

ANTI-SOCIAL BEHAVIOUR POLICY



ANTI SOCIAL BEHAVIOUR POLICY

January 2010

Table of Contents

1. Policy Statement
2. Policy Aims
3. Association Stance
4. Association Approach
5. Statutory & Legislative Framework surrounding the Policy
6. Definitions
7. Staff and anti social behaviour
8. Service Standards
9. Perpetrator
10. Prevention of anti social behaviour and diversionary measures
11. Non legal remedies
12. Legal remedies
13. Support during and after the complaint
14. Data protection and information exchange
15. Outside agencies and partnership working
16. Working with other agencies managing CHA housing stock
17. Cross tenure issues
18. Media and publicity
19. Monitoring and evaluation
20. Implementation
21. Responsibility
22. Consultation
23. Policy review
24. Training

1. POLICY STATEMENT

Cosmopolitan condemns all forms of conduct, which can be termed “anti-social” on the basis that this type of behaviour adversely affects the quality of life of those touched by it. We are committed to preventing and tackling all such problems from any areas affected and we will use all means at our disposal to do so in a manner that is proportionate to each case. Where appropriate we will stress the importance of conciliation in less severe cases but recognise that ultimately prompt and severe action may be required, which may include legal action and. At all stages of the process we will fully co-operate with relevant partners to prevent, deter and tackle anti social behaviour.

We will ensure that all existing and future tenants are given a firm message that anti social behaviour by tenants, members of tenant’s households or invited guests is unacceptable. They will be made aware of their obligations under their tenancy agreement. This message will also be delivered through service leaflets, newsletters, the Association website and other publications

We will take all reasonable steps to prevent and respond to anti-social behaviour, harassment, racial harassment, domestic violence, hate crimes and other forms of nuisance, and will at all times offer advice and assistance to those who allege to be suffering from any form of anti social behaviour.

There is an extensive range of tools available to registered social landlords, which comprise of both non-legal and legal remedies. The Association will always endeavour to resolve issues using non-legal methods where appropriate. However where anti social behaviour involves severe criminal activity or where non-legal remedies have failed to resolve the issue, the Association will not hesitate to take legal action.

The Association will tackle anti social behaviour in line with the service standards set out in this policy, however it is important to understand that tackling anti social behaviour is not a process and each case will be judged on its merits and severity.

The Association fully understands and recognises that the safety and welfare of complainants and witnesses must be given priority at each stage of the process. The Association will encourage and promote partnership working and multi agency involvement in order to develop and support witnesses through what can be a very complex legal process.

The Association recognises that it cannot work in isolation when tackling issues of anti social behaviour and that some households may have support needs beyond those that can be offered by the Association. The Association is committed to working in partnership with other agencies to ensure that complaints are dealt with effectively.

2. POLICY AIMS

This policy sets out the way we will deal with anti social behaviour. The policy aims to:

- provide an easily accessible service which encourages reports of anti social behaviour
- clearly defines anti social behaviour in whatever form
- develop a consistent approach to the management of anti social behaviour across all of our neighbourhoods
- use a range of non legal remedies as appropriate
- use a range of legal remedies as appropriate
- provide support to complainants and witnesses of ant social behaviour
- provide support to perpetrators of anti social behaviour to help them modify their behaviour
- comply with current legislation and good practice
- use performance indicators to direct services/resources appropriately
- provide guidance to officers on when legal action should be taken to ensure that anti social behaviour is tackled timely and appropriately
- tackle anti social behaviour swiftly to ensure neighbourhoods are not allowed to fall into decline
- set out clear service standards for this are of work

- set out clear performance indicators for area of work

3. ASSOCIATION STANCE

The Association recognises the adverse effect and personal distress caused by anti-social behaviour on people's lives. We will therefore adopt a "victim-centred" approach that encourages the reporting, assured that their complaints will be taken seriously and acted upon whilst they are offered appropriate support.

The Association also recognises the importance in appropriate circumstances of a multi-agency approach to tackling anti-social behaviour. The Association will therefore work with other agencies in order to identify solutions to problems. Examples of agencies with which the Association may work include:

- Local Authorities
- Other Registered Social Landlords
- Tenants and residents
- Crime and Disorder Partnerships
- Police
- Home Office
- Victim Support
- Mediation services
- Specialist agencies, e.g. Diversity agencies, Court Services and Domestic Violence Support agencies

4. ASSOCIATION APPROACH

Cosmopolitan Housing Association is committed to achieving sustainable tenancies and the creation of stable and balanced communities by working in partnership with residents and other agencies.

At all times we will seek to:

- Take positive steps to discourage anti-social behaviour
- Respond to any complaints in an efficient, sensitive, proportionate and consistent manner
- Offer residents support and advice

The Association will seek to respond to all reports of anti-social behaviour in accordance with the detailed operational procedures that relate to this area of activity.

The Association will seek to respond to all cases of anti-social behaviour in a proportionate manner. This means that it will aim to resolve less serious cases, where there is no danger to people or property, without recourse to legal action and stressing the importance of a conciliatory approach.

Although a conciliatory approach is preferred wherever possible, the Association will not hesitate to use legal action where it is considered appropriate in more serious cases, such as where there has been actual or threatened physical attacks or violence, or where more conciliatory methods have failed.

Underpinning the aim and objectives is a commitment throughout the organisation to deal with and support those experiencing anti-social behaviour. It is not viewed as only a Housing Management issue, but an organisational issue. As a result, in order for the Association to address the issue of anti-social behaviour, all departments have a role to play in contributing to tackling anti-social behaviour

5. STATUTORY & LEGISLATIVE FRAMEWORK SURROUNDING THE POLICY

The Association has a range of legislation with which it must comply as well as powers at its disposal. The Association recognises its moral obligations to comply with current good practice guidelines.

Relevant internal policy and practice:

- Allocations Policy
- Equality and Diversity Strategy
- BME Action Plan
- Supported Housing Policy
- Repairs Policy
- Vulnerable Tenants Policy
- Tenancy Audits & associated procedures
- Concern cards & associated procedures
- Eviction Policy
- Starter Tenancy Policy
- Marketing and Communications Strategy
- Access to Personal Information Policy
- Evictions Policy
- Respect Action Plan
- Service Improvement Plan

Relevant legislation in relation to this policy:

- Anti-Social Behaviour Act 2003
- Police Reform Act 2002
- Race Relations Act 1976 and Race Relations (Amendment) Act 2002
- Crime and Disorder Act 1998 (as amended in 2002)
- Disabilities Discrimination Act 1995 and 2005
- Data Protection Act 1998
- Regulation of Investigatory Powers Act 2002
- Human Rights Act 1998
- Protection from Harassment Act 1997
- Housing Act 1996
- Environmental Protection Act 1990 and Noise Act 1996
- Children Act 1989
- The Race Equality Scheme 2005
- The Race and Housing Inquiry Challenge Report (2001)
- The Tackling Racial Harassment: Code of practice for Social Landlords (2001)

