

## **ANTI SOCIAL BEHAVIOUR POLICY**

### **1.0 Introduction**

- 1.1 Arhag believes that everyone is entitled to a safe, peaceful and secure home and neighbourhood.
- 1.2 Arhag is committed to taking strong and immediate action to tackle anti-social behaviour, and to working in partnership with residents, the police and other agencies to identify the causes of anti-social behaviour and develop measures to prevent it from occurring
- 1.3 Tackling anti-social behaviour is a priority for Arhag as well as local residents and Arhag is fully committed to dealing firmly, fairly and promptly with acts of anti-social behaviour and nuisance in its schemes and on estates.
- 1.4 Arhag will take positive action in conjunction with its partners to deal with disruptive tenants, leaseholders and any other persons causing a nuisance or harassment in or around its estates or any of its dwellings.

### **2.0 Legal Framework**

- 2.1 In implementing this policy, Arhag will have due regard to the Housing Corporation's Regulatory Code and Guidance.
- 2.2 In order to combat the various forms of anti-social behaviour, Arhag will consider using a variety of legal remedies, such as:-
  - action under the Anti-Social Behaviour Act 2003
  - action under the Housing Acts 1988 and 1996
  - action under the Crime and Disorder Act 1998
  - action under the Environmental Protection Act 1990
  - Police reform act 2002

- Human rights act 1998

### **3.0 Policy Statement**

3.1 Arhag recognises that quick and early intervention in neighbour nuisance and anti-social behaviour cases can stop problems from escalating, improve relations between our tenants and us and help safeguard our reputation. Most importantly, we know that effective action can improve the quality of life for our tenants and other residents living in the areas where anti-social behaviour occurs. Arhag is committed to achieving an environment in which tenants' feel safe, secure, equal and able to report ASB and nuisance in the knowledge that Arhag will act to support them.

3.2 Anti-social behaviour can range from minor nuisance including graffiti, excessive noise, unruly behaviour to abuse, or rubbish dumping through to criminal matters involving drugs and prostitution. Arhag uses the following definition of anti-social behaviour;

- Conduct which is capable of causing nuisance or annoyance to any person, and which directly or indirectly relates to, or affects the management functions of a relevant landlord (Anti-Social Behaviour Act 2003)
- Acting in a manner that caused, or likely to cause harassment, alarm or distress to one or more persons not of the same household as himself (Crime and Disorder Act 1998)
- Conduct causing, or likely to cause, a nuisance or annoyance to a person residing, visiting or otherwise engaged in a lawful activity in the locality (Housing Act 1996).
- Behaviour that unreasonable interferes with other people's rights to the use and enjoyment of their home and community. (Chartered Institute of Housing 1995)

3.3 Arhag will categorise antisocial behaviour into two categories:

- Low level anti social behaviour e.g. instances of neighbour disputes resulting from a clash of lifestyles and not involving violence - for example, a loud television set, and;
- Serious anti social behaviour such as harassment, including hate behaviour, violence or the threat of violence including domestic disputes, damage to property or the threat of damage, drug taking or dealing and persistent threats or verbal abuse.

## 4.0 Implementation

4.1 Arhag will not tolerate, and will take prompt and effective action against, all forms of anti-social behaviour. When Arhag is first contacted about an anti-social behaviour or nuisance problem, we will:

- Acknowledge the complaint within 2 working days
- Arrange an interview to obtain full details of the incident(s) within 5 working days or 24 hours if it is an emergency i.e. where there is actual violence, threats of violence or crime.
- Provide a safe environment where the resident can explain the case, including the option to talk to a member of staff of a similar background (e.g. ethnic, gender, religion) where possible;
- Explain Arhag's procedures;
- Explain what Arhag will do and anything the resident will need to do in order to take the case further;
- Enter the complaint onto the ASB monitoring database and update as appropriate.
- Explain to the resident why evidence is crucial to taking the case further.
- In most cases, issue 'diary sheets' to complete. The Housing Officer will explain these and make sure that complainants understand how to fill them in.
- Provide an update on progress within 20 working days;
- Take action which is best suited to the case.

