



**COSMOPOLITAN HOUSING ASSOCIATION
STATEMENT OF PROCEDURE
ANTI – SOCIAL BEHAVIOUR**

1 **MAKING A COMPLAINT OF ANTI SOCIAL BEHAVIOUR**

Complaints of Anti-Social Behaviour can be made by contacting any of the Associations officers between 9.00am and 5.00pm at one of our offices or via out of hours ASB reporting service on 08081002578.

RUNCORN OFFICE

Unit 1
Halton Lodge Supply Centre
Halton Lodge
Runcorn
WA7 5YP
Tel: 01928 573 826

HEAD OFFICE

Cosmopolitan House
2 Marybone
Liverpool
L3 2BY
Tel: 0151 227 3716

MONKSWELL PLACE OFFICE

Monkswell Place
Edgewell Drive
Liverpool
L15 8GG
Tel 0151 722 1300

Complaints can be made in one of the following ways:

- IN PERSON
- IN WRITING
- BY PHONE
- BY EMAIL TO Info@cosmopolitanhousing.co.uk

The Association will also make available to all tenants translation services and provide information in different formats in order for them to have equal access to our Anti-Social Behaviour Policy and Procedure.

In extreme or special circumstances it may also be appropriate to contact other agencies. If the Anti-Social Behaviour is causing or likely to cause criminal harm or damage to you or your property, you should call the Police immediately. In other circumstances it may be more appropriate to contact another agency whose responsibility it is to deal with that particular type of behaviour.

If you are unsure which agency to contact please contact your Tenancy Management Officer who will advise you of the most appropriate cause of action.

2 HOW WE WILL DEAL WITH YOUR COMPLAINT OF ANTI – SOCIAL BEHAVIOUR

Once the Association has received your complaint of Anti-Social Behaviour, the details will be passed to your Tenancy Management Officer.

Your Tenancy Management Officer will contact you to confirm the details of your complaint and if required arrange an interview.

The Tenancy Management Officer will remain your named contact throughout the duration of the investigation.

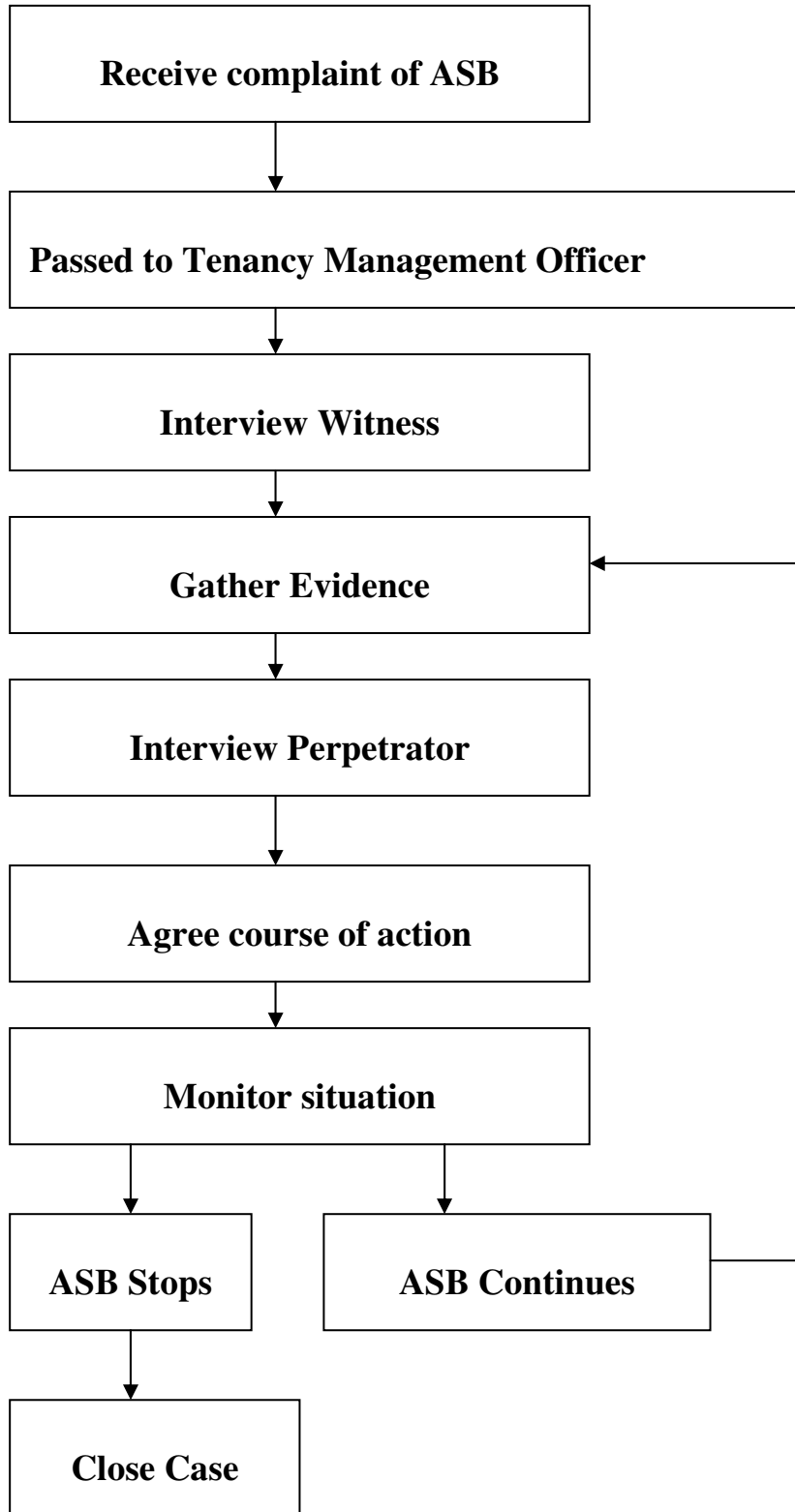
Once details of the incidents have been confirmed, the Tenancy Management Officer will discuss with you the options available and agree the most appropriate cause of action.