- CRE Code of Practice on Racial Equality in Housing
- The Housing Corporation Good Practice Notes 4 & 8
- Human Rights Act 1998 (which states that failure to protect a tenant suffering from racial harassment may constitute a breach of their human rights, particularly the right of the person (Article 5) and to home and family life (Article 8).
- The Racial and Religious Hatred Act 2006 (which will make it illegal to threaten people because of their religion, or to stir up hatred against a person because of their faith)
- The Family Law Act 1996 (which provides for two types of orders: Occupation orders concerning the right to occupy the family home; and Non-molestation orders, which provide protection against violence and abuse).
- The Equality Act (Sexual Orientation) Regulations 2007
- The Sex Discrimination (Amendment of Legislation) Regulations 2008
- Audit Commission Key Line of Enquiry (KLOE) 31: Diversity
- Respect Standard for Housing Management
- Dangerous Dogs Act 1991
- Housing and Regeneration Act 2008
- Tenant Services Authority Regulatory Framework
- Tenant Services Authority National Standards

6. DEFINITIONS

Anti-Social Behaviour

The Office of the Deputy Prime Minister characterises anti social behaviour as

“Any conduct that is capable of causing nuisance or annoyance to any person and directly or indirectly relates to, or affects the housing management functions of a relevant landlord. It can also consist of or involve using or threatening to use housing accommodation owned or managed by a relevant landlord for an unlawful purpose”.

The persons that the conduct may cause nuisance or annoyance to, can include anyone who has a right to live in a property owned or managed by the landlord or any person living in any other property within the neighbourhood (e.g. owner occupiers, tenants of other landlords) and anyone else lawfully in such property or in the locality for example working or using local facilities”.

The ODPM describes the Housing Management Function as any activity that the landlord would undertake in the day-to-day and strategic management of the stock. This could include:

- Resident and Community Involvement
- Maintenance and Repairs
- Rent collection, arrears prevention and pursuance
- Neighbourhood Management
- Allocations and Transfers

Anti-social behaviour can include, but is not limited to:

- Harassment of residents and passers by
- Criminal damage
- Vandalism
- Noise Nuisance
- Writing graffiti
- Engaging in threatening behaviour in large groups
- Smoking or drinking alcohol while under age
- Using accommodation to sell drugs or for other unlawful purposes
- Substance misuse
- Joyriding
- Begging
- Prostitution
- Kerb Crawling
- Throwing missiles
- Flytipping
- Vehicle crime
- Aggressive and threatening language and behaviour
- Violence against people and property
- Hate behaviour which targets members of identified groups because of their perceived differences

When assessing reports of anti-social behaviour, the Association will consider both the severity and frequency of incidents, how they have affected complainants/victims or witnesses and any other relevant factors. This could include the age and construction of the building and if the alleged perpetrator is vulnerable or has any disabilities.

Nuisance

The law makes a distinction between public, private and statutory nuisance. Those distinctions are explained below.

Private Nuisance

Private nuisance can be described as 'unlawful interference with a person's use or enjoyment of land or property, or with their health, comfort or convenience.' this includes:

- Overhanging tree branches
- Acts and/or omissions causing physical damage (subsidence)
- Undue interference with comfort and enjoyment (unreasonable noise)

The criteria used for standard comfort and convenience is:

- The character of the neighbourhood – whether planning permission has been granted
- Whether or not the activities being complained about are 'normal', so temporary building work is probably not a nuisance
- Duration of interference
- Whether the behaviour was deliberate

Certain 'nuisances' are accepted as part of life e.g. cooking smells, one of parties.

ANTI-SOCIAL BEHAVIOUR POLICY



Public Nuisance

Public nuisances can be described as some unlawful act or omission endangering or interfering with the lives, comfort, property or common rights of the public or to a class of people in a neighbourhood.

Actions against perpetrators of public nuisance can be only be taken by the Attorney General or a Local Authority. Examples of public nuisance are;

- Noise from fairgrounds
- Keeping a brothel
- Obstruction of the highway
- Keeping dangerous premises near a highway

Statutory Nuisance

Section 79(1) of the Environmental Protection Act 1990 defines statutory nuisance as;

- (a) Any premises in such a state as to be prejudicial to health or a nuisance
- (b) Smoke emitted from premises so as to be prejudicial to health or a nuisance
- (c) Fumes or gases emitted from premises so as to be prejudicial to health or a nuisance
- (d) Any dust, steam, smell or effluvia arising on industrial, trade or business premises and being prejudicial to health or a nuisance
- (e) Any accumulation or deposit which is prejudicial to health or a nuisance
- (f) Any animal kept in such a place or manner as to be prejudicial to health or a nuisance
- (g) Noise emitted from premises so as to be prejudicial to health or a nuisance
- (h) Any other matter declared by any enactment to be a statutory nuisance

For cases of nuisance, we will work closely with the Local Authority Environmental Health Department. Under the Environmental Protection Act 1990, it is the duty of every Local Authority to cause its area to be inspected from time to time to detect statutory nuisances or where a complaint of a statutory nuisance is made by any person living in the area, a duty to take such steps as are reasonably practicable to investigate the complaint. It is the Environment Health section/department of the local authority that are empowered to act in this way.

Racial Harassment & Hate Crime

Racial Harassment and Hate Crime are some of the most distressing crimes for victims and the wider community. We acknowledge that such cases are under reported and seek to assist this through our approach in dealing with incidents of this nature. We totally condemn and are committed to fighting racial harassment and hate crime. Any Cosmopolitan resident or employee who is a victim of racial harassment or hate crime or who witnesses such action is encouraged to report the incident to us and the Police so as the most appropriate action against the offender.

Racial Harassment

The term 'racial harassment' involves verbal or physical behaviour that intimidates, dominates or harms an individual, a family, or a group and is motivated by their race, cultural identity, or creed or the victim believes that the perpetrator was acting on such racial grounds.

This definition of 'racial harassment' is consistent with the definition of a racist incident as endorsed in the McPherson inquiry of 1999, which is 'any incident which is perceived to be racist by the victim or any other person'.

ANTI-SOCIAL BEHAVIOUR POLICY



Hate Crime

Hate Crime and Hate Incidents are defined by the Association of Police Officers (ACPO) as:

Hate incident :

Any incident that may or may not constitute a criminal offence, which is perceived by the victim or any other person as being motivated by prejudice or hate.

Hate crime:

Any incident, which constitutes a criminal offence, perceived by the victim or any other person, as being motivated by prejudice or hate. Any crime can be motivated by hate or prejudice

Hate crimes/ incidents can cause a person to feel humiliated, embarrassed or angry. In extreme circumstances, they can cause death or injury and will almost always cause stress, ill health and fear. Repeated episodes may lead to severe distress, making life intolerable.

Episodes of hate crime/ incidents are not only significant for an individual, family or group; they have widespread implications for the whole community. They can create a climate of fear and can stop people from taking part in everyday life and democratic processes.