- In some instances where evidence gathering is difficult, we will seek professional witnesses, and use modern surveillance techniques and other technological advances in this area if they can assist.

4.2 When dealing with a complaint of anti social behaviour, Arhag will:

- If necessary, order emergency repairs and additional security measures to secure the property (this service would be available to leaseholders the leaseholder would be charged for it);
- Decide if any emergency action is needed and arrange an action planning meeting with relevant agencies;
- With the resident's permission, ask other appropriate officers to "keep a look out";
- Put the tenant in touch with other residents or groups who may be able to offer additional support;
- Deal with the complaint as quickly as possible;
- Contact the person(s) complained about (or the tenant/leaseholder if complaint is against their family/visitors). Arhag will work with them to resolve the problem, issue appropriate warnings and take any necessary action;
- Where anti-social behaviour is a result of support needs not being met (for example, people with mental health problems or substance abuse problems), Arhag will take contact relevant agencies for intervention or support;
- Check to see if there are any other complaints of a similar nature on file about the alleged perpetrator;
- Keep any information strictly confidential;
- Ask the resident's permission if information needs to be shared with another agency, or the defendant or their solicitor (in cases where legal action is taken);
- Work with other agencies (e.g. the Police, Environmental Services and Social Services) to try to resolve the problem;
- Formulate an agreed action plan, with other agencies if appropriate, and with timescales and named responsible officers included

- Keep the complainant informed of progress by contacting them at least once every 4 weeks until the complaint has been closed.
- Arhag will always directly monitor the actions taken by other agencies and record and follow up any new developments reported.

4.3 Arhag will adopt a pro-active approach to complaints of antisocial behaviour and be committed to taking appropriate action to solve problems. The appropriate course of action will depend on the severity and particular circumstances of each reported case, but Arhag will take consistent and firm action against all perpetrators and use all appropriate solutions and legal remedies available including:

- Enforcing the Tenancy Agreement (which has clauses on anti-social and/or criminal behaviour) as appropriate, including applying for possession of the perpetrator's property and eviction in extreme cases
- Referral for mediation
- Issuing warnings against specified behaviour
- Acceptable Behaviour Contracts
- Applying for Anti-Social Behaviour Orders (ASBOs) or injunctions
- Applying for the demotion of the perpetrator's tenancy
- Seeking forfeiture of the lease in serious cases if the perpetrator is a leaseholder

4.4 Arhag will examine the feasibility of recharging perpetrators for damage caused and perpetrators will be kept informed of intended actions at each stage and be given opportunities to change and demonstrate their continued improved behaviour at each stage.

4.5 When a case is resolved, or if, after investigation, it cannot be taken any further, Arhag will:

- Explain fully the reasons for closing the case and how the case could
- Be re-opened in the future if necessary.

- Give advice on what to do next.

4.6 Arhag will make sure that tenants and leaseholders understand what is considered to be antisocial behaviour by:

- Setting clear policies and service standards for managing antisocial behaviour in consultation with tenants and leaseholders
- Using starter tenancies if appropriate to ensure that new tenants behave responsibly
- Having a robust and thorough tenancy agreement which outlines tenancy rights but just as importantly tenancy obligations.
- Explaining the rights and obligations contained within the tenancy agreement during the sign-up procedure for each new tenancy
- Explaining Arhag's Anti-Social Behaviour policy in detail, and the standards of behaviour expected from Arhag's tenants as part of the sign-up process
- Carrying out follow up visits to new tenants to ensure that they understand their rights and responsibilities
- Stressing that tenants, leaseholders and freeholders are responsible for the behaviour of their family and visitors, and that action will be taken against them if their family or visitors cause anti-social behaviour
- Making it clear to parents that they will be held responsible for their children's behaviour
- Publicising successful action against perpetrators

4.7 Arhag does not always have the power to do what residents who are suffering because of antisocial behaviour would like. It will:

- Be clear about what it can and cannot do in its communications with residents generally, and in individual cases
- Work closely with other agencies such as the police and environmental health to make sure that all relevant solutions to antisocial behaviour problems are implemented where appropriate

