

# Anti-Social Behaviour Policy



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**Date(s) reviewed:** November 2016, October 2017, October 2018,  
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**Last Executive/Board reviewed (approved) date:** 2013

**Purpose:** This policy has been developed to provide guidance to staff on supporting victims and perpetrators of anti-social behaviour.

**Scope:** This policy covers all Bernicia Homes tenants, leaseholders, and any residents who affect our ability to successfully manage our estates.

**Definitions:** Anti-social behaviour, for the purpose of this policy, is defined as 'behaviour that is capable of causing nuisance, annoyance, alarm or distress to an individual, individuals or the wider community' (Housing and Anti-Social Behaviour – A Guide for Residents, CLG 2007).

## **Associated documents:**

Anti-social behaviour procedure  
Hate crime and harassment policy  
Domestic Abuse Policy  
Tenancy Agreement (s).  
Anti-Social Behaviour: Your Guide  
Exclusion Policy  
Safeguarding Policy & Procedure

**Date for review:** June 2022

**Responsibility:** Head of Housing

Housing Services Manager

**Departments for mandatory read:**

## Policy

### 1. Introduction

- 1.1 We recognise the adverse effect that anti-social behaviour has on our local communities and take the issue very seriously. Our anti-social behaviour statement is as follows.
- “Helping to create places where people want to live is dependent upon preventing and tackling anti-social behaviour effectively in partnership with local residents and stakeholders while placing support for victims at the heart of our approach.”
- 1.2 Working with our residents and partners, we have a number of measures available to us to reduce the impact of anti-social behaviour on our communities. Supporting the community to take a stand is at the heart of this.
- 1.3 We realise that defining anti-social behaviour can be difficult; however, we would classify anti-social behaviour (as addressed in this policy) as:
- “Behaviour that is capable of causing nuisance, annoyance, alarm or distress to an individual, individuals or the wider community”. (Housing & Anti-Social Behaviour – A Guide for Residents, CLG, 2007).
- 1.4 Examples of what we would classify as anti-social behaviour may include:
- Violence, threats of violence or intimidation
  - Harassment, hate crime and domestic abuse
  - Intimidating groups taking over public spaces
  - Vandalism, graffiti and criminal damage
  - Unreasonable and excessive noise
  - Criminal activities, including drug offences and the use of weapons
  - The misuse of fireworks
  - Reckless use of motor vehicles, including mini-motorbikes.
- The above list is not exclusive.
- 1.5 We also have separate policies and procedures which are linked to this policy to further support victims of hate crime, harassment and domestic abuse
- 1.6 It should also be noted that we recognise some things may not be considered to be anti-social behaviour but instead, simply part of day to day life and these may include:
- A young child or baby crying

- A resident starting their car early morning/late night to leave for work
- A roaming cat digging up plants in a garden
- The sound of children playing

## 2. Policy statements

### 2.1 Tackling anti-social behaviour

#### 2.1.1 We are committed to meeting the governments RESPECT Charter.

The Charter replaces the Respect Standard for Housing Management, which was introduced by the government in 2006. It has been developed by the Chartered Institute of Housing, House Mark and the Social Landlords Crime and Nuisance Group following wide consultation with landlords, tenants and communities.

The charter consists of seven key commitments:

- Demonstrating leadership and strategic commitment
- Providing an accessible and accountable service
- Taking swift action to protect communities
- Adopting a supportive approach to working with victims and witnesses
- Encouraging individual and community responsibility
- Having a clear focus on prevention and early intervention
- Ensuring a value for money approach is embedded in the service

### 2.2 Preventing anti-social behaviour

#### 2.2.1 We are committed to preventing anti-social behaviour by being pro-active in our approach.

#### 2.2.2 We will work with partner organisations to share information and carry out reference checks on applicants who have significant gaps in their housing history and/or have declared admitted criminal offences / committing anti-social behaviour in the past. We will exclude applicants in line with our relevant exclusion policy.

#### 2.2.3 We will use assured short hold tenancies for new residents.

#### 2.2.4 We will ensure that our tenancy agreements contain clear guidelines on anti-social behaviour.

#### 2.2.5 We will, as part of our allocations process, identify and facilitate any support measures required by the prospective tenant to successfully sustain their tenancy.

#### 2.2.6 We will explain all the obligations required of a tenant before they sign any agreement and explain what constitutes anti-social behaviour and the action that could be taken if it occurs.

- 2.2.7 We will, where possible, carry out sensitive lettings with due consideration being given to the profile of existing residents.
- 2.2.8 We will, where necessary provide a range of diversionary activities within the community with an aim of building community cohesion and promoting positive behaviour.
- 2.2.9 We will work with residents and partners to identify anti-social behaviour hotspots and environmental problems that need to be tackled.
- 2.2.10 We will actively promote the action taken to successfully tackle anti-social behaviour to build confidence and trust within the local community.
- 2.3 Supporting residents to take a stand against anti-social behaviour
  - 2.3.1 We are committed to supporting anyone who takes a stand and reports anti-social behaviour by ensuring a 'victim centred' problem solving approach.
  - 2.3.2 We will make it easy for anyone to report anti-social behaviour to us by making a wide range of reporting mechanisms available, and where possible tailoring our service to meet individual needs.
  - 2.3.3 We will ensure that all relevant staff are fully trained to deal with reports of anti-social behaviour.
  - 2.3.4 We will listen to every report of anti-social behaviour in a fair and unbiased way.
  - 2.3.5 We will treat all reports of anti-social behaviour we receive seriously and in a sensitive manner.
  - 2.3.6 We will contact anyone who reports anti-social behaviour within five working days of the initial report being made to discuss how we will investigate and tackle the behaviour, and in extreme cases involving violence, threats of violence, domestic abuse, hate crime or harassment within one working day.
  - 2.3.7 We will also acknowledge all reports of anti-social behaviour in writing and provide a copy of "Anti-Social Behaviour: Your Guide."
  - 2.3.8 We will provide the name and contact details of the person who will be dealing with each anti-social behaviour case.
  - 2.3.9 We will make sure that when we discuss any report with an individual that the person who made the report is in a place that they feel comfortable and where necessary, has someone of their choice with them for support.

