

ANTI-SOCIAL BEHAVIOUR POLICY

Approved by	Operations Committee
Effective date	21st June 2018
Review date	June 2021
Policy developed by	Housing Services Manager
Associated procedure	Anti-Social Behaviour Procedure

Say hello

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Introduction

1. Purpose

- 1.1 The purpose of this Policy is to set out the aims and principles which the landlords within Connexus will apply when anti-social behaviour incidents are reported to us. The landlords being Herefordshire Housing, Meres and Mosses Housing Association and South Shropshire Housing Association.

2. Problem to solve

- 2.1 We condemn all nuisance and anti-social behaviour and will not tolerate any such behaviour, whether perpetrated by our tenants, occupants of leasehold properties (including shared owners), employees, or anyone contracted to work on our behalf.
- 2.2 Our Tenancy Agreements include specific clauses, which clearly state that the tenant, anyone living with, or visiting the tenant, must not cause, or enter into any activity likely to cause a nuisance, annoyance or disturbance to any person living in, or otherwise engaging, -in lawful activity in the locality of the tenant's home. All leases issued by us also contain similar clauses.
- 2.3 We are committed to tackling and reducing anti-social behaviour in the communities and neighbourhoods in which we operate and will take every opportunity to work in partnership with other agencies to achieve this.
- 2.4 Our response to anti-social behaviour is appropriate and proportionate. We use the legal and contractual powers available to us to take action where our tenants, or occupants of our leasehold properties, are either the victims or perpetrators of anti-social behaviour. We use the best practice 'triple track' approach to case work, combining early intervention/prevention, support and tough enforcement action, where necessary.
- 2.5 To demonstrate our intention to do everything possible to tackle anti-social behaviour and deliver a high quality service, we have signed up to the Respect Charter, developed by the CIH (Chartered Institute of Housing), RESOLVE ASB and HouseMark. The Charter sets out the core commitments necessary to deliver an effective response to anti-social behaviour and to building stronger communities through; leadership, accountability, prevention, early intervention and support, promoting individual and community responsibility and ensuring that services provide value for money.
- 2.6 This policy is supplemented by a range of procedures which are detailed in the reference documents at the end of this policy.
- 2.7 We have separate policies covering hate crime, domestic abuse and safeguarding. We recognise

that, where appropriate, anti-social behaviour and hate incidents directed at vulnerable adults or children should be addressed and investigated through safeguarding procedures.

2.8 DEFINITIONS

2.9 We define nuisance as any behaviour that unreasonably interferes with complainants' rights to use and enjoy their home and community.

2.10 We have adopted the following definition as detailed in the Anti-social Behaviour, Crime and Policing Act 2014 defines the meaning of "anti-social behaviour as:

- 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.

2.11 The landlords will also consider any definitions as stated in an individual's tenancy agreements or lease when taking actions to manage ASB

2.12 This behaviour may include, but is not limited to:

- Any drug related offences from a property or within the locality.
- Violence or threats of violence.
- Damage to property, including graffiti and vandalism.
- Harassment and Hate Incidents.
- Verbal abuse.
- Noise nuisance.
- Littering, fly-tipping, rubbish dumping and misuse of communal areas.
- Nuisance from vehicles.
- Nuisance from animals.

2.13 Individual perceptions of anti-social behaviour can include a wide variety of activities. The following are examples of the types of everyday living that would not, under normal circumstances, be considered to constitute anti-social behaviour and will not, therefore, be investigated under the

terms of this policy.

- Mowing of lawns
- Vacuuming or excessive noise from domestic appliances
- Odours
- Children playing
- Walking across a wooden floor
- Low level animal nuisance such as cats entering gardens
- Lifestyle clashes including cultural differences

3. Method/s

3.1 In order to meet the aims and principles that the Anti-Social Behaviour Policy sets out the landlords will:

- Support victims, witnesses and, where appropriate, vulnerable perpetrators.
- Work in a multi-agency environment.
- Undertake preventative activity and widely publicise information relating to our policy on anti-social behaviour.
- Take appropriate and proportionate enforcement action against perpetrators.
- Ensure that all colleagues dealing with anti-social behaviour are fully trained.
- Set performance measures and undertake performance monitoring.

3.2 We will assist our tenants who are suffering from anti-social behaviour, where the alleged perpetrator is another of our tenants, an occupant of one of our leasehold properties or any other person affecting our housing management function in the communities in which we work.

3.3 We can only assist an owner-occupier or a private tenant, where the alleged perpetrator is a tenant of one of the landlords or an occupant of one of our leasehold properties.

3.4 SUPPORTING VICTIMS AND WITNESSES

- We will deal with all reported incidents sensitively, fairly, impartially and in an agreed timescale with the complainant.
- We will fully support victims, their families and any witnesses by taking a complainant centred approach.
- We will advise victims of the support services that we and other agencies such as the Police, Victim and Witness Support and mediation services can provide, and make referrals as required.
- We will ensure that we have access to interpreters and signers and use appropriate formats of communication for anyone who has difficulty reading or writing English.
- We will discuss all action to be taken with the complainant, give an explanation of the options available to us, including likely outcomes.
- We will maintain appropriate confidentiality and will seek the victim's permission before contacting the alleged perpetrator, legal representatives or any other agencies.
- We will provide regular updates on progress from the onset of the case to case closure and beyond, if appropriate.
- We will always try to minimise the burden on complainants in collecting evidence through:
 - The short, focussed use of Incident Diary Sheets rather than their prolonged use with no clear outcomes.
 - The use of hand-held voice recording and noise monitoring equipment and CCTV, where appropriate.
- We will enable the provision of increased security, where this is considered necessary by applying, on the tenant's behalf, for a police Home Security Check. We will take all reasonable steps to comply with any resulting recommendations. For occupants of our leasehold properties we will provide advice and support and, where agreed, will take reasonable steps to comply with any recommendations resulting from a police Home Security Check.

