

Noise Policy and Procedure

May 2024

A Sovereign Network Homes policy

Document Control Sheet

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Version Control

Guidance: When a document has undergone **major changes** requiring approval, the version number must change – e.g. from V1.0 to V2.0.

*When a document has undergone **minor changes**, not requiring approval, only the number after the decimal point must change – e.g. from V1.1 to V1.2.*

When a document is reviewed but no changes are made, the number after the decimal point must still change.

Date	Reviewed by (name and title)	New version number	Summary of changes
13/05/2024	Head of Neighbourhood (Hertford) and	V1.0	New Policy

	Service Quality Manager		Customer consultation completed and approval by Executive Director of Operations (London and Hertford)

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1. Scope

- This policy has been created as a considered response to the Housing Ombudsman Service, “Spotlight on Noise Complaints” published in October 2022. It applies to anyone living in or visiting a property owned by Sovereign Network Homes (SNH) and includes all customers, leaseholders, employees, contractors and any other relevant parties.
- SNG believe everyone has the right to the peaceful enjoyment of their home. The impact of noise transference can affect each of us differently and the way we manage noise complaints should reflect this. This policy will cover noise nuisance which is not considered as a direct result of anti-social behaviour or something that could be determined as deliberate. This is covered under our Anti-social Behaviour. The Noise Policy will cover the following:
 - Everyday living noise where the level of transference is increased due to a lack of appropriate flooring such as carpet with underlay, or where hardwood or laminate flooring has been laid and this has magnified the noise transference between floors.
 - Where the use of appliances creates additional noise during the hours of 10pm and 7am.
 - Where the level of noise is such that it is having a detrimental impact on health and wellbeing.
- Any noise nuisance complaints which have been accepted as anti-social behaviour will not be dealt with within this policy. Where the effect of noise is such that it is having a detrimental impact on mental health or where there are known vulnerabilities then this policy will be observed alongside our Safeguarding policy and procedures. We will not enforce one off family event days and celebrations, but we would expect customers to act in a considerate manner and where practical, advise their immediate neighbours in advance of any social gathering.

2. Purpose and objectives

- The purpose of this policy is to ensure that SNG respond to noise complaints which do not fall within the definitions of anti-social behaviour but may meet the statutory noise threshold because it is something which interferes with the average person's use of or enjoyment of their home or be harmful to health. It will support our endeavours to manage customer expectations and to exhaust all reasonable actions which are proportionate to the lived experience for the complainant. It will set out best practice guidance enabling a coherent audit trail to meet the Housing Ombudsman expectations where required.
- The key objectives are intended to:

- Encourage customers to consider the impact their lifestyle may have on their neighbours and to also have consideration of cultural differences, also giving regard to both physical and mental health challenges.
- Set out to staff and customers how we will review all complaints of noise nuisance and when we consider the need for further investigation.
- Clarify the distinction between issues of noise nuisance caused by anti-social behaviour and that because of poor sound insulation; external environmental factors or lifestyle.
- Ensure we comply with all legal and regulatory requirements and standards.
- Ensure our customers seek permission before fitting laminate or hardwood flooring in properties which are flats and above ground floor level as per our tenancy agreement.
- Consider when to make reasonable adjustments to our services; this is supported by our Reasonable Adjustment Policy.
- Manage customer expectations and to treat customers fairly.
- Make clear which responsibilities and accountabilities lie with the local authority, with Sovereign Network Homes and with customers when dealing with reports of noise.
- Provide support, advice and guidance to complainants and others affected by the situation.
- To ensure that when a property becomes void that as part of the void spec, anti-vibration mats are installed in first floor properties and above. Carpets are left, if they don't present a health and safety risk and are in a clean and good condition to minimise the risk of noise transference for future tenants.
- Identify where there have been previous cases of noise nuisance by creating a flag on NEC on the advice of the Neighbourhood Team. The Voids Team will review NEC for flags and where a flag exists, they will ensure that carpet is either left if in good condition or replaced. They will also install an anti-vibration mat where required on properties above first floor.