Hate incidents/crimes may include the following, although this list is not comprehensive or exhaustive:

- Malicious phone calls
- Threatening behaviour
- Arson
- Providing or offering offensive literature
- Damage to property
- Assault
- Verbal abuse and threats
- Jokes
- Graffiti & fly posting
- E-mail

Examples of what can be described as a Hate Crime are;

Racial & religious incidents:

A racist or religious incident is any incident which is perceived to be racist by the victim or any other person.

Homophobic crime:

Any incident which is perceived to be homophobic or transphobic by the victim or by any other person.

Disability hate crime:

Any incident which is perceived by the victim or any other person to be based upon prejudice towards, or hostility towards, the victim because of their disability.

Transphobic Incident :

Any incident, which is perceived to be transphobic by the complainant or any other person. Transphobia is an irrational fear or hatred of individuals who are or appear to be transsexual, transvestite or transgender. A transphobic incident is a hate incident motivated by transphobia, committed against people who are or appear to be Transsexual, Transvestite or Transgender. The term ' Transgender' is an umbrella term, which includes transsexual, transvestite and transgenderist.

Faith Related Incident :

ANTI-SOCIAL BEHAVIOUR POLICY



Any incident, which is perceived to be based upon prejudice towards or hatred of the faith of the complainant or so perceived by the complainant or any other person.

Sectarian Incident :

Any incident, which is perceived to be sectarian by the complainant or any other person.

Sectarianism often implies discrimination, denunciation, or violence against those outside a particular group, the term is most often used to refer to religious sectarianism, involving conflict between members of different religions or denominations of the same religion. It is also frequently used to refer to political sectarianism, generally on the part of a tight-knit political faction or party.

Asylum Seekers :

Any incident which is perceived to be based on a person's immigration status as an asylum seeker by the complainant or any other person.

Travellers and Gypsies :

Any incident which is perceived to be based on the individual being a member of the Traveller or Gypsy community by the complainant or any other person.

Age:

Any incident, which is perceived to be based on a person's age by the complainant or any other person

Harassment

The term 'harassment' involves verbal or physical behaviour that intimidates, dominates or harms an individual, a family, or a group.

Harassment is usually intended to deliberately cause suffering. It may take many forms of threatening or aggressive behaviour, both verbal and physical, against both people and their property

Domestic Violence

The Home Office characterises Domestic Violence as:

Domestic violence (abuse) is the mental, physical, sexual, emotional, psychological and/or economic abuse by another who is in, or has been in a relationship with them.

The relationship may be between partners, or ex-partners, or any other family members. Children involved in domestic violence may also be the victim of direct or indirect abuse.

The Association also recognises that domestic violence can be perpetrated by both men and women, and that it can also take place in same sex relationships. We will ensure that all survivors are treated equally with the same respect and sensitivity regardless of:

- Gender
- Marital Status
- Sexual Orientation
- Ethnicity
- Disability
- Age
- Religious belief

The Association recognises the serious and widespread nature of domestic violence and aims to give priority for re-housing under our Lettings Policy to survivors of a violent relationship, or those who are living in danger, or fear of violence, harassment or sexual abuse.

We adopt a survivor centred approach. Our Policy is based on what the survivor wishes to do. Our Policy & Procedures are designed to ensure that the survivor has the necessary support and advice from us and other more specialist agencies. This approach means that officers accept the survivor's view of what is happening to them and

this principle will apply during the investigation of the complaint.

We are committed to supporting survivors and those affected by domestic violence and will endeavour to assist them throughout the whole process. In order to ensure that survivors get the correct and appropriate level of support and advice we will direct them to relevant agencies that are more suited and qualified to provide this assistance. It may become apparent during investigations that the survivor wishes us to offer support to the perpetrator who may also have support needs. These may be as a direct or indirect consequence of:

- Mental health
- Disability
- Drug abuse
- Alcohol abuse

Where these needs are identified, the Association will make a referral to relevant agencies with the perpetrators permission in order for a support package to be put in place. By addressing needs, the behaviour may be modified.

We understand how domestic violence impacts upon the lives of minority ethnic women and children. In some cultures the concept of faith and culture are interlinked therefore, it can be more difficult for survivors to report domestic violence, particularly as a stigma can be attached to a woman who leaves the matrimonial home due to domestic violence. We can provide all information leaflets and letters in a translated format or in Braille, audio and in large print. We also use translation services for telephone calls and face-to face meetings.

We ensure staff dealing with domestic violence are given full training to ensure that they have all of the skills required to deal with issues in a speedy and professional manner with the objective being to resolve complaints as quickly as possible and to the satisfaction of the survivor.

7. STAFF AND ANTI SOCIAL BEHAVIOUR

Our own staff or the staff of agencies that work with us can also be on the receiving end of anti social behaviour. The Association does not tolerate this and operate a zero tolerance approach to this type of behaviour.

We will do all we reasonably can to deal with such incidents in all the ways that we use for our tenants and communities that are mentioned in this policy and our procedures that accompany it. We recognise and value of staff's energy, commitment and input into dealing with anti social behaviour. We will provide appropriate resources and adequate training for them to be able to deal with anti social behaviour as part of their jobs.

8. SERVICE STANDARDS

Cosmopolitan Housing Association is committed to delivering the highest level of service to its customers.

Customer Service is regarded as high priority for us and we will always treat our customers in an open, honest and impartial way, respecting confidentiality.

Staff are trained to deal with customer enquiries efficiently and effectively and have all received training on equality and diversity issues to ensure that they are able to deal sensitively with the needs of our customers.

We will ensure that the following standards are delivered whilst dealing with any complaints covered within this policy:

Anti Social behaviour

- All complaints of general anti social behaviour will be acknowledged within 1 working day.
- Complainants will be interviewed within 5 working days.
- We will agree an action plan with complainants, which will outline what they can expect from us and what we will expect from them in order to try to resolve the complaint.
- Contact during the complaint will be maintained at a frequency agreed between the complainant and us as part of their complainant action plan (a minimum of fortnightly contact will be maintained)
- We will offer a support pack, which will include a diary to log details of further incidents, our minimum service standards and a list of useful contacts.
- We will carry out an initial investigation within 14 working days of receiving the complaint.
- We will agree (when appropriate) with the complainant what action can and will be taken to resolve matters
- We will interview the perpetrator (when known) and with the clients permission within 5 working days of receiving the complaint.
- Cases will be closed in the following circumstances;
 - Upon request by complainants
 - In certain cases where the complainant makes no contact with us or information reasonably requested by us is not provided
 - In our professional opinion the anti social behaviour reported is no longer a cause for concern
 - Action has been taken which results in the anti social behaviour stopping
 - After 28 days of inactivity
- We will contact the complainant within 28 days after the case has been closed asking them to complete a customer satisfaction questionnaire asking for feedback on how the complaint was handled.

