

Headrow Limited

**Policy
Anti-Social Behaviour**

Revised: March 2007
Lead Officer: Operations Manager

Review Date: March 2008

Anti-Social Behaviour Policy

1.0 Introduction

This document sets out the way in which we will deliver our commitment to preventing ASB and effective tools for dealing with it alongside a commitment to working with our partners.

2.0 Statement of Intent

Headrow Limited is committed to providing homes in neighbourhoods where people want to live

This policy sets out ways in which we aim to deliver that commitment by

- Creating safe neighbourhoods free from crime and.
- Demonstrating a commitment to tackling all forms of intimidation and harassment.

As a responsible landlord Headrow recognises that all residents have the right to peaceful enjoyment of their home. Equally, every resident has a responsibility not to interfere with their neighbours right to the peaceful enjoyment of their home.

3.0 Legal Context

The Housing Act 1996 as amended by the Anti-Social Behaviour Act 2003 (Section 12) requires all registered social landlords to publish their policy and procedure for dealing with Anti-Social Behaviour. This document also incorporates legal requirements, including

- Crime and disorder Act 1998
- Disability Discrimination Act 1995
- Data Protection Act 1998
- Human Rights 1998
- Race Relations Act 1976 (as amended in 2002)

Headrow Limited has a separate Racist Incidents Policy available on request from Customer Services.

This document is available in other languages and formats. Please contact Customer Services for access to Language line or translation services.

4.0 Policy

4.1 Anti-Social Behaviour is defined as:

“any act which causes or is likely to cause harassment, alarm or distress to one or more persons not of the same household as the perpetrator”

(Crime and Disorder Act 1998)

“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 an unlawful purpose”

(Housing Act 1996 as amended by the ASB Act 2003)

4.2 Headrow Limited endorse both of the above definitions and will not tolerate any action or omission, deliberate or otherwise, which interferes with another resident's peace, quiet or security.

4.3 Headrow Limited will not tolerate anti-social behaviour in any form, and will consider and take the most appropriate, effective, consistent and proportionate action placing primary emphasis on proactive early intervention and conflict resolution, wherever appropriate. (see Appendix 1)

4.4 In particular, Headrow Limited will not tolerate discriminatory behaviour against any person on the grounds of race, religion, gender or sexuality. We treat all racist or other hate incidents seriously and will take prompt and effective action wherever possible.

4.5 Headrow Limited will take a positive and supportive approach to people who ask for help and advice about Domestic Violence. We will ensure we operate a victim centred approach.

5.0 Use of Available Measures

5.1 Headrow Limited has a varied range of measures that can be used to combat anti-social behaviour, and we will use measures that are appropriate and proportionate to solve the problem.

5.2 A detailed set of procedures has been produced in conjunction with this policy that outline the type of actions that can be taken and the likely timescales for such actions.

- 5.3 The actions, which include fast track responses in serious cases, are incremental in nature, with the emphasis being on bringing about real changes and improvements in behaviour of those who commit ASB. However, if there is no change and/or improvement in the behaviour we will have no hesitation in taking any appropriate further action.
- 5.4 In conjunction with our partners, we will use the wide range of measures that are available to us. These include:
- Approaching the perpetrator and discussing the problem behaviour
 - Mediation
 - Warning letters
 - Formal warnings/cautions
 - Weekly visits by the Neighbourhood Service Officer to ensure compliance with the Tenancy Agreement
 - Acceptable Behaviour Contracts
 - Involvement of Environmental Health Officers
 - Injunctions
 - Anti Social Behaviour Orders
 - Demoted Tenancies
 - Possession Proceedings

6.0 Mediation

- 6.1 In conjunction with the communities in which we serve, Mediators will provide a means of conflict resolution to the residents of Headrow Limited. Mediation works by encouraging disputing neighbours to see each others points of view and working together to find a solution that suits both sides.
- 6.2 Use of Mediation services will aim to solve disputes at an early stage and prevent minor problems becoming serious and difficult to address.

7.0 Prevention, Intervention and Rehabilitation

- 7.1 When dealing with ASB the overall aim of Headrow Limited is to challenge the unacceptable behaviour and change behaviour, without having to resort to legal action wherever possible.
- 7.2 Where perpetrators of ASB show a willingness to address the underlying causes of their behaviour, if for instance the behaviour is as a result of drug or alcohol problems, or a need for Social Services, or other specialist support, we will attempt to draw in the resources from other agencies (see Appendix 2) to assist them, in this rehabilitative approach.

