fostering and encouraging cooperative and respectful tenant/neighbour relationships in the future.

The policy acknowledges that issues and complaints can be initiated by both tenants and neighbours.



VincentCare Community Housing operates a diverse range of accommodation and support services for people experiencing disadvantage, and is committed to applying an appropriate duty of care to all people in contact with VincentCare services. This includes protecting people's personal and cultural safety regardless of ability, cultural background, ethnicity, gender identity, sexual orientation or religion.

SCOPE

This policy applies to all VCCH tenants and employees of VincentCare involved in managing and resolving neighbour relationships and complaints.

REVIEW CYCLE

This policy will be reviewed every three years. It will be modified or replaced whenever VCCH becomes aware that this policy no longer complies with the requirements of the organisation or is subject to changes to associated legislation and regulations.

Section 2 – Policy Statement

GUIDING PRINCIPLES

VCCH acknowledges the rights of both VCCH tenants and their neighbours to raise concerns or make a complaint. VCCH is committed to addressing complaints in a timely, fair and respectful manner.

Tenants are expected to comply with acceptable standards of conduct with regard to their relationships with their neighbours.

VCCH recognises the right of neighbours to undertake their activities without undue impact from our activities or the activities of our clients and tenants. VCCH commits to building respectful, positive and constructive relationships with neighbours.

Policy principles include:

- **A quiet neighbourhood environment** – A quiet environment is a restful place that promotes relaxation and a happier, healthier local community environment. Often neighbour/tenant disputes revolve around excessive noise. Neighbours/tenants will be encouraged to accept that a quiet environment is always desirable.
- **Respect for people** – Where neighbour disputes arise both neighbours and tenants are to be treated fairly and consistently, in a non-discriminatory and non-intimidating manner with proper regard for their respective rights and obligations.
- **Dispute Investigations** – All neighbour dispute investigations will be conducted in a fair and transparent manner appropriate to the circumstances, based on an unbiased consideration of the relevant facts, and supported by adequate documentation.
- **Dispute Outcomes** – The aim of neighbour dispute outcomes will be to achieve a conciliatory result whereby the parties involved understand their respective positions and acknowledge that any party at fault will act to remedy the actions that have instigated the dispute and therefore promote harmonious relationships into the future.

- **Anti-Social behaviour** – Where a neighbour lodges a complaint alleging anti-social behaviour by a VCCH tenant, specialist support service providers such as counsellors and psychologists will be engaged to help resolve the issue if required and where possible provide guidance, tools, techniques and strategies to the offending tenant/s to alter their behaviours in the interests of cordial and harmonious neighbour relationships.
- **Other neighbour dispute triggers** – Where a neighbour dispute arises and is about another matter such as fencing, trees, property maintenance or pets, VCCH staff will investigate the matter inclusive of ascertaining whether there is a breach under the Victorian residential Tenancies act 1997 and/or Council local laws and ensure that the parties are made aware of their respective obligations and responsibilities.
- **Confidentiality** – All tenant/neighbour disputes will be treated as confidential in accordance with VCCH's privacy and information security policy.
- **Complaint referral** – Where VCCH staff are unable to resolve neighbour complaints to the satisfaction of either or both parties, they will be referred to appropriate external organisations which deal with neighbour disputes e.g. DHHS, Dispute Settlement Centre, Victorian Legal Aid, VCAT etc. The Housing Registrar may investigate complaints from tenants, if not resolved satisfactorily by VCCH within 30 days.
- **Complaint actioning** – VCCH will endeavour to resolve all tenant/neighbour disputes/complaints within 30 days.

VCCH employees are committed to the key principles of:

- Equity
- Integrity
- Accountability
- Team work
- Respect

These principles will be applied whenever VCCH staff are involved in investigating and endeavouring to resolve disputes between tenants and neighbours.

VCCH will address all tenant/neighbour complaints with integrity and in a fair, objective and unbiased manner. VCCH will manage all tenant/neighbour complaints promptly and fairly.

VCCH will inform new tenants of the importance of establishing and maintaining open, positive and respectful relationships with their neighbours, particularly with regard to noise, the behaviour of visitors, pets and the use of shared areas such as parking places, laundries and gardens.