Nuisance

- All complaints of general anti social behaviour will be acknowledged within 1 working day.
- Complainants will be interviewed within 5 working days.
- We will agree an action plan with complainants, which will outline what they can expect from us and what we will expect from them in order to try to resolve the complaint.
- Contact during the complaint will be maintained at a frequency agreed between the complainant and us as part of their complainant action plan (a minimum of fortnightly contact will be maintained)
- We will offer a support pack, which will include a diary to log details of further incidents, our minimum service standards and a list of useful contacts.
- We will carry out an initial investigation within 14 working days of receiving the complaint.
- We will agree (when appropriate) with the complainant what action can and will be taken to resolve matters
- We will interview the perpetrator (when known and appropriate) and with the clients permission within 5 working days of receiving the complaint.
- Cases will be closed in the following circumstances;
 - Upon request by complainants
 - In certain cases where the complainant makes no contact with us or information reasonably requested by us is not provided
 - In our professional opinion the anti social behaviour reported is no longer a cause for concern
 - Action has been taken which results in the anti social behaviour stopping
 - After 28 days of inactivity

ANTI-SOCIAL BEHAVIOUR POLICY



- We will contact the complainant within 28 days after the case has been closed asking them to complete a customer satisfaction questionnaire asking for feedback on how the complaint was handled.

Harassment

- We will recognise harassment as a potential crime and as a crime take action with partners to prevent and resolve such matters
- All complaints of Harassment will be acknowledged within 1 working day
- Complainants will be interviewed within 1 working day.
- We will agree an action plan with complainants, which will outline what they can expect from us and what we will expect from them in order to try to resolve the complaint.
- Contact during the complaint will be maintained at a frequency agreed between the complainant and us as part of their complainant action plan (a minimum of fortnightly contact will be maintained)
- We will offer a support pack, which will include a diary to log details of further incidents, our minimum service standards and a list of useful contacts.
- We will offer extra security measures such as extra door and window locks, spy holes in doors, personal attack alarms, door chains, use of a mobile phone (for emergency use only) and extra security lighting
- We will carry out an initial investigation within 14 working days of receiving the complaint.
- We will agree (when appropriate) with the complainant what action can and will be taken to resolve matters.
- We will interview the perpetrator (when known and appropriate) and with the clients permission within 5 working days of receiving the complaint
- Cases will be closed in the following circumstances;
 - Upon request by complainants
 - In certain cases where the complainant makes no contact with us or information reasonably requested by us is not provided
 - In our professional opinion the anti social behaviour reported is no longer a cause for concern
 - Action has been taken which results in the anti social behaviour stopping
 - After 28 days of inactivity
- We will contact the complainant within 28 days after the case has been closed asking them to complete a customer satisfaction questionnaire asking for feedback on how the complaint was handled.

Racial harassment & Hate crime

- We will recognise racial harassment and Hate Crime as crimes and take action with partners to prevent and resolve such matters
- All complaints of Racial Harassment and Hate Crime will be acknowledged within 1 working day
- If there has been a serious incident involving criminal activity for example an arson attack or serious physical assault we will arrange an interview within 24 hours
- The complainant will be able to choose where the interview/meeting will take place
- We will agree an action plan with complainants, which will outline what they can expect from us and what we will expect from them in order to try and resolve the complaint.
- We will contact/make referrals to relevant outside agencies who can provide support and advice
- Emergency repairs will be made within 24 hours and racial graffiti removed within 24 hours
- Contact during the complaint will be maintained at a frequency agreed between the complainant and us as part of the complainants action plan (a minimum of weekly contact will be maintained)
- We will offer extra security measures such as extra locks, spy holes, personal attack alarms, door chains, a mobile phone (to be used for emergencies) and extra security lighting

- We will provide the complainant with the name of the line manager as a point of contact other than the Tenancy Management Officer dealing with the complaint.
- We will carry out an initial investigation within 14 working days of receiving the complaint.
- We will agree with the complainant what action can and will be taken to resolve matters.
- We will interview the perpetrator (when known and appropriate) and with the clients permission within 1 working day of receiving the complaint.
- Cases will be closed in the following circumstances;
 - Upon request by complainants
 - In certain cases where the complainant makes no contact with us or information reasonably requested by us is not provided
 - In our professional opinion the anti social behaviour reported is no longer a cause for concern
 - Action has been taken which results in the anti social behaviour stopping
 - After 28 days of inactivity
- We will contact the complainant within 28 days after the case has been closed asking them to complete a customer satisfaction questionnaire asking for feedback on how the complaint was handled.

Domestic Violence

- We will recognise and accept all complaints of Domestic Violence
- All complaints of Domestic Violence will be acknowledged within 1 working day
- All persons reporting Domestic Violence will be referred to as survivors
- If there has been a serious incident involving criminal activity for example an arson attack or serious physical assault we will arrange an interview within 24 hours
- The client will be able to choose where the interview/meeting will take place
- We will agree an action plan with complainants, which will outline what they can expect from us and what we will expect from them in order to try and resolve the complaint.
- We will contact/make referrals to relevant outside agencies who can provide support and advice
- Emergency repairs will be made within 24 hours
- We will offer extra security measures such as extra locks, spy holes, personal attack alarms, door chains, a mobile phone (to be used for emergencies) and extra security lighting.
- Contact during the complaint will be maintained at a frequency agreed between the complainant and us as part of their complainants action plan (a minimum of weekly contact will be maintained)
- We will provide the survivor with the name of the line manager as a point of contact other than the Tenancy Management Officer dealing with the complaint.
- We will carry out an initial investigation within 14 working days of receiving the complaint
- We will agree with the complainant what action can and will be taken to resolve matters
- We will interview the perpetrator (when known and appropriate) and with the clients permission within 1 working day of receiving the complaint
- Cases will be closed in the following circumstances;
 - Upon request by complainants
 - In certain cases where the complainant makes no contact with us or information reasonably requested by us is not provided
 - In our professional opinion the anti social behaviour reported is no longer a cause for concern
 - Action has been taken which results in the anti social behaviour stopping
 - After 28 days of inactivity
- We will contact the complainant within 28 days after the case has been closed asking them to complete a customer satisfaction questionnaire asking for feedback on how the complaint was handled.

The safety and welfare of the survivor whose complaints form the basis of any action will at every stage of the process be the first consideration. This is done through well informed practical and personal support.

9. PERPETRATORS

In addition to taking both a tough line against anti-social behaviour and supporting witnesses to provide an effective service, the Association must consider the positive impacts that support might have on perpetrators.

Perpetrators often cause acts or instances of anti-social behaviour as a direct or indirect result of:

- Drug Abuse
- Alcohol Abuse
- Mental Health
- Disability
- Youth

It is important that in order to stop the behaviour the Association will work with and offer support (often via specialist agencies) to perpetrators. This support will be ongoing for as long as required and will not cease just because the anti social behaviour has stopped and the case has been closed.

The Association will consider what action it is able to take in order to create changes in perpetrators behaviour rather than simply displacing it. Where a perpetrator refuses such support then the action outlined in this policy will be taken.