3. Policy statement

- SNG recognise that the impact of ongoing noise transference can have a significant impact on quality of life and wellbeing. We are committed to adopting a proactive good neighbourhood management strategy which demonstrates a considered, appropriate and proportionate response to complaints of noise nuisance within the statutory frameworks and compliance of Building Regulations Part E.
- There is no legal requirement for housing associations to improve the sound insulation between properties.
- Sovereign Network Homes may use its discretion, when determining whether to install sound insulation in properties. The following criteria will be used:
 - Medical factors
 - Information received from outside agencies
 - Vulnerability
 - Surveyors report.

Where noise levels are recognised as statutory noise under S79 of the Environmental Protection Act, and we have taken appropriate and proportionate action, then responsibility for enforcement would sit with the local authority. In this instance we would share information and would work in partnership with the local authority who would become the lead partner agency.

4. Definitions

Term	Definition
Noise nuisance - ASB	Noise nuisance which is considered as a direct result of anti-social behaviour or something that could be determined as deliberate.
Noise nuisance	Where the cause of noise falls outside a deliberate act but the effect of which is such that it is having a detrimental impact on mental health and wellbeing.
Statutory nuisance	For an issue to be considered under the Environmental Protection Act 1990 it must either; unreasonably and substantially interfere with the use or enjoyment of a home or other premises or; injure health or be likely to injure health. This would be managed under the ASB policy.
Building Regulations Part E	This came into force in the UK in 2003. It prescribes acoustic insulation levels for new and converted residential buildings. These standards do not apply to any home built, or converted, before 2003 and landlords are under no obligation to soundproof homes to meet the standard introduced in 2003.
Noise app	For the use on smart phones or ipads/android tablets it gives a simple way to capture noise that is disturbing you and report it safely and securely to your landlord The Noise App - Report Noise Nuisance.
Noise Panel	A group of SNG officers and managers who will objectively review a case and make further recommendations for actions as required. The Panel will meet quarterly.

Below are some examples of types of noise nuisance and how they would be managed. This is not an exhaustive list.

Noise Type	Noise Nuisance	ASB
Washing machine	x	
Family living noise	x	
Doors slamming	x	

Noise Type	Noise Nuisance	ASB
Dogs barking	x	x
Frequent parties		x
Loud TV	x	

Those with an 'x' in both columns would be initially investigated and customer advised which policy would apply. The extent to which any action or intervention would be offered would consider the frequency and times of incidents and the degree of noise transference experienced.

5. Policy

5.1 Reporting Noise Nuisance

- Before reporting noise nuisance we ask the resident to refer to our anti-social behaviour toolkit on our website [What is ASB? | SNG, formerly Network Homes](#) to consider whether the source of noise is “conduct that has caused, or is likely to cause, harassment, alarm or distress to any person; conduct capable of causing nuisance or annoyance to a person in relation to that person’s occupation of residential premises, or conduct capable of causing housing-related nuisance or annoyance to any person” as defined by the Crime and Policing Act 2014 Section 2 (1). If this is the case, then noise nuisance allegations will be dealt with under our Anti-social behaviour Policy 2020.
- If the issue is ‘everyday living’ noise and is having a detrimental impact on wellbeing, we will investigate the matter if:
 - The noise has persisted over 3 months and evidence can be provided or
 - Recorded as noise nuisance on 6 separate occasions over a 6-week period via the Noise App or
 - We are provided with 3 completed sets of Nuisance Logs (6 weeks).
- These will be considered to determine whether there is anything that can be done to mitigate the issues. If it is down to poor noise insulation, we may explore whether there are any reasonable adjustments which can be made. This will be considered by the Noise Panel that will meet on a quarterly basis.
- To assist with our investigation, we will require full cooperation by those reporting to us. This includes providing evidence of the type of noise nuisance, which can be through utilising the Noise app recordings or keeping Incident log sheets. These help identify specific patterns of noise disturbance which may guide our actions and response. Where the source of the noise can be identified and relates to a neighbouring household, the complainant will be encouraged to speak to the householder who may not be aware that they are causing a problem. Sometimes talking has a better outcome than when matters are made more official.
- With all reports of this type, we will notify the household where they are alleged to be causing noise disturbance. We will send guidance on things they can do to reduce the transference of noise, such as lay rugs, stick felt pads to furniture legs, etc.
- On rare occasions noise complaints are because of poor sound insulation within communal areas so can be attributed to multiple households. In this situation we will write to the whole block.

