



POLICY DOCUMENT

ANTI SOCIAL BEHAVIOUR

Acis Group Anti Social Behaviour Policy – February 2009

Purpose and Scope of Policy Document

The purpose of this document is to provide a framework to allow Acis Group to achieve excellence in managing and resolving reports of anti social behaviour (ASB). This document is designed to give a 3 star service to customers with a view to meeting the required commitments laid down by the Audit Commission in K.L.O.E 6 and the commitments outlined in the Respect Standard for Housing Management.

In addition we want to provide guidance to operational staff, customers and other stakeholders on what action we will take when a customer complains about anti social behaviour. We recognise that every ASB case is unique and we have written this policy and its associated procedure with a view to providing staff with a 'best practice' framework to manage reports of ASB.

We are committed to tackling Anti-social Behaviour. We recognise that Anti social Behaviour can be a very serious and stressful issue.

Our aim is to develop and promote a safe and secure environment so that our customers and other residents within the community can live together peacefully and without fear. We recognise that even one person behaving in an anti social manner can create nuisance and annoyance resulting in fear, anger and stress for other local residents.

We will fulfil our commitment to tackling ASB by enforcing tenancy conditions and using all 'tools and powers' available to us. We will deal effectively with any **person** who directly or indirectly affects the day-to-day operations of Acis Group, its tenants and its staff. We will work together with our partners to create safer and stronger communities. Our partners include: West Lindsey District Council, Sheffield City Council, Lincolnshire Police, South Yorkshire Police, Social Services, Education Departments, Health Services.

Reference Points

It is acknowledged that there are many current Policies and Procedures which incorporate references to types of ASB as defined by HouseMark and Communities and Local Government. This document will replace the Harassment & Domestic Violence Policy and thereafter this document should be regarded as an "umbrella" Policy document intended to cover all other types of ASB.

This policy and its associated procedures also acknowledge the following documents, which incorporate good practice in dealing with ASB:

- Racial Harassment Policy and Procedure
- Staff Harassment Policy
- Starter Tenancy Policy and Procedure

What is Anti-social Behaviour?

Acis Group considers Anti-social Behaviour to be:

- Behaviour capable of causing nuisance or annoyance to any person, including tenants, other residents, Acis staff, contractors, partner agency staff or any other person lawfully going about their business

- Behaviour that unreasonably interferes with other people's rights to the use and have enjoyment of their home and community
- Acting in a manner that caused or was likely to cause harassment, alarm or distress to one or more persons not of the same household
- Behaviour using or threatening to use our property for unlawful and or immoral purposes

This includes but is not limited to:

- Anti-social Behaviour by tenants, their families and visitors
- Violence or threats of violence by tenants, their family, visitors
- Domestic violence committed by a tenant, family member, visitor, where it affects other members of the community
- Any other person who causes nuisance and annoyance, which indirectly or directly affects our housing management functions
- Harassment and intimidation including racial, homophobic and Hate Crime
- Problems caused by youths resulting in harassment to residents either by their direct anti-social / criminal behaviour or indirectly by their gathering in groups, creating a threatening and intimidating atmosphere.
- Illegal drug use and supply where relevant to our property / locality
- Untaxed and abandoned vehicles on our land. This will include car parks and communal garage areas and may include gardens and driveways of our properties
- Use of motor vehicles in an anti-social manner by our tenants or any other person who affects our normal housing function
- Environmental Anti-social Behaviour such as noise, graffiti, fly tipping, litter, fly posting, high hedges, overgrown gardens and animals that are causing a nuisance.
- Anti-social or intimidating behaviour involving firearms, air weapons replica guns and anything made, intended or adapted for use as a weapon.
- Noise Nuisance

Acis Group will not usually take action in circumstances such as those listed below:

- Tit-for-tat petty arguments between 2 households
- Parking issues on public highways
- Minor lifestyle disagreements, such as cooking smells, noise of a child playing in their own home
- Children falling out with each other

However, in these cases, tenants are advised to resolve these issues through mediation.

Our Objectives

To take early action and where possible use preventative measures to combat Anti-social Behaviour if appropriate to the circumstances of the case.

These may include:

- Referral to a Mediation Service
- Written warnings
- Referral for support

- Enforcing Tenancy conditions by the use of Injunctions, Demotion of tenancy or Possession of the property
- Use of anti social behaviour orders
- Referral to the local Community Safety Partnership

Where appropriate to Support and Protect Witnesses by:

- Improving home security (e.g. extra locks)
- Liaising with police to install “panic buttons”
- Installation of surveillance equipment
- In cases of violence/harassment, applying for injunctions on perpetrators and consider requests from witnesses wishing to transfer to a new property if they are at risk of harm.
- Referral to Victim Support and Witness Support

To be proactive on tackling Anti-social Behaviour with our Community Safety partners, exchange necessary information and work jointly on individual cases where appropriate.