10. PREVENTION OF ANTI SOCIAL BEHAVIOUR, PRO-ACTIVE AND DIVERSIONARY MEASURES

The Association recognises that preventing anti-social behaviour before it occurs is as important as dealing with incidents when they arise. As well as taking swift and prompt action to tackle anti social behaviour, the Association will develop along with partners active solutions to act as diversionary measure to prevent anti social behaviour. In order to help prevent anti-social behaviour from arising the Association will make use of a plethora of different tools and approaches, including the following:

- Use Starter Tenancies for all new tenants in order to provide a probationary period of tenancy
- Adopt sensitive lettings, allocation strategies. Good neighbour agreements and house rules to avoid conflicting lifestyles wherever possible. This would include the development of Estate Strategies, designed to tackle issues such as high child density and poorly designed estates by giving priority to certain types of lettings, e.g. under-occupation, and designing out the opportunity to commit crime
- Sign up to Information Exchange protocols, in order to share information about proven perpetrators
- Undertake detailed sign-up procedures in which the Association's stance to anti-social behaviour is clearly explained
- Make available to all residents a summary of the Association's policies and procedures for dealing with anti-social behaviour
- Offer floating support to vulnerable tenants who may be unaware of how their actions are affecting their neighbours
- Publicise twice yearly in the form of a newsletter our approach to dealing with anti-social behaviour, including initiatives, agencies who can assist, and action taken against perpetrators of anti-social behaviour

- Carry out physical interventions/improvements to reduce or minimise anti-social behaviour
- Design out the opportunity to commit crime or anti-social behaviour at the development stage
- Make appropriate use of C.C.T.V. monitoring equipment and other available methods of evidence gathering
- Refer cases to mediation Services at an early stage to prevent problems from escalating
- Provide effective security on all empty properties to prevent instances of vandalism and other criminality

11. NON - LEGAL REMEDIES

In dealing with anti social behaviour, we adopt an incremental approach to dealing with complaints of this nature. This means that we will always consider non-legal remedies before legal action in an attempt to moderate the behaviours of a perpetrator. The Association will make use of a range of non-legal action to tackle less serious cases of anti-social behaviour. These include the following:

Community Agreements & Good Neighbour Agreements

In line with the Governments RESPECT agenda, the Association will use these agreements in neighbourhoods where we have large concentrations of stock to enhance and reinforce the terms of a tenancy. They state the level and type of behaviour, which local people believe, is acceptable and unacceptable. Although not legally binding, they can be used further down the legal route to demonstrate reasonableness on the part of the landlord. They are often used in publicity to promote a better image for an area and reinforce the types of behaviour that a local community will not tolerate. In areas where we have a low concentration of stock links will be made with Local Authority or lead RSL's Agreements.

ABCs (Acceptable Behaviour Contracts)

An ABC is a voluntary written agreement between a young person (usually aged between 10 and 18 years), an RSL, and the Police. Under the terms of an ABC, the young person agrees not to be involved with certain anti-social acts.

The terms of an ABC are developed and agreed with the young person in an interview. The contract is signed in the presence of the young person's parents/guardians, an officer of the RSL, a Police Officer, and where appropriate, a member of the local Youth Offending Team or other such relevant agency.

The aim of an ABC is to ensure that the young person takes responsibility for their actions and becomes aware of the impact of their actions on other peoples' lives. It also sets out the possible consequences to the subject and their family, should the behaviour continue.

The priority is to stop the behaviour and to steer the perpetrators of anti-social behaviour away from such activities.

The type of behaviour included in ABCs is typically:

- Not to write graffiti or cause damage to property
- Not to start or give verbal abuse to passers-by
- Not to congregate in groups on street corners or in communal areas
- Not to dump rubbish or litter

After the contract has been signed, it is crucial that it is monitored. The RSL, Police and the young person monitor progress and check compliance with the Order. This will be done through regular monitoring by the Association and other agencies usually through a multi agency approach.

If breached, further action may be taken. This could include applying for an Anti-Social Behaviour Order (ASBO) or seeking possession of the property where the perpetrator resides. Depending on the seriousness, a further meeting may be more appropriate to re-iterate the terms of the contract and decide what measure to take next.

Mediation

Mediation is a well-recognised process for resolving disagreements where a third party (the mediator) helps the parties in dispute to find a mutually acceptable resolution. It encourages people to resolve their own disputes, rather than imposing threats or legal solutions on to them.

Mediation is the Association's preferred route where informal conciliation has failed. It is recognised that it achieves the best results when cases are referred as early as possible, before levels of frustration have reached such levels that an amicable solution becomes improbable.

Mediation is based on the following principles:

- Collaborative problem solving between those in dispute to reach a situation that is acceptable to all.
- A focus on the future, emphasising re-building relationships rather than blame for what has happened in the past.
- Acknowledging feelings as well as facts, allowing participants to let go of their anger.

Mediation is a tried and tested method of dealing with disputes and is widely accepted as being successful because:

- It allows people to be heard and apologise in order to put the situation right
- It empowers people to come up with their own solutions and gives a sense of ownership to the solution
- It is less intimidating than legal action and allows people to represent themselves
- It can be organised quickly and can be completed within weeks

The Association recognises that referrals for mediation may be made even before all parties have agreed to such action, as the Mediator may be able to convince the other party to participate. It also does not have to involve all parties coming face-to-face with each other, as the Mediator may be able to go between parties in order to achieve an amicable solution that enables all parties to live alongside each other without conflict or tension. The Association recognises mediation as a tool to reduce the incidence of repeat complaints of anti-social behaviour and promote social inclusion and empowerment of individuals and communities.

Re-housing

We do not consider re-housing to be a tool to tackle anti social behaviour however where there are extreme incidents that put victims or witnesses, that are our tenants, in direct danger, re-housing will be considered. Rehousing will only be considered following advice/consultation with the Police or other relevant qualified agency.

Where emergency re-housing is required, the Allocations Policy should be followed and the Operations Director must give any approval.

12. LEGAL REMEDIES

Racial Harassment, Harassment and Hate Crime

In these types of cases, non-legal remedies are inappropriate therefore, we will use legal remedies. Before any legal action is taken, an assessment will be undertaken to consider that the legal action is proportionate to the level of incidents/crime and that non-legal remedies are not appropriate. Where non-legal remedies are appropriate we will have exhausted these before legal action is taken

Domestic Violence

Although we cannot offer legal advice to survivors of domestic violence, we can offer help and support in seeking legal redress.

It is important that if a criminal conviction is obtained against a perpetrator of domestic violence, that they are not rewarded with a tenancy.

ANTI-SOCIAL BEHAVIOUR POLICY



Within the procedure accompanying this Policy there are details about the use of occupation orders and tenancy rights.

Injunctions

Section 13 of the Anti-Social Behaviour Act 2003 and section 153 of the 1996 Housing Act RSL's can apply for housing injunctions to prevent behaviour capable of causing nuisance and annoyance, which directly or indirectly affects its management functions.