4.8 Arhag understands that prevention is better than cure and would also be committed to working to prevent anti-social behaviour. Arhag will:

- work with the young people on estates in conjunction with the Council, Sure Start, schools, youth services, voluntary organisations and other agencies to provide leisure activities, facilities and opportunities for young people
- Work with the Council, RSLs and other stakeholders to tackle ASB and develop diversionary activities
- investigate the use of CCTV, modern surveillance techniques and latest technological advances to prevent antisocial behaviour where appropriate
- Seek opportunities to secure additional funding to tackle anti-social behaviour from any available sources
- Tackle unauthorised occupancy

4.9 Clear records will be kept of all reports of anti social behaviour and all cases will be monitored to ensure they are followed up.

4.10 Individual customers, victims and any witnesses will be kept informed of progress at all stages

4.11 Arhag recognises that threats and fear can prevent people from reporting or following up action against perpetrators of anti social behaviour. To tackle this, Arhag will give the utmost priority to supporting victims and staff both during and after cases, necessary action may include:

- Applying to the court for an immediate order so as to provide some immediate respite;
- Assessing the need for witness protection measures, (such as increased security - new locks on windows and doors, a panic button);
- Using professional witnesses, hearsay evidence, anonymised witness statements and surveillance equipment where people are too scared to come forward.
- Arranging support as necessary from such services as Victim Support and the Police's Domestic Violence Unit

- 4.12 Arhag will work with other partners, including Local Authority Crime Reduction Partnership, to develop peer support and witness support groups as well as sharing experience and best practice
- 4.13 Arhag recognises that it cannot tackle anti social behaviour in isolation, and it will work with the police and other key partners and stakeholders.
- 4.14 Along with other registered social landlords, Arhag will play an active role in Local Authority Crime and Disorder Reduction Partnership within areas of operation, to tackle crime and anti social behaviour.
- 4.15 Arhag will enter into a protocol with local authorities within areas of operation to:
- Co-ordinate cross-borough responses to crime and anti-social behaviour in respect of housing management issues.
  - Improve information-sharing and joined-up work for an effective response to incidents of crime and anti social behaviour.
  - Support the aims of Arhag's Anti Social Behaviour Strategy.
- 4.16 Arhag will monitor the effectiveness and implementation of this policy, including obtaining feedback from those who have used the service, to ensure that it achieves its aims of protecting residents.

## **5.0 Equality and Diversity Implications**

- 5.1 Arhag is committed to taking seriously all complaints of harassment, bullying, discrimination or victimisation, investigating and responding accordingly.
- 5.2 Arhag recognises that minority groups are both more likely to be victims of anti-social behaviour and feel unsafe in their homes. Arhag will ensure that staff are trained to deal with these cases and are able to follow the multi-agency approach essential to addressing such issues.

- 5.3 Arhag will ensure that it complies with the Housing Corporation's Good Practice Note 4 which specifically mentions harassment of minority communities.

## **6.0 Performance and monitoring**

- 6.1 Arhag will closely monitor anti-social behaviour cases and the services provided to tackle it. Arhag will work closely and liaise with other social landlords in the area to benchmark its effectiveness in relation to anti-social behaviour.
- 6.2 Arhag will provide 'high level' performance information in this service area for monitoring purposes to the Board, Senior Management Team and all residents through the quarterly digest.
- 6.3 Headline performance information will be reported to tenants and leaseholders on a regular basis, through a variety of means. More detailed performance information will be available upon request and as required.

## **7.0 Responsibility**

- 7.1 It is the responsibility of the Chief Executive to ensure that this policy is in place.
- 7.2 The Head of Housing is responsible for the effective implementation of this policy
- 7.3 The head of Housing is also responsible for ensuring that staff involved in the tackling anti social behaviour are trained.

## **8.0 Consultation**

- 8.1 This policy will be reviewed in consultation with residents at least once every two years.

## **9.0 Review and Board Approval**

- 9.1 This policy will be reviewed each year taking account of any changes to legislation that may occur and best practice.

Person Responsible for the review of this policy:	Head of Housing
Date of this review:	November 2008
Date of Board approval:	
Date the next review is due:	November 2010