Information shared can include:

- Personal Information and details of behaviour relevant to the investigation
- Other information allowed under Data Protection Act and Crime and Disorder Act.

Co-ordinating the collection of data on Anti-social Behaviour matters by:

- Establishing targets for performance monitoring the results
- Reporting these results annually

To ensure staff are trained:

- Adequately to use the policy and procedure
- With a regular programme of training to take into account reviews to procedures.
- To be aware of support and interventions available from Community Safety partners.

Service Standards

When we receive a complaint of Anti-social Behaviour:

- **In all cases we will:**
- **Register** the complaint and issue a reference number
- **Treat** the complaint seriously, respond promptly and act professionally.
- **Contact** the complainant within a set number of working days depending upon the nature of the complaint
- **Assess** the seriousness of the complaint
- Agree an **Action Plan** with the complaint outlining how we aim to investigate and resolve their complaint
- Provide regular **Progress Reports** and **Feedback**
- **Where appropriate we will:**
- **Recommend** referral to Mediation to resolve the problem amicably if appropriate
- **Appoint** an investigating officer within seven working days

- **Interview** perpetrators and give them opportunities to improve or change behaviour
- **Collect** evidence by issuing incident logs for complainants to complete. Take statements from witnesses and where appropriate use covert surveillance.
- **Support** and protect the complainant and other witnesses by all means possible

In serious cases such as physical violence, serious threats of violence or Hate related incidents:

- We aim to interview the complainant within 24 working hours
- We will discuss the case with our community safety partners and identify and take appropriate action with them
- Advise the complainant to contact police immediately

At the closure of each case we will write to the complainant and perpetrator with an explanation of the closure action enclosing a Customer Satisfaction Questionnaire for the complainant to complete and return. The information gained from these questionnaires will be used to review procedures and improve them where necessary.

Fairness

We are committed to treating everyone fairly. We will take into account any particular needs complainants or perpetrators may have. We will provide information that is easy to understand.

When we receive a complaint we will take into account the effect the behaviour is having on the community. However, we will also take into account problems caused as a result directly or indirectly of drug abuse, alcohol abuse, mental health, disability, ethnic or cultural diversity. If appropriate referrals may be made to our partnership agencies.

Formal warnings of legal action

If there is evidence of anti social behaviour the person will be warned that we can take action (including against their tenancy if they are Acis tenants) if the problem continues. If problems persist and they are serious, we can serve a formal warning by:

- Informing a 'Starter Tenants' they are at risk of their tenancy being ended.
- Serving a Notice of Seeking Possession (NOSP)
- Serving a Notice Seeking Demotion
- Issue a warning letter
- Getting them to sign an Acceptable Behaviour Contract (ABC)
- Getting parents to sign a parenting contract

Legal Action

If problems still persist we will consult a solicitor to see if we have enough evidence to go to court for:

- A Possession Order on their home, and/or
- Injunction to stop causing the problem or threats (includes non Acis tenants) and/or
- An Anti-social Behaviour Order (ASBO), which can stop the person from doing certain things. If they break this, we can apply to Court for breach of ASBO, which can mean a fine and up to 5 years imprisonment, and/or

- A Demotion Order, which puts a tenant on a 1 year tenancy with less protection and rights
- A Parenting Order which instructs a parent/s to control their children

The decision to give any of these Orders rests with either a Judge or Magistrates.

We will not apply to court if our solicitor thinks the evidence gathered is not good enough, or if other more appropriate action can be taken such as criminal charges.

Performance Indicators

Performance indicators will be set to ensure that complaints of anti social behaviour are being dealt with effectively and to highlight any 'hotspots'/times of the year.

This may include but is not limited to:

- Number of new Anti-social Behaviour cases reported each month by category.
- Number of Anti-social Behaviour cases closed within a month by category and result.
- Number of Anti-social Behaviour cases outstanding at the conclusion of each month by category
- Number of Anti-social Behaviour Warning Letters
- Number of 'Acceptable Behaviour Contracts' offered
- Number of cases dealt with at Partnership Anti-social Behaviour Tasking Group meetings
- Number of Legal Actions Notice of Seeking Possession ('NOSPs), Anti-social Behaviour Orders (ASBOs), Injunctions, Demoted Tenancies and Possessions
- Level of Satisfaction at closure of case
- The policy will be reviewed at least annually taking into consideration any changes in legislation, procedure and partnership protocol

In Summary

Our local strategic priorities reflect the National Community Safety Plan. The main messages include maintaining continued pressure on reducing anti-social behaviour.

Acis Group is determined to provide safer and stronger communities for our customers to live in and this requires us to do everything we can to reduce anti social behaviour. We will work closely with our Crime and Disorder Reduction and Community Safety partners to ensure every available 'tool and power' is used to ensure our customers can live in peace and without the fear of crime and anti social behaviour.