This could range from asking you to discuss the problem with the perpetrator, to keeping a diary to gather more evidence and ultimately taking legal action.

After this has been agreed, an action plan will be drawn up confirming what has been agreed the timetable for action what the Association requires you to do and when we will next contact you.

If at any stage you are unhappy at how the Association is dealing with your case, you can make a complaint using the Association complaints procedure.

ANTI-SOCIAL BEHAVIOUR ACTION FLOW CHART



2 SUPPORTING COMPLAINANTS

The Association recognises that making a complaint can be for some residents traumatic. We will support complaints both 'internally' and by using outside agencies.

In order to give complaints with appropriate support we will provide:

- Risk Assessments to ensure you have adequate levels of security, such as panic alarms, new locks etc.
- Access to outside agencies who can provide specialist support and/or counselling.
- Access to interpreters and information in different formats
- Regular contact from Tenancy Management Officers
- Flexible allocations policy allowing temporary and permanent re-housing if required.

4 HOW WE CAN DEAL WITH ANTI-SOCIAL BEHAVIOUR

Since the introduction in 1998 of the Crime and Disorder Act, Anti-Social Behaviour has been pushed up the Government's agenda. Further powers afforded to RSL's by the Police Reform Act 2002 and more recently in 2003 the Anti-Social Behaviour Act has left the Association with robust ways of dealing with Anti-Social Behaviour. The Association must, in order to deal effectively with Anti-Social Behaviour, use all the "tools" available.

With a strong emphasis on prevention the Association can use a number of methods to prevent further legal action being taken.

Community Agreements

These are used on estates to enhance and re-enforce the terms of tenancy. They state the level and type of behaviour, which is acceptable. Although not legally binding they can be used further down the legal route to demonstrate reasonableness on the part of the landlord.

ABC's (Acceptable Behaviour Contracts)

An ABC is a voluntary written agreement between a young person, usually aged between 10 and 18, and 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 their parents, an officer of the RSL, a Police Officer, and where appropriate, a member of the local Youth Offending Team.

The aim of the an ABC is to ensure the young person takes responsibility for their actions and they become aware of the impact on other people's lives. It also spells out the possible consequences to both them and their family, should the behaviour continue.