5.2 Investigation

The purpose of any investigation is to address the source of the noise where possible. In the majority of situations this will be evident from the resident. We will:

- Identify the location of the source of noise with the resident.
- Using evidence gathered, such as noise app recordings and / or Incident Logs we will determine how long the noise issue has been apparent and the duration / times of day it has a greater impact, if identifiable. Generally, we will only consider day to day noise nuisance outside of the hours of 10pm to 7am.
- Review housing management systems for previous reports of noise nuisance to assist with investigations. This may include reviewing whether other properties within the same block / locality have previously had issues.
- Identify the type and level of noise and what it is about the noise that is causing the disturbance, such as frequency, duration, times, etc.
- Check the property from where the noise is emanating to identify flooring type. Where this is anything other than carpet, discuss options for reducing noise transference. In extreme cases we may require hardwood or laminate flooring be lifted, as per our tenancy agreements. Where a tenant refuses to remove the flooring, we will consider taking legal action. We will make recommendations to lay additional rugs, place pads on furniture, etc as appropriate as per our Reducing Housing Noise Leaflet.
- Try to establish whether this is an isolated case or whether there are other issues which may make the levels of noise more intolerable for the individual resident(s).

5.3 Actions

The outcome of investigations must evidence that the degree of noise disturbance has a significant effect on the resident which ultimately effects the quiet enjoyment of their home. Where there are no statutory breaches, we will manage resident expectations but will take all reasonable and proportionate steps to alleviate the issue. With regards to Building Regulations Part E, we will not undertake any major works to improve acoustic insulation levels unless it is part of a wider investment programme. When considering the quality gradings of properties, particularly as we consider our net zero plans for thermal insulation activity, we will also provide noise insulation if possible and not make any existing noise transference issues worse. To find a satisfactory resolution we will:

- Be clear to residents if their case is being managed under the Noise Policy.
- Where most of the noise is during the day, request that officers visit, subject to availability, to witness this. In extreme circumstances we may offer an out of hours professional witness visit.
- Once Incident logs or noise recordings have been reviewed by the case officer, consider mediation. This will depend on the noise nuisance and severity. We will always expect customers to collaborate with us to support any dispute resolution.
- When the type of noise nuisance is determined to be general daily living noise exacerbated by poor sound insulation, investigate the flooring type and negotiate or enforce the replacement to carpet wherever practical.

- Where evidence is inconclusive, work in partnership with the local authority to either install noise monitoring equipment or seek their support to serve warnings if applicable.
- Consider the need to engage a Noise Consultant to help and advise. This will generally be for repeat issues where all reasonable actions have failed to remedy the situation.
- Recognise that as individuals we all have different levels of noise tolerance. We will take this into account but where there is no obvious solution, we will manage customer expectations, considering any known vulnerabilities.
- With customer consent we may refer reporting customer to Mental Health Liaison or Safeguarding process.
- Work to support the household where they have been identified as the source of noise transference issues, specifically considering the circumstances which attribute to the noise and providing support, advice and guidance as necessary. We will take a customer focussed approach. Working with the customer who makes the report and the alleged householder, we aim to reach agreed actions, timescales and ultimately closure. Except in very serious cases, our initial intervention aims to stop the issue escalating. We recognise that early intervention is important to stop this.
- Present the case to our Noise Panel for further consideration of actions where there are no clear actions that can be taken or where there have been prior issues of the same nature and the complainant remains dissatisfied.
- Work with partner agencies, such as Environmental Health or external support agencies.
- In exceptional circumstances, consider taking enforcement action against the source of the noise, such as residents who unreasonably fail to cooperate or are in breach of their tenancy.
- When a property has been identified as being susceptible to noise nuisance, the Neighbourhood Officer will ask the Voids & Lettings Team to add a note on our housing management system to flag up for future void consideration. For example, on 'Property Element' create a note to read "Property has had issues with noise transference – carpets to be left or fitted." The Voids & Lettings team should also consider the need for an anti-vibration mat.

5.4 Closure of case

All cases will be reviewed on at least a bi-weekly for details of actions and customer interactions recorded on Customer Hub. Prior to closure of a case the respective line manager will review and where required make recommendations or refer to Noise Panel. A case will be closed when:

- A thorough investigation has been undertaken and actions recorded.
- All reasonable, fair and proportionate actions have been concluded.
- Where there are no reasonable actions that can be taken, this is communicated to the resident and the reasons why.
- We have provided feedback to any other customers who have been implicated advising them of the outcome.
- Case will have been reviewed by line manager or through Noise Panel before closure.

