



A Summary of our Antisocial Behaviour Policy

Policy statement

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.

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.

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, and
- Has a detrimental impact upon the environment and thereby has a detrimental effect upon the quality of life of an individual or the community.

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, and 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 (please refer to our race and hate policy).
- Vandalism and damage to property.
- Drugs/substance misuse/drug dealing/alcohol related ASB.
- Physical violence.
- Criminal behaviour.

Our approach

We will:

- provide a named officer responsible for the case.
- listen to you, so we understand your complaint and its impact on you.
- be understanding of your concerns; treat you 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 consider the individual's needs.
- agree the action we will take, including timescales and recommend what you can do to tackle the ASB.
- identify with you, any risks or support needs you may have and discuss how best to respond to them.
- agree dates for updating you with progress with your case.
- give you a copy of the action plan, so you can keep track on progress.
- conduct a thorough and fair investigation and always look for solutions.
- work with the police and other agencies so we can resolve your complaint.
- 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, arrange for additional support where needed.
- Only close your complaint after discussing it with you first and confirm the reasons in writing.

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.

You can report ASB in the following ways:

- By telephoning us.
- Via our website.
- Directly to a member of staff.

- Through a third party.

Where appropriate, we will also give you general information and advice on contacting 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 seven working days, subject to any unexpected absence by the lead officer.

Investigating a report of ASB:

We will arrange a telephone or home visit appointment with you to investigate your complaint. This may include completing our 'Complainant Action Plan' which sets out what we will do, and the action we would like you to take, to help us resolve the ASB. We will ask you to record further incidents in our ASB incident diary. We will explain the information that is helpful to include. The diary is 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. The diary allows us to monitor the situation over an agreed period. We then review any further reports to determine whether it is reasonable and justified to act.

If we identify communication difficulties that prevent you from completing a diary, we will look for an alternative method of recording events.

With your agreement we will contact the alleged perpetrator to progress our investigation. As part of the investigation, we may also consult with other agencies such as the police, social services, or support providers.

During a meeting or telephone conversation with the alleged perpetrator, we will complete our 'Respondent ASB Contact Sheet' with agreed steps to achieve a solution.

During our investigations we will maintain contact with you and any other witnesses. 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 serious cases, we may need to use extra resources such as multi agency collaborating with the police and local authority through the Antisocial Behaviour Risk Assessment Conference (ASBRAC). Although there are variations 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.

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 yellow, orange, red warning notices.

We operate a three staged warning system to bring about real improvements in behaviour. We will pursue further action if it is just, appropriate, and necessary.

When necessary, we will use legal remedies and other measures available to us, this includes possession proceedings where it is a reasonable and proportionate response to the behaviour. 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 (in serious cases).
- Possession proceedings (in serious cases).
- Forfeiture of Lease (in serious cases).

This is not an exhaustive list, and we may collaborate 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. We will let you know if and why we decide to close your case. If the initial report of ASB has been investigated and has been resolved, we will close the case. If we are unable to substantiate your reports as ASB we will let you know and close the case.