The priority is to stop the behaviour and to steer them away from causing problems.

The type of behaviour included in ABC's 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.

If breached, further action may be taken. This could include applying for an Anti-Social Behaviour Order (ASBO) seeking possession. 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.

Mediation is based on the following principles:

- Collaborative problem solving between those in dispute to reach a win, win situation acceptable to all
- A focus on the future emphasising rebuilding 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 will consider the use of mediation when asked and all those involved agree to take part. It 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.

Notice of Intention to Seek Possession (NISP)

The Association will issue tenants with a Notice of Intention to Seek Possession, when any condition or conditions of their tenancy have been taken.

It is often effective 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 serviced with the intention of warning the tenant that theirs, 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.

Anti-Social Behaviour Orders (ASBO's)

ASBO's are statutory measures that aim to protect the public from behaviour that causes or is likely to cause harassment, alarm or distress.

The Police Reform Act 2002, Section 61-66 gave RSL's powers to apply for ASBO's in their own right.

The Association will consider using ASBO's to prohibit a person from carrying out Anti-Social acts or from entering specific geographical areas.

ASBO's involve local people and agencies collecting evidence, however their civil status means that both hearsay and professional witness evidence can be heard in ASBO applications. This allows the Association to protect those people who are reporting the behaviour.

Breach of an ASBO is a criminal offence, which carries the power of arrest and in some cases imprisonment. It can also be used as evidence in possession proceedings.

Injunctions

Section 13 of the Anti-Social Behaviour Act 2003 gives the Association the same powers to protect its tenants as Local Authorities. It also widens the circumstances in which it can seek injunctions. The Act enables the Association to apply to the Court 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.

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 ASB have broken down. The Association will seek possession when:

- A notice of intention to seek possession has been issued and the tenants behaviour continues
- An injunction has been sought against a tenant of the Association and the tenants behaviour continues
- An ASBO has been sought against a tenant of the Association and the tenants 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

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

Outright Possession Order - this will be sought were the tenant has made no attempt to change their behaviour and all other options have been tried

Suspended 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 their existing tenancy and gives them a less secure demoted tenancy. At the end of the year if the tenants 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.

5 MONITORING, ACTION PLANNING AND EVALUATION

In order to assess the effectiveness of Policy and Procedure it is important to build in mechanisms for monitoring, reviewing, evaluating to enable us to plan for the future.

Quantitative measures provide a starting point as they can offer information on the different type and incidents of Anti-Social Behaviour. It is however equally important to use quantitative measures, which can be based on costs, tenant satisfaction, expectation and whether the Association has followed in internal procedures.

The following quantitative performance indicators will be used by the Association and its residents to assist monitoring the problem:

Number of neighbour and reported nuisance problems by type

- Number of neighbour and reported nuisance problems under investigation, by type
- Number of neighbour and reported nuisance problems where the case is closed by action and outcome
- Number of notices, Court proceedings
- Number of ABC's (Acceptable Behaviour Contracts)
- Number of ASBO's (Anti –Social behaviour Orders)
- Number of injunctions sought by type of problem
- Number of Evictions carried out
- Number of problems dealt with by joint action
- Number of neighbour and nuisance problems where mediation used (by outcome)
- Percentage of successful resolutions

In addition the Association will carry out consultation with residents, victims and perpetrators of Anti-Social Behaviour, outside agencies and stakeholders to ensure both policies and procedures are current reflective of needs and effective in dealing with Anti-Social Behaviour.

6 DATA COLLECTION

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.

The Association will collect data on incidents, trends and patterns of Anti-Social Behaviour in order to:

- evaluate effectiveness of initiatives of such as Estate Strategies
- Identify Anti-Social Behaviour “Hot spots”
- Identify priorities, for example lighting and security
- To separate and distinguish the different kinds of behaviour

Data will be used and allocated for the purpose of reviewing policy and procedure and also identifying shortfalls in resources or areas that may require a different management approach.

