



# A Summary of our Antisocial Behaviour Policy

## Policy Statement

We are committed to providing a high quality of life and living standard. We recognise that everyone has a right to enjoy their own lifestyle, but only when it does not interfere with the rights and quality of life of other residents.

The aim of our antisocial behaviour policy (ASB) is to provide a service which will deal effectively with reports of incidents of ASB and make the reporting of complaints about such incidents as easy as possible, including supporting vulnerable people when making complaints.

## Definition of antisocial behaviour (ASB)

ASB is defined as behaviour to an individual or group that results in:

- another person feeling personally threatened
- creates a public nuisance
- has a detrimental impact upon the environment and thereby has a detrimental effect upon the quality of life of an individual or the community as a whole.

The term ASB covers a wide variety of behaviour that can cause distress to an individual or community. We do not classify everything that is reported as ASB or nuisance, e.g. noise from day to day living such as people moving around, closing doors, reasonable use of household appliances such as a washing machine or vacuum cleaner. Disagreements between residents and differing lifestyles, including the use of our car parks, will not be treated as ASB unless there is clear evidence of verbal abuse, harassment, intimidation or threatening behaviour, however we may be able to offer advice without the necessity to activate this policy. Complaints about cats roaming or fouling communal grounds will not be treated as ASB.

The list of what is defined as ASB is as follows, but it is acknowledged that other types of behaviour might be classed as ASB:

- Excessive noise (other than day to day living)
- Verbal abuse/harassment/intimidation/threatening behaviour
- Hate related incidents based on race, nationality, ethnic origin or colour, religion or belief, gender reassignment, age, disability, sexual orientation or any other reason such as appearance etc. (please refer to our race and hate policy)
- Vandalism and damage to property
- Drugs/substance misuse/drug dealing/alcohol related ASB
- Domestic abuse
- Physical violence
- Prostitution
- Criminal behaviour.

## Our approach

We will:

- provide a named officer responsible for the case
- be understanding of your concerns; treat people fairly and sensitively during our investigations and base our response on the evidence available to us
- be knowledgeable and have a good understanding of ways to tackle ASB
- agree an action plan setting out how we will respond to ASB. This will take into account individual's needs
- agree the action we will take, including timescales and recommend what you can do to tackle the ASB
- agree dates for updating you with progress with your case
- encourage the use of mediation (where available) if we feel this will help tackle the ASB
- avoid any unnecessary evictions, having first considered or tried other remedies available to us
- if it becomes necessary and you agree to become a witness in court we will arrange for additional support to be provided where needed.

## Responding to a report of ASB

We aim to provide a service which makes it easy to report ASB and investigates a complaint seriously, giving a clear indication of what action we can or cannot take. We need your help and support if we are to successfully tackle ASB.

A complaint may be made in the following ways:

- in writing
- by telephoning us
- via our website
- directly to a member of staff
- from a third party.

Where appropriate, we will also give you general information and advice to contact other agencies. If you have been a victim of crime, we will encourage you to report the incident to the Police for investigation.

Timescales for response:

- Emergencies such as serious reports of hate crime or violence will have an initial response within one working day
- For reports of ASB or harassment we will make an initial assessment of any report within 7 working days, subject to any unexpected absence by the lead officer.

Depending on the circumstances of the report we may arrange a telephone or home visit appointment with you in order to investigate the complaint further. This may include completing our 'Complainant Action Plan' which sets out what we will do and what steps we would like you to take to help us resolve the ASB. You may also be asked to record incidents by using our ASB Incident Diary. We will carefully explain the use of the diary and the kind of information that is helpful to include. The diary is really important as we will use this as the basis of witness statements should legal action become necessary.

The incident diary is especially important where we are unable to substantiate allegations of ASB, or where there have been counter claims as this allows us to monitor the situation over a period of time, normally 28 days. We then review reports to determine whether it is reasonable and justified to take action.

If communication issues are identified, agreement will be reached on the best way to record incidents. This could be with the use of a diary sheet in an accessible format. In the case of a person with learning disabilities or other vulnerabilities, we will endeavour to ensure that an 'appropriate adult' is present during any meetings to ensure that clear communication takes place of what to do if they are experiencing ASB.

With your agreement we will contact the alleged perpetrator in order to progress our investigation. As part of the investigation and depending on the risk involved, we may need to liaise with other agencies such as the Police, Social Services or Support Providers prior to contacting the alleged perpetrator.

During a meeting or telephone conversation with the alleged perpetrator, the 'Respondent ASB Contact Sheet' will be completed where appropriate and relevant, setting out actions on how we would like the ASB to be resolved.

During our investigations we will maintain contact with you and any other witnesses, as agreed. Where required we will also support you and any witnesses in making and signing a witness statement. Police Officers, and Police Community Support Officers can be useful in substantiating complaints and providing professional evidence.

In some cases, particularly serious cases, we may need to use extra resources such as multi agency working with the police and local authority through the Antisocial Behaviour Risk Assessment Conference (ASBRAC). Although there is some variation in local arrangements, the purpose of the ASBRAC is to bring together local agencies to address the harm caused to victims assessed as Repeat, Vulnerable or High Risk and to prioritise interventions. The task of ASBRAC is to reduce the risk factor.

In cases where we have carried out a risk assessment and the victim is identified as High Risk the case will always be referred to ASBRAC.

When tackling ASB, our aim is to challenge unacceptable behaviour and bring about positive changes through various interventions that prevent recurrence. We aim to achieve this wherever possible, without the need to resort to legal action.

## Available remedies

Our actions aimed at prevention ASB includes interviewing perpetrators, exploring options available for support, referrals to any mediation services operating locally, issuing verbal and written warnings and the use of our formal Warning Notices.

We operate a staged warning system which is intended to bring about real improvements in behaviour. Where there is no change in behaviour we will have no hesitation in pursuing further action if it is just, appropriate and necessary.

Where legal action is considered appropriate, we will endeavour to take such action swiftly. We will make use of the full range of legal remedies and other measures available to us. Possession proceedings will be used where it is a reasonable and proportionate response to the behaviour. Legal action may be taken in conjunction with our partners. These may include:

- Prohibition Notices
- Acceptable Behaviour Contracts (ABC)
- Undertakings to the court
- Tenancy injunctions
- Civil Injunction to prevent nuisance and annoyance
- Criminal Behaviour Orders
- Demoted tenancy
- Possession proceedings
- Forfeiture of Lease (in serious cases)
- Section 21 Notice to end an Assured Shorthold Tenancy or a Demoted Tenancy

This is not an exhaustive list and we may work with our partner agencies to consider a whole range of options available to us.

## Closing the case

We will not leave reports of ASB open indefinitely. Through our contact action plans we agree the actions we will take and what we would like you to do. This includes regular updates and review of incident diary records. If the initial report of ASB has been investigated and has been resolved, we will close the case. If we are unable to substantiate that your reports are ASB that we can meaningfully pursue we will also let you know and close the case. We will let you know if and why we decide to close your case.