6. Compliance

- We will monitor the success of this policy by running and reviewing regular reports. Details of cases and actions will be reported upwards within SNG performance and resident engagement structure.
- This policy is to support staff to manage delicate, often complex, complaints of noise nuisance and to provide the tools with which to work. The policy will inform customers of our commitment to recognising noise nuisance, particularly where there is poor noise insulation, and managing expectations of what can be achieved.
- We may use publicity in successful actions to:
 - Increase community confidence
 - Encourage others to be more considerate of their neighbourhoods and the impact on their behaviours
 - Inform stakeholders of our actions.

7. Complaints

Any tenant, resident, customer, or other stakeholder who is dissatisfied with how we have managed the report against our policy, is able to submit a complaint using our Complaints process. Once our Complaints policy is complete and if they remain dissatisfied then they can contact the Housing Ombudsman.

8. Responsibilities

Detail the team(s) and/or individual(s) responsible for achieving the aims and objectives of the Policy.

Role	Responsibility
Executive Director of Operations (London & Hertford)	Ensure compliance of this policy
Heads of Service	Oversee effectiveness and integration of this policy, to include monitoring and reporting. To ensure staff receive training and support to implement agreed actions. To provide oversight and scrutiny via Noise Panel
Front line Officers	For delivery of process and providing support, advice and guidance to residents as required
Technical Officers	To provide advice and guidance as to any remediation works which can be completed

9. Equality and diversity

- We will apply this policy consistently and fairly and will not discriminate against anyone based on any relevant characteristics, including those set out in the Equality Act 2010.

- We can tailor our service to meet most resident's needs. We will always consider specific customer vulnerabilities and how the noise nuisance affects their specific situation when responding to complaints. Any adjustments will also be considered in alignment with the Reasonable Adjustments Policy. Residents living with mental health diagnosis can be referred to the Mental Health Liaison Team.

10. Related documents

- Antisocial Behaviour Procedure
- Antisocial Behaviour Policy
- Allocations and Lettings Policy
- Data Protection Compliance Policy
- Equality and Diversity Policy
- Lone Working Policy and Procedure
- Safeguarding Policy
- Safeguarding Procedure
- Fire safety Policy
- Reasonable Adjustment policy
- Disclosure of Personal Data to Authority Procedure
- Sovereign Network Group Service Charter
- Violence and Aggression Policy and Procedure
- Mental Health Liaison Policy
- Sustainability Strategy
- Complaints Policy?

11. Legislation and regulation

- The legislation listed in this policy is not intended to cover all legislation applicable to this policy. To comply with clause 1.1 of the Regulator of Social Housing's Governance and Financial Viability Standard, which requires adherence to all relevant law, SNG will take reasonable measures to ensure compliance with all applicable legislation by reviewing policies and procedures and amending them as appropriate. Any queries relating to the applicable legislation should be directed to the policy owner.
- We will meet our legal obligations under the following (this is not an exhaustive list):
 - Anti-Social Behaviour Act 2003
 - Anti-Social Behaviour Crime and Policing Act 2014
 - Data Protection Act 2018
 - Domestic Violence Crime and Victims Act 2004
 - Equality Act 2010
 - Housing Acts 1985, 1988 and 1996
 - Human Rights Act 1998
 - Police Reform Act 2002

- Protection from Harassment Act 1997
- Respect Standard 2007
- The Crime and Disorder Act 1998
- Regulator of social housing – neighbourhood and community standard
- Family Law Act 1996
- Civil Partnership Act 2004
- Homelessness Act 2002
- Housing Act 1996
- The Children Act 2004
- Care Act 2014
- Housing Ombudsman Spotlight Report on Noise Complaints 2022
- Building Regulations Part E 2003
- List all relevant legislation or regulation that is directly applicable to this policy.

12. Review

- This document will be reviewed every 2years, or sooner if significant changes occur in the relevant legal or operational landscape.”
- Outline the criteria against which the policy will be assessed during the review process. These criteria may include relevance to current business practices, legal compliance, alignment with organizational goals, effectiveness in achieving desired outcomes, and feedback from stakeholders.