This makes it easier to exclude perpetrators from areas where they have been causing trouble. Wider categories of people can be protected such as homeowners or leaseholders.

The forms of injunction the Association may seek, depending upon the circumstances of a case are:

- Ex parte or without notice injunction. A type of injunction used in cases that need immediate action because of violence or threats of violence. It is where the defendant is not told of the application until after the order is made.
- Interim injunction. A type of temporary injunction used in cases that do not need immediate action or that are a follow up to an Ex parte injunction. These can be used to cover any waiting period until a full injunction can be obtained.
- Injunction. An order from the court that tells the perpetrator to either do something (mandatory) or stop doing something (prohibitory).

The injunction, if granted, will be either;

- Mandatory – an order compelling the defendant to do something, or
- Prohibitory – an order compelling the defendant not to do something

Breaking an injunction is a serious offence that could result in a maximum of up to two years in prison for contempt of court

Anti-Social Behaviour Orders (ASBOs)

Anti Social Behaviour Orders are civil orders that exist to protect the public from behaviour that causes or is likely to cause harassment, alarm or distress. An order contains conditions prohibiting the offender from specific anti-social acts or from entering defined areas.

ASBO's are effective for a minimum period of two years and can be granted against anyone over the age of 10 years regardless of tenure. The burden of proof to gain an Order is based on civil burden i.e. "Balance of Probabilities". Section 61 of the Police Reform Act 2002 allows RSL's to apply for an ASBO in their own right as long as they follow the correct consultation procedure.

Consultation

Section 1e of the Crime and Disorder Act 1998 sets out the consultation requirements for agencies seeking ASBO's. All applications for an ASBO will be passed through either the Association Legal Advisors or local Police before a consultation meeting is called.

Consultation must take place between the RSL and the two statutory bodies i.e. Relevant Local Authority and the local Police Authority whose area includes the address where the perpetrator resides or appears to reside. When an application for an ASBO is made, a signed document of consultation is required by the court.

Any other relevant agency may be invited to attend the consultation meeting i.e. Youth Offending Team, Social Services, Education etc, this does not mean that these agencies have to agree to an application, but only that they are told of the intended application and to give them the opportunity to comment or put alternative solution forward.

Interim ASBO's

Section 65 introduces a system of Interim ASBO's, where an order can be made at an initial hearing held in advance of the full ASBO hearing. This temporary order can impose the same condition penalties for breaches as a full ASBO. The interim order can be made ex-parte, which means that notice of proceedings do not have to be given to the defendants. Interim Orders are used for more serious cases to protect the public and stop intimidation of witnesses. The interim order lasts until either the full hearing has taken place or the application has been withdrawn.

Breach of ASBO

Breach of an ASBO is a criminal offence and as such is subject to criminal procedures and penalties. The standard of proof needed for a conviction is criminal standard requiring guilt to be established beyond reasonable doubt. Breach of an order on summary conviction carries a penalty of up to 6 months imprisonment and / or £5000 fine. If indicted the sentence rises to a maximum 5 years and or an unlimited fine.

Notice of Intention to Seek Possession (NISP)

The Association will issue tenants with a Notice of Intention to Seek Possession (NISP) when there have been any serious or repeated breaches of tenancy conditions.

The issuing of a NISP is often effective in itself in changing a person's behaviour where a person or persons are unable to accept that their behaviour is causing a problem.

A Notice of Intention to Seek Possession, once effective, lasts for a period of 1 year. It is served with the intention of warning the tenant that their own, any member of their family, or visitor's behaviour will not be accepted.

The Association may also, from time to time, serve Notice of Intention to Seek Possession in conjunction with taking other forms of action e.g. a Notice of Intention to Seek Possession may be served on the parent of a child signing up to an acceptable behaviour contract.

The issuing of a NISP does not automatically result in possession being granted. The Association must subsequently apply for a court hearing in which a judge would decide, based upon the evidence presented, if there is firstly a ground for possession, and secondly, if it would be 'reasonable' for the tenant to lose their home.

Starter Tenancies – Terminating the tenancy

Where a decision has been made to end the tenancy, the Association will issue a Notice Requiring Possession (NRP), giving the tenant at least two months' notice of our intention to terminate. NRPs will only be served on the grounds of ASB and not for rent arrears or other breaches of tenancy.

At least two months' notice must be given, ending at the end of a rent period, which will normally be on a Sunday, and no earlier than the tenancy could otherwise have been brought to an end by a Notice to Quit. A failure to serve notice in time may result in the tenancy changing status and becoming an assured tenancy

In the case where ASB only occurs towards the end of the starter period, the very latest that the notice should be issued is the last day of the starter period. In this case, the tenancy will remain an assured short hold until two months after the notice has expired or until the possession proceedings have been concluded (provided they were started during this 2 month period).

Starter Tenancies – Extending the tenancy

A starter tenancy cannot continue indefinitely, but in cases where ASB has occurred after the review or where the behavior of a tenant is still being monitored, a management decision may be taken to extend the starter period for up to a maximum of six months. There should be evidence to support this decision and all information received from the tenant must be considered when reaching this decision. The extension and the reasons for it will be set out in the letter to the tenant.

Starter Tenancies – Appeals against terminating or extending the tenancy

ANTI-SOCIAL BEHAVIOUR POLICY



CHA provides access to an appeals process for starter tenants wishing to appeal the decision to extend or terminate their tenancy. Information on appeals will be provided to tenants at the beginning of their tenancy and at the point where action to extend or terminate is initiated. More information on Starter Tenancies can be found in the Association's Starter Tenancy Policy.

Demoted Tenancies

The Anti-Social Behaviour Act 2003 introduced the power for RSLs to apply for a demotion order in relation to a tenant's security of tenure.

A demotion order is an order to demote the tenancy status therefore a secure tenancy becomes the equivalent of an introductory tenancy and an assured tenancy becomes an assured short hold tenancy.

When a tenancy is demoted the parties to the tenancy; the amount of rent and the date rent is due remains the same. The demoted tenants have reduced succession and assignment rights and lose the right to buy. Demoted tenants will not be allowed to transfer or conduct a mutual exchange during the demotion period. The demoted tenancy starts on the date of the court order and ends twelve months after this date unless:

- Landlord or tenant conditions fail
- Demotion order is quashed
- Tenant dies with no successor

Once the tenancy has been demoted and if any breaches occur, we can issue a notice of proceedings for possession, there is no six-month wait before action can be taken, this is where a demoted tenancy differs from an assured short hold tenancy.

Service of a section 8 Notice of Seeking Possession (NSP) for any of the Grounds or a section 21 notice will end the tenancy. There can be no trial at a court hearing, as the judge would have to grant mandatory possession.

If no action is taken at the end of the demotion period, the tenancy will be promoted to an assured tenancy. An RSL secure tenant who has their tenancy demoted will then become an assured tenant; they will never regain the rights of a secure tenant.