- Where court action is taken:
- We will provide transport to court for witnesses, pay expenses for refreshments and child care and any other reasonable costs, where these are needed to facilitate the attendance at Court of the witness
- We will arrange for an accompanied visit to court, prior to attendance, to familiarise witnesses with the court environment and proceedings
- We will work with support agencies when a complaint of anti-social behaviour is made against an alleged perpetrator who is vulnerable, with the intention of encouraging a positive change in their behaviour. We will make it clear, however, that if they refuse to engage with this support, we may take legal action to enforce the conditions of tenancy.
- We will aim to create a climate where people feel confident in coming forward with information, but should complainants wish to remain anonymous we will still investigate the complaint. However, we also have a responsibility to ensure that complainants are aware that, if they wish to remain anonymous, this may limit the types of action that we are able to take.
- We will not move complainants or perpetrators as a means of resolving an anti-social behaviour case; we will deal with the anti-social behaviour. The only exception to this is in very extreme situations, where there are fears for the tenant's safety. The recommendations and assistance of statutory agencies will be required in considering such a move. For occupants of our leasehold properties we will offer support and provide information about the potential options available to them.

3.5 SUPPORT FOR PERPETRATORS

- 3.6 The landlords will consider whether the perpetrator may benefit from help and support from relevant support agencies and make such referrals as considered appropriate taking vulnerability into account. The ability to do so may be impacted by a perpetrators unwillingness to engage or provide authority.
- 3.7 When perpetrators of anti-social behaviour are juveniles, the landlords will attempt to work with other partner agencies and parents to manage the ASB. Early intervention and prevention will be the preferred option but legal action will be taken where necessary.

3.8 WORK IN A MULTI-AGENCY ENVIRONMENT

- We will take an active role in a multi-agency approach to tackling the causes and consequences of anti-social behaviour through full involvement in the Community Safety Partnerships.
- We will work in partnership with the Police, Local Authorities and the other signatories to the Community Safety Partnership Information Sharing Protocols.
- We will, where relevant legal powers are not available to us, work in partnership with those statutory agencies with whom such powers reside in order to meet the aims and principles set by this policy.
- We will contribute to any arrangements whereby local agencies work together to map incidents in order to enable the identification of any trends and 'hot spots' of activity.

3.9 UNDERTAKE PREVENTATIVE ACTIVITY

- We will ensure that the clauses in our Tenancy Agreements prohibiting nuisance and anti-social behaviour are clearly explained to tenants at the sign up of their tenancy.
- We will work in partnership with others to engage residents in activities aimed at reducing anti-social behaviour.
- We have in-house mediation and restorative justice practitioners and will use these services as appropriate.

3.10 ACTION AGAINST PERPETRATORS

- We will make full use of the range of enforcement measures and legal options available to us to effectively address anti-social behaviour.
- Where appropriate, support will be given to perpetrators if such a need is identified.

3.11 TRAINING

- We will ensure that all colleagues dealing with anti-social behaviour are regularly trained and are able to respond to reported incidents effectively and in accordance with the Landlords procedures.

4. Measurement

- We have measures for responding to anti-social behaviour incidents and we will monitor and report on our performance.
- We will ensure that all reports of anti-social behaviour are recorded, categorised and monitored from receipt to case closure and that information is analysed on a regular basis.

4.1 OUR RESPONSIBILITIES

- We will respond quickly to reports of anti-social behaviour, recognising that this can help to prevent situations from escalating.
- We will take action that is reasonable and proportionate to the type of the anti-social behaviour that has been reported and appropriate to the available evidence.
- We will deal with all reported incidents sensitively, fairly and impartially.

4.2 COMPLAINANTS RESPONSIBILITIES

We have the following expectations of complainants in working with us to help resolve the anti-social behaviour they have reported to us:

- To respond to our telephone calls and/or letters without undue delay.
- To be available for agreed pre-arranged meetings or home visits.
- To provide and/or collect information about the anti-social behaviour so that we can take appropriate action.

4.3 OBLIGATIONS OF TENANTS AND OCCUPANTS OF LEASEHOLD PROPERTIES

Tenants are responsible for abiding by the terms of their tenancy agreement and the tenant, or anyone living with, or visiting the tenant, must not cause nuisance, annoyance or disturbance to any person living in, or engaging in lawful activity in the locality of their home.

4.4 Leaseholders are responsible for abiding by the terms of their lease, which contain similar clauses relating to nuisance, annoyance or disturbance. Leaseholders are also responsible for ensuring that any occupants of sub-let leasehold properties also abide by these conditions.

4.5 MONITORING AND RESPONSIBILITIES

It is the responsibility of the Operations Committee to ensure that implementation of the Anti-Social

Behaviour Policy is monitored.

- 4.6 The Head of Housing Services is responsible for delivering the policy and will be accountable for its implementation and colleague training.
- 4.7 Every relevant colleague has the responsibility to read, understand and implement this policy.
- 4.8 All contractors, consultants and partner organisations are responsible for operating in accordance with this policy when delivering services on behalf of the landlords.