8.0 Witness Support

- 8.1 We recognise the important role our complainants and witnesses play in assisting us to tackle ASB problems.
- 8.2 We rely heavily on the co-operation and help our witnesses can give in bringing about solutions to problems of ASB. We recognise the need to build confidence and trust in our witnesses if we are to succeed, and will provide support to them throughout the whole process of dealing with a problem. For successful legal action witnesses will usually be required to say what they have seen. We understand that people may be unwilling to do this due to fear of intimidation.

9.0 Sharing information

- 9.1 Headrow Limited recognise that we cannot deal with anti-social behaviour on our own. We will therefore work with a number of other agencies to enable us to co-ordinate more effectively, and enable us to respond.
- 9.2 We will, where appropriate, share information with our partners (e.g. the police and other agencies) for the purposes of prevention and detection of crime and disorder, under the provisions of S151, Crime and Disorder Act, 1998.

10.0 Publicity

- 10.1 We recognise that in order to demonstrate our commitment to tackling anti-social behaviour and build confidence in the service, we need to be able to demonstrate its successes. Headrow Limited will continue to enhance our reputation by publicising our successes and working with the media to encourage positive reporting of the way in which we are tackling ASB.

11.0 Training

- 11.1 In order to provide an excellent service we will ensure that staff are properly trained to use the procedures to combat anti-social behaviour.
- 11.2 the training programme will ensure staff:
- Are aware of the issues surrounding ASB, harassment and hate incidents
 - Understand the legislation surrounding ASB, and the powers available to us

- Understand the importance of dealing with such problems promptly
- Are able to record details of reported incidents fully and accurately
- Understand the need to pass the details to the appropriate member of staff promptly
- Are able to provide the complainant with practical information, advice and support
- Are fully aware of the need to treat the complaint sensitively and confidentially
- Understand and are sensitive to issues of diversity.

11.3 We will also strive to raise awareness of the issues surrounding ASB within Headrow Limited by providing training and briefings to Tenants and the Residents Consultative Committee.

12.0 Monitoring

12.1 Monitoring reports will be provided to all managers and Operations Committee on a quarterly basis. These reports will consist of performance information as required by the Housing Corporation and any other reports the Boards feel may improve service delivery.

Appendix 1

Examples of Anti social Behaviour include, but are not limited to:

- 1. Certain kinds of Criminal Behaviour**, this includes
 - Sale or misuse of drugs
 - Handling stolen goods
 - Criminal damage
 - Taking vehicles without the owners consent
 - Dangerous driving
 - Burglary
 - Arson
- 2. Violence or threats of violence against the person**
 - An assault upon another person or placing that person in fear that they are going to be assaulted
- 3. Actual or threat of damage to property/possessions**
 - Graffiti
 - Vandalism
- 4. Drunken or loutish behaviour**
 - Drunkenness causing harassment, alarm or distress to other Headrow Limited residents
- 5. Nuisance from animals**, this includes:
 - Fouling
 - Noise from animals (including dogs barking)
 - Excessive odours from animals
 - Keeping dangerous or unsuitable animals
 - Using animals to intimidate or harass people
 - Lack of control and supervision of animals
 - Keeping animals that are in breach of those allowed by the Tenancy Agreement
- 6. Persistent and consistent noise**, this includes
 - Loud music or noise from the TV or musical instruments

- Shouting, screaming and swearing
- Arguing
- Doors slamming
- Banging on walls or ceilings
- Parties
- Cars revving
- Playing ball games in confined areas

7. Dumping rubbish and misuse of communal areas

- Leaving refuse or unwanted household items in communal entrances, staircases, landings or on grassed areas
- Fly tipping on Headrow Limited land

8. Dangerous use of fireworks

- The ASB Act 2003 provides legislative powers for dealing with people who use fireworks in a dangerous manner.

9. Any breaches of Tenancy conditions, this includes

- Nuisance from business use
- Nuisance from vehicles (including car repairs)
- Untidy and unkempt gardens
- Failure to maintain the property
- Damage to the property

10. Harassment, this includes:

- Intimidation
- Abusive or insulting words or behaviour
- Physical abuse
- Acts or words which interfere with the peace of another person
- Making incident or offensive gestures

11. Racial harassment and/or other hate related behaviour

Any type of behaviour or action, including those listed above that is carried out against another person on the grounds of:

- Race
- Religion
- Gender
- Sexual orientation
- Disability
- Social class
- Age

12. Domestic Violence

The Association recognises that domestic violence is a severe form of ASB. We will investigate all complaints of domestic violence, work with specialised agencies and share information to ensure the appropriate response.

Please refer to the separate policy on Domestic Violence.

Appendix 2

Other agencies

- Police
- Fire Service
- Probation Service
- Victim Support
- RSPCA
- Youth Offending Team
- Environmental Health
- Social Services
- Education Services
- Local Authority Housing Departments
- Domestic Violence Agencies