

Anti-social behaviour policy

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All policies are the responsibility of the leadership team to own, deliver, disseminate, monitor and review

Purpose

This policy sets out our approach to dealing with anti-social behaviour and our commitment to addressing it.

Underpinning principles

The Housing Act 1996, as amended by the Anti-Social Behaviour Act 2003, requires us to prepare and publish policies and procedures in relation to anti-social behaviour.

We also need to comply with the Neighbourhood and Community Standard 2012 issued by the Regulator of Social Housing.

Policy detail

Definition

We will use the definition of anti-social behaviour as set out in the Anti-social Behaviour, Crime and Policing Act 2014 which is as follows.

- (a) conduct that has caused, or is likely to cause, harassment, alarm or distress to any person,*
- (b) conduct capable of causing nuisance or annoyance to a person in relation to that person's occupation of residential premises, or*
- (c) conduct capable of causing housing-related nuisance or annoyance to any person.*

We will adopt a harm/risk based approach where victims will be at the centre of any actions we take. This will reduce the risk of harm to vulnerable victims and repeat victims through early identification, ensuring proactive approaches to reduce anti-social behaviour and providing appropriate support. It does not

matter whether the behaviour is deliberate or unintentional; it is how it is perceived by the victim, which follows the adoption of a victim centred approach as set out in the McPherson Report 1999.

We will take action quickly and decisively where possible, and adopt a professional and objective approach when dealing with reports of anti-social behaviour. However, we will only open a new anti-social behaviour case where there has been a breach of tenancy or there is an impact on the community or neighbourhood.

We will not act on anonymous reports, but if a complainant doesn't want the perpetrator to know who has complained, we will advise them that their details will be kept confidential. However, we will make it clear to them that they may be asked to relinquish their anonymity should this be necessary for us to try and resolve complaint.

This policy does not apply to other types of housing including shared ownership, leasehold and care schemes, or to our employees and contractors.

Types of anti-social behaviour

What we will classify as anti-social behaviour

- Alcohol related issues
- Criminal behaviour
- Domestic abuse
- Drug use/substance misuse/drug dealing
- Garden nuisance
- Hate related incidents motivated by racial, sexual or other prejudices.
- Litter/rubbish/fly tipping
- Misuse of communal areas/public space
- Noise
- Nuisance from vehicles
- Pets and animal nuisance
- Physical violence
- Vandalism and damage to property
- Harassment, verbal abuse and threatening behaviour

We give priority to cases of domestic abuse and hate crime. We condemn domestic abuse and hate crime as unacceptable, and recognise the impact that these offences can have on both individuals and communities. We will take all

steps necessary to ensure that every person has a right to live in their home free from such behaviour.

Modern slavery is a crime which encompasses slavery, servitude, and forced or compulsory labour and human trafficking. We have a zero tolerance to modern slavery and all forms of corruption and bribery directly and indirectly associated with these criminal acts.

What we will not classify as anti-social behaviour

We expect a reasonable level of tolerance between neighbours. Therefore, examples of activities that we will not treat as anti-social behaviour include but are not limited to:

- activities that amount to no more than customers performing normal everyday actions; e.g. using washing machines, noise of children playing, customers in flats moving around, cooking smells, etc.
- behaviour that does not breach the tenancy agreement; e.g. people staring at each other.
- actions that may be thoughtless, inconsiderate or unpleasant, but are not sufficient to justify our involvement or where there is no breach of tenancy.
- parking issues

In these instances, we will only provide advice and guidance.

Cross tenure issues

Where the perpetrator of anti-social behaviour is not one of our customers, we will take whatever action we can to try and resolve the nuisance. However, we will also expect our partner agencies such as the police and local authority to take whatever actions are available to them.

Expected behaviour from our customers

We hold customers responsible for the behaviour of every person living in or visiting their home, and for any conduct that takes place in their home, in the locality of their home and on any communal areas.

We also expect them to try and resolve disputes with their neighbours themselves and to be tolerant of different lifestyles. We will also encourage them to make use of mediation services, and to consider whether it may be more appropriate for them to report issues that we cannot resolve to other agencies such as the police or the local authority.

Multi-agency work

We will work with other agencies, organisations and services to try and resolve cases of anti-social behaviour based on the circumstances of each case.

However, it is important to remember that as far as criminal acts are concerned these are the jurisdiction of the police. Whilst there may be tenancy sanctions associated to some criminal offences, we will only use civil remedies such as injunctions in the most serious of cases and where considered appropriate to the circumstances, and where sanctions such as bail conditions are not available to the police to protect the victim.

Information sharing

We have an Information Sharing Protocol in place with other agencies, and we will comply with our data protection policy and data protection procedure when sharing information with such agencies.

Continual development

We are committed to service improvements by way of staff training, regular case reviews, customer feedback and consultation.

Service monitoring

We will monitor the effectiveness of our anti-social behaviour service through our reporting mechanism on QL.

Signpost

- Anti-social Behaviour Act 2003
- Anti-social Behaviour, Crime and Policing Act 2014

- Childrens Act 1989
- Crime and Disorder Act 1998
- Data Protection Act 1998
- Deregulation Act 2015
- Environmental Protection Act 1990
- Equality Act 2010
- Housing Act 1985
- Housing Act 1988
- Housing Act 1996
- Housing Act 2004
- Human Rights Act 1998
- Localism Act 2011
- Noise Act 1996 (Wiltshire Council have not adopted this Act)
- Police and Justice Act 2006
- Protection from Harassment Act 1997
- Public Order Act 1986
- Race Relations Act 1976
- Racial and Religious Hatred Act 2006

- Slavery Act 2015
- Allocation of accommodation: Guidance for local housing authorities in England 2012
- Homeless Code of Guidance for Local Authorities
- Homes 4 Wiltshire Policy
- McPherson Report 1999
- Pre-Action Protocol for Possession Claims by Social Landlords
- Anti-social behaviour guidance
- Anti-social procedure
- Child protection policy
- Child protection procedure
- Data protection policy
- Data protection procedure
- Lettings policy
- Safeguarding adults procedure
- Safeguarding adults procedure for managers
- Safeguarding adults process map
- Single equalities and diversity policy

- Single equalities and diversity strategy

Policy Review Date – 4 July 2021