ANTI-SOCIAL BEHAVIOUR POLICY



Possession Orders

The Association will consider applying to the County Court for a Possession Order where a tenant is in breach of the terms of their tenancy agreement, and all other forms of action to prevent anti-social behaviour have broken down. The Association will seek possession when:

- A notice of intention to seek possession has been issued and the tenant's behaviour continues
- An injunction has been sought against a tenant of the Association and the tenant's behaviour continues
- An ASBO has been sought against a tenant of the Association and the tenant's behaviour continues
- The breach is of such a serious nature that it warrants possession being sought, e.g. a tenant has assaulted or injured another tenant or member of staff/contractor

At the County Court Hearing, the Association will consider seeking the following orders: -

- Outright Possession Order - this will be sought where the tenant has made no attempt to change their behaviour and all other options have been tried
- Postponed Possession Order - the Association will consider a suspended Possession Order on condition the tenant is willing to change their behaviour and will receive the appropriate support to do so
- Demotion Order - this replaces a tenant's existing tenancy and gives them a less secure demoted tenancy. At the end of the year, if the tenant's conduct has been satisfactory the tenancy will become an Assured Tenancy.
- Eviction - this is the Association's last option in dealing with anti-social behaviour and will only be applied for if all other reasonable steps to stop the behaviour have been taken or considered.

13. SUPPORT DURING & AFTER THE COMPLAINT

Witness Support is crucial to the successful implementation of this Anti-Social Behaviour Policy. Section 12 of the Anti-Social Behaviour Act 2003 states:

"Landlords should support their complainants by dealing with their complaint promptly, keeping them informed of any developments relating to their complaint and referring them to appropriate support services and should be setting up systems and adopting approaches that seek to improve success rates..... While boosting the morale and confidence of witnesses the agencies involved and the wider community"

Complainants will only be willing to come forward if we are credible and authoritative and if the casework is visibly focused on the interests of the witnesses. This is done through well informed practical personal support throughout the period of evidence collection, court proceedings and as necessary after court.

Support and assistance will be provided to complainants through the whole process and will be offered to complainants following case closure. We embrace a multi agency approach and will work with partners to develop and support complainants. The safety and welfare of residents whose complaints form the basis of any action must at every stage of the process be the first consideration.

Often the mention that a complainant may have to appear in court will deter them from giving evidence as will the thought that they may suffer reprisals from the perpetrator and/or the perpetrator's associates. Where residents are vulnerable or unable to provide evidence, we will use professional witnesses and/or video surveillance as an alternative. Where appropriate, staff can give evidence in court if they witness ASB or they can take witnesses statements which they can present to court as hearsay evidence.

As well as working with other agencies, we can provide support to witnesses, such as:

- Information on our services and other agencies including relevant telephone numbers
- A simple method of recording information according to any relevant needs

ANTI-SOCIAL BEHAVIOUR POLICY



- Control over information they provide, constant reassurance about their safety and needs
- Any necessary security devices such as door and window locks, panic alarms, mobile phones
- Support for any court appearances to include a chance to see the court before hand. We will consider claims for any expenses caused by attendance at court i.e. travel
- Assistance with referrals to agencies such as Victim Support who provide a witness support service

Out of Hours Telephone Service

We have introduced an out of hours service to enable witnesses to report incidents and gain advice. This service is designed as a signposting tool to direct witnesses to the appropriate agency out of offices hours, for example advising witnesses to report incidents to Police. Where incidents are reported, they will be logged and passed to the relevant Tenancy Management Officer the next working day who will follow the investigation procedures as set out in this policy.

14. DATA PROTECTION AND INFORMATION EXCHANGE

The Association recognises that complainants will be concerned that providing information could lead to retaliation from the perpetrator. It is important that the information they provide to the Association is confidential. Handling and releasing information provided to the Association is explained in its Access to Information Policy.

There are occasions when the Association will share information relating to applicants and perpetrators. The Crime and Disorder Act 1998, Section 15, gives the Association power to disclose information when it is necessary to detect or prevent crime.

The National Housing Federation's guidance on disclosure will be complied with, which states "in order to satisfy the non disclosure exemption in the Data Protection Act any request for personal information whose purpose is the prevention or detection of crime should specify as clearly as possible how failure to disclose would prejudice the objective".

Where information is shared with other agencies, the Association will have protocols in place, which clearly state what type of information might be shared, with whom and for what purpose.

15. OUTSIDE AGENCIES AND PARTNERSHIP WORKING

The success of this policy is reliant on the Association not operating in isolation. RSLs like Cosmopolitan Housing Association are part of a number of agencies that are affected by, and can take action to deal with, anti-social behaviour. Anti-social behaviour is a complicated problem and it is highly unlikely that the causes or solutions will be able to be dealt with by one organisation.

Multi-agency partnerships require property owners to work with residents and agencies such as the Police, Anti Social Behaviour Units, Crime and Disorder Partnerships, Youth offending teams, Schools, Social Services, Health services and Probation services. Development and review of these partnerships can be an effective method of both preventing and taking action against anti-social behaviour.

By co-ordinating, our approach to anti-social behaviour and working with specialist agencies the Association may be able to prevent legal action relating to anti-social behaviour.

The Association will work with the following and other appropriate agencies to combat anti-social behaviour:

- Local authorities, including Anti-Social Behaviour Units (ASBUs)
- Other Registered Social Landlords
- Tenants and residents
- Crime and Disorder Partnerships
- Police
- Home Office

- Victim Support
- Minority ethnic groups
- Mediation services
- Specialist agencies, e.g. Diversity agencies and services and Domestic Violence Support Agencies

16. WORKING WITH OTHER AGENCIES MANAGING COSMOPOLITAN HOUSING STOCK

The Association partners with Managing Agents to provide Housing Management services. We work in conjunction with these agents and other statutory and voluntary agencies to ensure both preventative measures and procedures are established to minimise risk and to combat anti social behaviour where it exists in our support schemes and within the wider communities in which we operate.

The Association and our partner agents have jointly negotiated policies and procedures, which we use to deal with matters of anti social behaviour, including use of incident diaries, and the application of Injunctions and Anti-Social Behaviour Orders.

All reported incidences of anti social behaviour will be treated in confidence and dealt with sensitively, ensuring evidence is gathered in a manner, which is appropriate to the wishes of the individual.

17. CROSS TENURE ISSUES

The Anti-Social Behaviour Act 2003 gave the Association increased powers to tackle anti-social behaviour. In addition to tenants of the Association action can now be taken against, and to protect, owner-occupiers and private tenants.

The Association adopts a 'Neighbourhood Management' approach and will work with Local Authorities through their Crime and Disorder Partnerships, multi-agency partnerships and other RSLs by sharing information and collaboration on policies to address anti-social behaviour.

On a local "Neighbourhood" level Tenancy Management Officers will build relationships with the Community Police Officer, working in their areas, meeting regularly to discuss cases of anti-social behaviour and agree an appropriate course of action.

