

ANTI-SOCIAL BEHAVIOUR POLICY

1. POLICY OBJECTIVE

- 1.1 The Association will endeavour to communicate the expected standards of behaviour laid out in this policy to residents, along with the methods, powers and actions that can be used if they are breached. We will not tolerate behaviour from any residents that is racist, violent, threatening, intimidating, criminal, unreasonable or unacceptable. This policy has been drafted in accordance with the Anti-Social Behaviour Act 2003 and details how we will meet our obligations as a social landlord.
- 1.2 Reports of anti-social behaviour and nuisance will be investigated fully and treated with the utmost seriousness. If proven, appropriate action will be taken to restore the quality of life for those affected. Where appropriate, external agencies and residents will be involved in investigating and resolving problems. We will ensure that information and training is available to facilitate the effective resolution of anti-social behaviour. Our overarching aim will be to have a balanced approach, working with and for residents to prevent, enforce and support. If a report is from an anonymous source, this will be considered but the nature of the complaint will determine whether or not any subsequent action will be taken.

2. DEFINITION OF ANTI-SOCIAL BEHAVIOUR (ASB)

- 2.1 The Association considers the definition of anti-social behaviour to be actions that interfere with the quality of life of others. We recognise that certain nuisances and inconveniences must be accepted when living in close proximity to others, and in most circumstances these should be considered 'reasonable' activities. This often means accommodating neighbours whose lifestyles differ from our own, so long as they do not, by their impact, become anti-social behaviour. It is impossible to cover all definitions of 'reasonable' or 'unreasonable', and to a certain degree much will depend on the nature and extent, as well as the intent and impact, of the problem. A list detailing activities the Association classes as anti-social behaviour is provided in Annex 1, although this is by no means exhaustive.
- 2.2 Generally speaking, anti-social behaviour is deemed to be recurring actions that result in ongoing nuisance to neighbours, causing a negative impact on people's security or sense of well-being in and around their home. Each case should be judged on its own merits. In the event of any uncertainty regarding the scope of this policy, we will give confidential advice to our residents.

3. TENANCY AND LEASEHOLD MANAGEMENT

Our tenancy agreement and the Tenants Handbook set out the type of behaviour considered to be anti-social. These clear provisions relating to anti-social behaviour, racial harassment and domestic violence can be used as a tool for prevention and enforcement. Our leases and tenancy agreements also include similar conditions.

It makes no difference if the resident, resident's family or visitors cause the nuisance. The resident is responsible for the behaviour of those living in or visiting the property.

4. PREVENTION

4.1 Prevention is key to the success of any anti-social behaviour policy. English Rural will work in partnership with residents, external agencies and authorities with a high regard for preventative measures. These will include:

- Providing a safe environment from the initial stage of development through Secure by Design accreditation.
- Working with residents to consider community safety improvements on existing schemes where problems are identified with a view to 'designing out crime'.
- Supporting and promoting individuals and groups looking to promote community/personal safety in their community.
- Making clear to residents our position regarding anti-social behaviour, using newsletters, mailings and local liaison opportunities: emphasising the benefits of socially-acceptable behaviour and warning of the consequences of anti-social activities.
- Working with partners to tackle anti-social behaviour and support the needs of vulnerable people.
- Making sensitive and sensible allocation decisions that take into account the needs of individuals and communities.
- Providing a responsive maintenance service to ensure developments maintain a high aesthetic standard.
- Considering the use of appropriate behavioural contracts and injunctions to promote our anti-social behaviour objectives.
- Where permitted and appropriate, sharing data with other agencies.
- Arranging early visits to new tenants to further raise ASB profile

4.2 Often the best way to prevent 'low level' anti-social activities is for the complainant to approach the offending neighbour informally and let them know what impact their actions are having. It is not always easy to appreciate that our actions may cause difficulties for others. Obviously this approach is not always appropriate and we would not expect residents to put themselves or their families at risk.

4.3 Permission from English Rural is required for the installation and use of Closed Circuit Television (CCTV), also known as video surveillance, for all English Rural properties. English Rural will assess the need for CCTV, the intended location of the cameras and the area being recorded. Guidance on CCTV installation criteria will be provided by English Rural based on up to date government and police guidelines. An inspection of the CCTV may be undertaken by English Rural to ensure installation criteria has been complied with. English Rural will monitor the ongoing use of CCTV, including existing CCTV and subject to reasonable notice reserves the right to request that systems are removed should it feel necessary to do so. Residents will be responsible for installation, removal and the repair of any damage caused.

5. ENFORCEMENT AND INTERVENTION

5.1 The Association recognises that early intervention in anti-social behaviour and nuisance problems is important. We will utilise a range of tools and responses to seek an early resolution, including mediation, victim support, the involvement of external agencies, legal action and behavioural contracts/injunctions. Where possible, we will act to sustain tenancies rather than terminate them, but will look to evict those involved in persistent and serious anti-social behaviour where other interventions have failed or are deemed inappropriate.

5.2 We will give relevant advice to residents regarding record keeping and evidence gathering, to assist both the managing of intervention and to prepare for any eventual enforcement. We will look to train and encourage staff to effectively respond to anti-social behaviour, using a range of management responses to seek early resolution, including mediation when appropriate.

5.3 Victims of anti-social behaviour are often vulnerable. Perpetrators may also be in need of help. Where possible, the Association will attempt to inform those in need of support agencies who may be able to help them.

5.4 The Association is committed to dealing with reports of anti-social behaviour promptly and investigating claims fairly and thoroughly. Where necessary we will take enforcement action, having first decided on the most appropriate tool(s), which might be: an injunction, a possession order, an Anti-social Behaviour Order/Contract, a Neighbour agreement, Parenting Order or Demotion Order. Legal advice will shape our decision. In turn, we will advise both the perpetrators and the victims of our selected course of action, and of the likely consequences of that process.