VCCH will advise new tenants that unacceptable behaviour is behaviour that causes, or is likely to cause, harassment, alarm or distress to other people. It is behaviour that unreasonably interferes with other people's rights to use and enjoy their home and community, such as:

- excessive and/ or repeated noise
- intimidation, abuse or harassment
- aggressive and threatening language or behaviour
- vandalism
- nuisance caused by vehicles, such as where they are parked or the way repairs are being carried out

- nuisance caused by pets

VCCH will not deal with tenant/neighbour complaints dealing with criminal matters. Such matters will be referred to Victoria Police.

COMMUNICATION

VCCH will provide clear information and direction to all parties involved in neighbour disputes and complaints.

Section 3 – Procedures

Procedures established by VCCH will involve processes to ensure compliance with this policy, including:

- Independent periodic reviews of tenant/neighbour dispute outcomes;
- Providing periodic training to relevant employees who may become involved in investigating and resolving tenant/neighbour disputes
- Documentation of all tenant/neighbour disputes including outcomes, rationale behind decisions and any referral occurrences.
- All tenant/neighbour complaints will be recorded in VCCH's complaints register.
- Where a neighbour advises VCCH of a complaint against a VCCH tenant the complainant will be encouraged to lodge the complaint in writing with as much supporting information as possible.
- Complainants will be kept advised of the progress of their complaint and of any outcomes.

Where a neighbour lodges a complaint against a tenant which is outside VCCH's jurisdiction VCCH will provide advice about where the matter should be redirected.

Section 4 – References

RELATED POLICIES

Policy name	Description
VincentCare Community Housing Code of Ethics and Conduct (October 2015)	The purpose of this document is to establish and maintain an effective, positive, ethical workplace culture that leads to informed decision making and practice within VincentCare and all its controlled entities and workplaces. This extends to practical matters such as tenant/neighbour disputes and complaints
VincentCare Complaints and Appeals Policy (March 2019)	This policy outlines the processes and controls for handling all complaints received by VincentCare.
VincentCare Privacy and Information Security Policy (March 2019)	This purpose of this policy is to ensure that the privacy of tenants is considered and protected at all times and that any confidential information is stored securely. These protections will extend to parties involved in tenant/neighbour disputes and complaints.

RELATED EXTERNAL REFERENCES

Name	Link
Housing and Support Partnership Agreement	http://www.nwhn.net.au/admin/file/content2/c7/Housing%20and%20Support%20Partnership%20Agreement%20Nov%2011.pdf
Housing Registrar Performance Standards	http://www.housingregistrar.vic.gov.au/files/assets/public/publications/performance-standards-and-evidence-guidelines/current-performance-standards.pdf
Homelessness Assistance Program Guidelines	https://dhhs.vic.gov.au/sites/default/files/documents/201705/Homelessness-Services-Guidelines-and-Conditions-of-Funding-May-2014.pdf
National Community Housing Standards	http://www.hpw.qld.gov.au/SiteCollectionDocuments/CHStandardsManual.pdf
Housing Registrar Complaint Management Guidelines	http://www.housingregistrar.vic.gov.au/files/assets/public/publications/regulatory-framework-series/2016-regulatory-framework-complaints.pdf

LEGISLATION AND STANDARDS

This policy implements the obligations of VCCH under:

- Housing Act 1983 (Vic)
- Residential Tenancies Act 1997
- Guidelines for Registered Housing Agencies published by Department of Health and Human Services DHHS
- Performance Standards for Registered Housing Agencies
- Privacy Act 1988 (Commonwealth)
- Privacy and Data Protection Act 2014 (Vic)
- DHHS Victorian Housing Register Operational Guidelines
- Charter of Human Rights and Responsibilities 2006

Transparency and Accessibility

This policy will be available on VincentCare's website <https://vincentcare.org.au>

Section 5 - Governance

Responsibility

Process Owner	General Manager Housing
Content Holder/s	Housing Program Managers
Recommending body	Quality Committee
Endorsed by	Chief Executive Officer

Change history

Version	Effective Date	Author	Change
1	May 2019	GM Housing	<ul style="list-style-type: none">• This is a new policy for publication on VincentCare's website• This policy is a compliance requirement for registered agency participation in the Victorian Housing Register (VHR)