

ANTI-SOCIAL BEHAVIOUR POLICY

INTRODUCTION

The purpose of this policy is to set out the aims and principles, which will apply when anti-social behaviour incidents are reported to us.

POLICY STATEMENT

HHL condemns all nuisance and anti-social behaviour and will not tolerate any such behaviour, whether perpetrated by its tenants, its occupants of leasehold properties, its employees, or anyone contracted to work on its behalf.

HHL's Tenancy Agreement includes a specific clause, which clearly states 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 HHL also contain similar clauses.

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. We aim to achieve a balance between enforcement, prevention and rehabilitation.

Our response to anti-social behaviour will be appropriate and proportionate. We will use the legal and contractual powers available to us to take action where HHL tenants or occupants of HHL leasehold properties are either the victims or perpetrators of anti-social behaviour.

To demonstrate our intention to do everything that is reasonably possible to tackle anti-social behaviour and deliver a high quality service, we have signed up to the Government's RESPECT Standard.

The RESPECT Standard introduces the core commitments necessary to delivering an effective response to anti-social behaviour and to building stronger communities through accountability, leadership, giving greater resident empowerment, and supporting community efforts to tackle anti-social behaviour.

This Policy is supplemented by an Anti-Social Behaviour Procedure, which provides information on the action that we will take when receiving a complaint of anti-social behaviour.

We have a separate Hate Incidents Policy and Procedure and a separate Domestic Abuse Policy and Procedure.

DEFINITIONS

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

The Crime and Disorder Act 1998 defines anti-social behaviour as:

'Acting in a manner that caused, or is likely to cause harassment, alarm or distress to one or more persons not of the same household.'

Anti-social behaviour is defined in the Anti-Social Behaviour Act 2003 as conduct which:

- *is capable of causing nuisance or annoyance to any person; and*
- *directly or indirectly relates to, or affects the housing management function of a relevant landlord; or*
- *consists of, or involves using or threatening to use housing accommodation owned or managed by a relevant landlord for any unlawful purposes*

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.
- Verbal abuse.
- Noise nuisance.
- Littering, fly-tipping, rubbish dumping and misuse of communal areas.
- Nuisance from vehicles.
- Nuisance from animals.

Individual perceptions of anti-social behaviour can include a wide variety of activities. The following are examples of the types of every day living noise 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 noise from domestic appliances, such as washing machines.
- Children playing.
- Walking across a wooden floor.

IMPLEMENTATION

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

- Support victims and witnesses.
- Work in a multi-agency environment.

- Undertake preventative activity and widely publicise information relating to our policy on anti-social behaviour.
- Take enforcement action against perpetrators.
- Ensure that all HHL colleagues dealing with anti-social behaviour are fully trained.
- Set performance targets and undertake performance monitoring.

We will assist complainants who are suffering from anti-social behaviour, where the alleged perpetrator is another HHL tenant or an occupant of an HHL leasehold property.

We can only assist an owner-occupier or a private tenant, where the alleged perpetrator is an HHL tenant or an occupant of an HHL leasehold property.

Supporting Victims and Witnesses

- We will provide a service where complainants can contact us 24 hours a day, 365 days a year to report an anti-social behaviour incident.
- We will deal with all reported incidents sensitively, fairly and impartially.
- 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, mediation services and Victim Support, can provide.
- We will make referrals to Victim Support as appropriate to the wishes of the tenant, or occupant of a leasehold property.
- 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 and set this down in an agreed Action Plan.
- We will maintain appropriate confidentiality and will seek the victim's written 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 log 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 HHL 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 HHL leasehold properties we will offer support and provide information about the potential options available to them.

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 Herefordshire Community Safety and Drugs Partnership.
- We will work in partnership with the Police, Herefordshire Council and the other signatories to the Herefordshire Community Safety and Drugs Partnership Information Sharing Protocol.
- We will, where relevant legal powers are not available to HHL, work in partnership with those statutory agencies with whom such power resides 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.

Undertake preventative activity

- We will ensure that the clauses in our Tenancy Agreement prohibiting nuisance and anti-social behaviour are clearly explained to tenants at the sign up of their tenancy.
- We will ensure that our Summaries of Anti-Social Behaviour Policy and Procedure are included in Lettings Packs for new tenants.
- We will work in partnership with others to engage young people in activities aimed at reducing anti-social behaviour.

- We have an arrangement with a mediation service provider. We will use their services as a means of dispute resolution and to prevent escalation of the problem, where this is appropriate, and we will pay the costs of this service.

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.
- We will, where there is sufficient evidence, apply the anti-social behaviour exclusions criteria as set out in our Lettings Policy.

Training

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

Performance targets and monitoring

- We have targets for responding to anti-social behaviour incidents and will monitor and report on our achievement against these targets to our Customer Services Committee.
- 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.
- We will undertake regular surveys of satisfaction of complainants who have reported anti-social behaviour.

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.

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.

Obligations of Tenants and Occupants of HHL Leasehold Properties

HHL 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.

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

.MONITORING AND RESPONSIBILITIES

It is the responsibility of the Customer Services Committee to ensure that implementation of the Anti-Social Behaviour Policy is monitored.

Our Head of Housing is responsible for delivering the policy and will be accountable for its implementation and colleague training.

Every relevant Herefordshire Housing colleague has the responsibility to read, understand and implement this policy.

All contractors, consultants and partner organisations are responsible for operating in accordance with this policy when delivering services on behalf of Herefordshire Housing.

ASSOCIATED DOCUMENTS

- Anti-Social Behaviour Procedure
- Anti-Social Behaviour Statements of Policy and Procedure
- Hate Incidents Policy
- Hate Incidents Procedure

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| Approved by: | Customer Services Committee |
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| Policy developed by: | Tenancy Services Manager |
| Associated Procedure: | Anti-Social Behaviour Procedure |