The Association will adopt the 3 Home Office defined categories of Anti-Social Behaviour as follows:

Street Scene

Anti-Social Behaviour in this category include:

- Begging
- Anti-Social drinking
- Street prostitution and kerb crawling
- Street drugs market

Nuisance Neighbours

Anti-Social behaviour in this category includes:

- Intimidation and harassment (including Racial Harassment)
- Rowdy and nuisance behaviour
- Animal related problems
- Noise
- Hoax Calls/false allegations
- Vehicle related nuisance – joyriding etc

Environmental Crime

Anti-Social Behaviour in this category include:

- Criminal damage / vandalism
- Graffiti and fly-posting
- Fly-tipping
- Litter and waste
- Abandoned vehicles

7 **USEFUL NAMES AND ADDRESSES**

This section contains names and addresses of organisations that can provide support to victims of racial harassment.

These organisations will also be able to refer you to other appropriate agencies if required

Victim Support

Offers a free and confidential service to all victims of crime. They can offer support and practical help, from trained volunteers who can visit you at home if necessary. This service is available to all sections of the community and is committed to ensuring that minority and disadvantage groups are welcomed.

You can contact the support line on: **0845 3030 900** who will put you in touch with your local victim support office.

<p>National Association of Citizens Advice Bureaus: North West Region</p> <p>Anfield CAB 36/38 Breckfield Road North Anfield Liverpool L5 4NH Tel: 0151 285 1082</p> <p>Bebington CAB Ltd 57 New Chester Road New Ferry Wirral CH62 1AB Tel: 0151 645 8793</p> <p>Birkenhead CAB (Charity) Ltd 50 Argyle Street Birkenhead Merseyside Wirral CH41 6AF Tel: 0151 647 6517</p> <p>Bootle CAB Goddard Hall 297 Knowsley Road Bootle Merseyside L40 5DF Tel: 0151 922 1114</p> <p>Crosby CAB Prince Street Crosby Liverpool L22 5PB Tel: 0151 928 9702</p> <p>Formby CAB 11 Duke Street Formby Merseyside L37 4AN Tel: 01704 873 009</p>	<p>Garston CAB Garston Community House Garston Village 2 Speke Road Liverpool L19 2PA</p> <p>Heswall CAB Hillcroft Rocky Lane Heswall Wirral CH60 OBY Tel: 0151 342 6565/6371</p> <p>Knowsley Central (Huyton) CAB Community Services Centre Lathom Road Huyton Merseyside L36 9XZ Tel: 0151 489 5098</p> <p>Toxteth CAB Toxteth Town Hall 15 High Park Street Liverpool L8 8DX Tel: 0151 280 8484</p> <p>Knowsley North (Kirkby) CAB 2 Newton Gardens Kirkby Liverpool L32 8RR Tel: 0151 546 7653/2284</p> <p>Knowsley South (Halewood) CAB 5/21 Raven Court Shopping Parade Leathers Lane Halewood L26 OUP Tel: 0151 486 3593</p> <p>Liverpool City CAB State House 1st Floor 22 Dale Street Liverpool L2 4TR Tel 0151 285 8989</p>
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Netherley CAB
Unit G
Belle Vale Shopping Centre
Childwall Valley Road
Liverpool
Tel: 0151 487 0027

Old Swan CAB
536 Prescott Road
Old Swan
Liverpool L13 3DB
Tel: 0151 220 0125

Southport CAB
24 Wright Street
Southport
Merseyside PR9 OTL
Tel: 01704531456

St Helens CAB
Waterloo Street
St Helens WA10 1PU
Tel: 01744 22935/732499

Wallasey CAB
237-243 Liscard Road
Wallasey
Merseyside CH44 5TH
Tel 0151 639 7858

Walton CAB
131 County Road
Walton
Liverpool L4 3QF
Tel: 0151 525 1639

Wavertree CAB
242 Picton Road
Wavertree
Liverpool L15 4LP
Tel: 0151 522 1400

West Kirby CAB
1-3 Acacia Grove
West Kirby
Merseyside
Wirral CH44 4DD
Tel: 0151 625 9802

Merseyside Police Incident Management Units

Merseyside Police Incident Management Units are based in your area.