18. MEDIA AND PUBLICITY

We have a commitment to deal with anti social behaviour. One of the elements which accompanies this commitment is how and when to publicise successful action, which has been taken to resolve, matters of anti social behaviour.

key aims of publicity:

- To inform the community of our stance regarding anti social behaviour.
- To inform the community of what actions have been taken to deal with ASB.
- To help prevent and deter anti-social behaviour.

It is vitally important that the identity of witnesses and victims of anti social behaviour are not revealed unless they have given their signed consent. We will only report the outcome of cases, which have been dealt with by through the courts.

We will consider the most appropriate method of media coverage according to the circumstances and severity of the case. Local and national newspapers may be used together with local radio or regional television programmes.

We will consider the distribution of leaflets to local communities giving the names of perpetrators, details of the ASB and information about any restrictions that may have been placed on individuals as a result of, for example, Anti-Social Behaviour Orders (ASBOs) and or injunctions. This will include distributing leaflets in partnership with agencies who have assisting in obtaining the relevant order.

Any Publicity will only be taken after full consideration of the legislation covering the release of information i.e. the Data Protection Act 1998 and the Human Rights Act 1998 - Article 8

RIGHT TO RESPECT FOR PRIVATE AND FAMILY LIFE

Everyone has the right to respect for his private and family life, his home and his correspondence. There shall be no interference by a public authority with the exercise of this right except such as is in accordance with the law and is necessary in a democratic society in the interests of national security, public safety or the economic well-being of the country, for the prevention of disorder or crime, for the protection of health or morals, or for the protection of the rights and freedoms of others.

Each case will be considered on its own merits but it is the view of the Association that any interference with the rights guaranteed under the Human Rights Act 1998 will be justified by:

- The protection of the rights and freedoms of others
- The interests of public safety.
- The lawful aim of the prevention of disorder or crime.

The Association will always exercise caution when considering the release of any publicity regarding the perpetrators of anti social behaviour. It could be that Publicity would exacerbate the situation for victims, witnesses and the community as a whole. The indiscriminate use of publicity could have the effect of creating or adding to the stigmatisation of neighbourhoods and this would be contrary to our objective of creating sustainable communities.

Publicity of a case will only be considered following the successful outcome of legal action and in line with the Associations Marketing and Communications Strategy.

19. MONITORING AND EVALUATION

The Association will collate and monitor performance information in relation to anti-social behaviour, harassment, racial harassment, domestic violence and hate crimes, which will be routinely recorded by the Tenancy Management Team and reported to the Board of Management and residents where required.

The Association will monitor all incidents that fall within this policy in order to measure satisfaction with the service, benchmark these statistics against local and national comparator groups, and identify trends and opportunities for achieving continuous improvements in service delivery.

Statistical reports will be produced monthly for the Operations Director, Housing Services Department, Group Chief Executive and Board of Management.

Although not exhaustive, the kind of performance information that will be routinely recorded will include the following:

- The number of incidents reported, broken down by incident type and area
- Non Legal and Legal action taken on each case
- Number of closed resolved and unresolved cases
- Number/percentage of closed resolved cases for each main intervention that led to case resolution
- Average number of days taken to resolve ASB cases
- Number/Percentage of closed resolved cases that involved assistance from external agencies
- Number/Percentage of Assured Short hold Tenancy Tenants perpetrating ASB
- Percentage of properties managed covered by Good Neighbour Agreements
- Number of early intervention actions taken for each action type
- Percentage of early intervention actions carried out with/by external agencies
- Number of cases where complainant has been provided with, or referred to, specialist victim support service
- Number of enforcement actions taken for each action type

ANTI-SOCIAL BEHAVIOUR POLICY



- Percentage of cases where enforcement action was carried out with/by external agencies
- Percentage of perpetrators evicted due to ASB
- Number of cases where the witness has been provided with, or referred to, specialist witness support services
- Number of perpetrator supportive actions taken for each type of action
- Percentage of cases where supportive action was carried out with/by external agencies
- Levels of satisfaction with the way the incident has been dealt with

20. IMPLEMENTATION

The implementation of this policy document will be supported by detailed procedures that set out the steps that staff should follow in response to the range of anti-social behaviour incidents that may arise.

The Tenancy Management Coordinator will ensure officers treat all reported cases of ASB in accordance with policy and procedure.

Tenancy Management Officers will be responsible for investigating complaints of anti-social behaviour, agreeing and monitoring action plans and taking action at appropriate times until cases are resolved or closed.

Tenancy Management Assistants will be responsible for maintaining all records and statistics relating to ASB.

Detailed information leaflets will be produced that clearly explain how the Association will deal with the various forms of anti-social behaviour that might arise. These will be issued to persons reporting such incidents to the Association as a matter of course, and will also be available to all tenants upon request.

21. RESPONSIBILITY

Overall responsibility for implementation of this policy lies with the Operations Director.

The Tenancy Management Coordinator is responsible for application of this policy and procedure, monitoring performance, identifying shortfalls and recommending action to rectify situation as applicable.

Day to day operation of this policy is the responsibility of Tenancy Management Officers.

22. CONSULTATION

The Association will consult on an annual basis with the Local Authority, outside agencies and benchmarking groups to promote continuous improvement and develop good practice in this policy in addition to making changes as a result of legislation or regulation.

Prior to making any changes to this policy, the Association will consent and consider the view of:

- All relevant staff
- Senior Management Team
- Tenants Forum
- Board of Management
- Residents Associations, Tenants Groups, individual interested tenants
- All relevant outside agencies

23. POLICY REVIEW

The Association will formally review its Anti-Social Behaviour Policy on a three yearly basis. The review will follow the principles of the Association's formal Best Value Review Framework.

Findings and recommendations will be presented to the Association's Board of Management after the views of the Forum have been considered. Each review will be carried out by a review team.

ANTI-SOCIAL BEHAVIOUR POLICY



Progress reports will be made to the Board of Management and Forum, to enable monitoring against strategic aims and objectives and agreed performance indicators. Performance data will be included in the Annual Report to tenants.

The Association aims to include in the Team representation from tenants, staff, outside agencies / RSLs and Board Members.

24. TRAINING

The Association will provide all staff responsible for implementing this policy with comprehensive training.

Training will be given:

- to new staff
- to existing staff on an annual basis as a refresher/update
- to all relevant staff after changes to policy/legislation
- to relevant outside agencies
- to any member of a tenant review group
- at any other time as identified by the Director of Housing Services, Team Leaders, or Group Policy and Performance Manager

POLICY REVIEW DOCUMENT

Policy Title	Anti-Social Behaviour Policy
Dated Created	16 March 2004
Review Period	3 Years
Previous Review	January 2007
Review Committee	Board of Management
Version	2.4
Date last amended	11 th January 2010
Authorised by	Board of Management
Date of last review	11 th January 2010
Date of next review	January 2013