5.5 There may be occasions when the Association is unable to take any action against a report of anti-social behaviour because of the lack of evidence, clarity or co-operation from others.

5.6 Cases will be closed after an appropriate period of time has elapsed, and those concerned have confirmed no further action required.

6. PARTNERSHIP WORKING

It is not always possible for one agency to tackle anti-social behaviour alone. The Association will continue to look for, and build on relations with, other agencies involved in tackling anti-social behaviour. Where necessary or appropriate we will work with local authorities, social services or the police when applying for or considering the use of court orders connected to anti-social behaviour.

7. VICTIM AND WITNESS SUPPORT

7.1 Victims of anti-social behaviour may have experienced problems for some time before making a complaint. In cases of threat or violence, we will provide prompt practical support to the victim or the witness, in order to minimise the fear of reprisal and the threat of further victimisation. Any necessary support will be provided for any subsequent court appearance.

7.2 All complaints will be treated confidentially. We recognise that disclosing the identity of complainants, even unintentionally, creates difficulties. Staff will therefore protect the

anonymity of victims/witnesses as much as they possibly can. Where action requires individuals to be identified their prior consent should be sought before doing so.

7.3 Regular update reports to victims will be provided on the progress of the case.

8. MONITORING

8.1 Anti-social behaviour complaints will be recorded and reported on by Regional Housing Managers on a monthly basis and any required actions will be based on the objectives of this policy.

8.2 The Association will monitor and review training needs to ensure that best practice awareness and professional skills updates are available for all relevant staff.

8.3 This policy and accompanying procedures will be reviewed at least every 3 years in consultation with the Residents' Panel, or in accordance with future legislative changes when they occur.

8.4 Our Complaints Procedure will be available to any resident dissatisfied with our handling of an anti-social behaviour report. Any complaints will be referred to the Operations Director in the first instance. If a resolution is still not reached, complaints will be escalated in-turn to the Chief Executive and Vice Chairman of the Association.

Name of document:	ASB Policy
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ANNEX 1

EXAMPLE DEFINITIONS OF ANTI-SOCIAL BEHAVIOUR

Noise Nuisance:

- Excessively loud television or music
- Excessively noisy neighbours
- Shouting abuse
- Excessively noisy vehicles
- Excessively loud parties
- Repeated false alarms
- Excessive noise from animals

Intimidation and harassment

- Verbal or written abuse
- Racism
- Threats of violence
- Assault to person or property
- Persistent shouting and swearing
- Persistent rowdy behaviour
- Hoax calls
- Voyeurism/bullying/pestering/following
- Domestic violence

Misuse of public areas

- Hooliganism
- Being drunk and disorderly
- Causing ongoing obstruction or nuisance in communal areas
- Parking untaxed or unroadworthy vehicles
- Playing of games in restricted/inappropriate areas
- Throwing missiles
- Inappropriate use of fireworks/fires
- Uncontrolled animals
- Vehicle repairs
- Displaying unauthorised written material
- Fouling by humans

Litter in public areas

- Fouling by animals
- Dumping rubbish
- Damaging landscaping
- Vandalism
- Graffiti

Misuse and unlawful use of accommodation

- Selling/producing/growing drugs
- Prostitution
- Having stolen goods on the premises
- Using property as a base for any criminal activity
- Excessively untidy garden/car port

Hate behaviour on the grounds of perceived differences

- Racism
- Homophobia
- Mental disability
- Physical disability

ANNEX 2



TACKLING ANTI-SOCIAL BEHAVIOUR

English Rural Housing Association will not tolerate anti-social behaviour on any of its schemes and is committed to dealing with it in the proper manner.

If you feel that you have experienced or suffered from any anti-social behaviour and you do not feel that it is something which can be solved by a simple discussion between the parties involved, then you may wish to complete one of our Anti-Social Behaviour diary sheets as attached.

You must fill in the diary sheet as soon as possible while the incident is still fresh in your mind. If you do it right away you'll remember more details. Write down everything you see and hear in as much detail as possible. You should include any swear words as this is much more effective than "he used abusive language". Writing such words can be upsetting, but it gives a better understanding of what happened and how it has affected you.

Try to identify people involved on each occasion. If you don't know the full name of the people you are making a report about then please help us to identify them in any way possible for example nicknames or any distinguishing features.

If you are able to collect any evidence such as photographs or recordings (for example of excessive noise) then this may assist us in dealing with your grievance. Please feel free to contact us if you need further guidance on this.

If you have reported the incident to anyone else, for example the police or, in the case of noise issues, Environmental Health, then please be sure to mention this on your diary sheet.

Data Protection

In order to assess your grievance we need to collect relevant personal details. We comply with the Data Protection Act 1998 when dealing with personal data. This means that your personal data will be processed in accordance with the law. Please note that we may share personal data with other organizations where appropriate and that by completing and returning this form you are consenting to English Rural Housing Association processing your personal data.



ANTI-SOCIAL BEHAVIOUR DIARY SHEET

Your name and address;

Contact telephone number;

About whom is the complaint? (name and address)

I certify that the details given below are a true and accurate record of the anti-social behaviour experienced. I understand that these details may be used as evidence in the event of any formal action relating to this matter and with my/our prior consent. However, it is understood that in certain circumstances such consent may not be required.

Signed:.....Full Name:.....Date:.....

DATE, TIME AND PLACE OF INCIDENT	BRIEF SUMMARY OF WHAT HAPPENED	HOW DID IT MAKE YOU FEEL?	DID YOU REPORT THE INCIDENT TO ANYONE ELSE?