The Incident Management Units listed below will accept non-urgent calls and will help with incidents of racial attacks and harassment.

If you require an immediate response to an emergency - use 999 and ask for the Police.

Incident Management Units

Wirral

(Birkenhead, Wallasey, Hoylake, Moreton, & Surrounding area)

Tel: 0151 777 2080

Sefton

(Bootle, Crosby, Maghull, Southport, Ainsdael and surrounding area)

Tel: 0151 777 3838

Knowsley

(Huyton, Halewood Kirkby, Prescot & Whiston)

Tel: 0151 777 6666

St Helens

(St Helens, Rainford, Rainhill & Newtonle Willows)

Tel: 0151 777 6969

Liverpool North

(City Centre, Walton Croxteth West Derby & Tuebrook)

Tel: 0151 777 4545

Liverpool South (Toxteth Dingle Aigburth Mossley Hill Allerton Belle Vale Garston & Speke)

Tel: 0151 777 5390

If you require an immediate response to an emergency use 999 and ask for the Police.

Witness Services

Crown Court Witness Service

Tel: 0151 231 1379

Council for Voluntary Services

Council for Voluntary Services are independent local organisations who provide information, advice and other services.

Knowsley Council for Voluntary Services

Community Services Centre

Lathom Road

Huyton

Tel: 0151 489 1222

Liverpool City Council for Voluntary Services

14 Castle Street

Liverpool L2 ONJ

Tel: 1051 236 7728

St Helens District Council for Voluntary Services

1st Floor

SmithKilne Beecham Building

Westfield Street

St Helens WA10 1QL

Tel: 01744 21755

Sefton Council for Voluntary Services

The Old Museum

Church Road

Waterloo L22 5NB

Tel: 0151 920 0726

Wirral Council for Voluntary Services

46 Hamilton Square

Birkenhead CH41 5AR

Tel: 0151 647 5432

Community Advice and Information Services

Liverpool Jewish Youth and Community Centre
Harold House
Dunbabin Road
Liverpool L15 6XL
Tel: 0151 475 5671

The Pagoda Chinese Community Centre
Henry Street
Liverpool L1 5BU
Tel: 0151 708 8833

Churches Action for Racial Equality
34-36 Princes Road
Liverpool L8 1TH
Tel 0151 709 2896

Liverpool Black Sisters
34-36 Princes Road
Liverpool L8 1TH
Tel: 0151 709 8162

Liverpool Yemeni Society
Liverpool Yemeni Association
167a Lodge Lane
Liverpool

Merseyside Caribbean Council
1 Amberley Street
Liverpool L8 1YJ
Tel: 0151 708 9790

Care- Frica
Unit 23
13 Myrtle Street
Myrtle Street
L7 7EL
Tel: 0151 7070 8985

Irish Community Care Merseyside
60 Duke Street
Liverpool L1 5AA
Tel: 0151 707 7302

Liverpool & Law Centre
34-36 Princes Road
Liverpool L81TH
Tel: 0151 709 7222

Pakistan Centre
Mulgrave Street
Liverpool L8 2TF
Tel 0151 709 9669

Liverpool Somali Association
57 Granby Street
Liverpool L8
Tel: 0151 709 3853

Merseyside Somali Association
145 Granby Street
Liverpool L8 2UR
Tel: 0151 726 0594

Liverpool Somali Community Association
Crawford House
Upper Warwick Street
Liverpool L8 5HE
Tel: 0151 709 3853

Asylum Seekers Support Services

Refugee Action
34 Princes Road
Liverpool L8 1GH
Tel: 0151 702 6300

Support for Asylum Seekers
38 The Mount
Heswall CH42 4JI
Tel: 0151 323 4425

Immigration Advisory Service
Toxteth Town Hall
15 High Park Street
Liverpool L8 8DX

Liverpool Central CAB
1st Floor State House
Liverpool L2 4TR
Tel: 0151 285 8989
0151 708 9790

Care- F

Probation Service

National Probation Service Merseyside
Suite 405
Cotton Exchange Building
Old Hall Street
Liverpool L3 9LQ
Tel: 0151 476 7166

Tel: 0151 709 3853