- 2.3.10 Whenever possible, we will fulfil the request of a customer who requests an interview with someone of the same gender.
- 2.3.11 We will provide good quality, realistic, practical advice and reassurance to anyone who reports anti-social behaviour.
- 2.3.12 We will provide information relating to anti-social behaviour in a wide range of formats including large print, Braille, audio and in other languages.
- 2.3.13 We will clearly explain to anyone who reports anti-social behaviour how we intend to investigate and tackle it, by discussing and agreeing a plan of action.
- 2.3.14 We will always be realistic in our assessment of what can be achieved to tackle anti-social behaviour and how quickly we can do it.
- 2.3.15 We will explain to people who report anti-social behaviour what type of evidence we will need to take action and agree how best to gather this.
- 2.3.16 We will keep anyone who reports anti-social behaviour regularly updated with what is happening.
- 2.3.17 We will always ensure that a problem has stopped before closing any anti-social behaviour case and reassure the person who reported it that we can re-open the case at any time in the future if necessary.
- 2.4 Supporting those responsible for anti-social behaviour
  - 2.4.1 We will always try to contact the person believed to be responsible for the anti-social behaviour as quickly as possible.
  - 2.4.2 We will give those believed to be responsible for the anti-social behaviour an opportunity to respond and to give their version of events.
  - 2.4.3 We will be fair and balanced during any investigations we undertake and will always try to find an effective solution as quickly as possible.
  - 2.4.4 We will clearly advise those who are believed to be responsible for anti-social behaviour of the future consequences for them and their household if the behaviour continues.
  - 2.4.5 We will aim to resolve the issue without the need for legal action by trying to address the cause of the behaviour in the first instance.
  - 2.4.6 We will identify and assess any support that the person believed to be responsible for the anti-social behaviour may need to enable them to make long term and positive changes to their behaviour.
  - 2.4.7 We will pro-actively seek to identify if the person believed to be responsible for the anti-social behaviour is covered by the Equality Act

2010, or has dependencies, and tailor our support provision and response accordingly.

2.4.8 We will facilitate access to a wide range of support agencies, which we will work in partnership with to support those responsible for anti-social behaviour and tackle the cause(s).

2.4.9 We will make it clear to anyone believed to be responsible for anti-social behaviour that we will take enforcement action where suitable offers of support are refused, or behaviour does not improve.

## 2.5 Taking Action

2.5.1 Where we are unable to support the person believed to be responsible for the anti-social behaviour to modify their behaviour, or in cases of extreme anti-social behaviour, we will take firm, reasonable and swift action that is proportionate to the behaviour and its affect.

2.5.2 In most cases we begin to tackle the anti-social behaviour using early interventions which may include a combination of interviews and warning letters.

2.5.3 Where such early intervention proves unsuccessful and depending on the evidence available and the type of behaviour involved, we will choose or support applications for one or any combination of the following measures (Anti-social Behaviour, Crime and Policing Act, Home Office 2014)

- Mediation
- Acceptable Behaviour Agreements
- Civil Injunctions
- Undertakings
- Demotion Orders
- Possession Proceedings
- Terminating or extending Short-hold Tenancies
- Enabling neighbourhoods to invoke the Community Trigger
- Community protection notices (when designated by the relevant LA)
- Use of the absolute ground for possession

2.5.4 We will work closely with the Police, relevant Local Authorities and other agencies where necessary to ensure a joined-up approach in the way we tackle anti-social behaviour.

2.5.5 We will use a range of ways to gather evidence including professional witnesses and surveillance equipment where appropriate.

2.5.6 We will also take action against any individual(s) we identify as affecting our ability to effectively deliver our housing management function.

- 2.5.7 We have a zero tolerance approach to the abuse of our staff, contractors, resident representatives and our visitors, and will take action wherever this occurs.
- 2.5.8 When someone reports anti-social behaviour, we will ask if they know what the motivation for the incident may have been, and if it is identified as hate crime or harassment, it will be dealt with in line with our hate crime and harassment policy.
- 2.6 Witness Support
- 2.6.1 We recognise that deciding to report anti-social behaviour can be a difficult thing to do and are committed to supporting those people who may need to give evidence, to do so comfortably and as easily as possible.
- 2.6.2 We understand that giving evidence, whether at a court hearing or not, can be daunting and we want to minimise the impact that it has on witnesses.
- 2.6.3 We only ask for people to provide evidence in court where we believe that it is necessary to successfully secure a legal remedy against someone who is responsible for anti-social behaviour.
- 2.6.4 We will give anyone who is required to attend court regular updates of what is happening in the case and how things are progressing prior to the day of the court hearing.
- 2.6.5 We will clearly explain any legal action we are planning to take, what decisions the Judge can make in relation to the case, and what this might mean in the future.
- 2.6.6 We will contact witnesses more often than usual to make sure they are alright and to reassure them in the run up to the court hearing date. This may be by telephone or a visit to their home, but we will discuss all individual requirements and tailor our approach accordingly.
- 2.6.7 We may agree access to advice and support outside of normal working hours where necessary.
- 2.6.8 We will refer witnesses to an independent support agency, such as Victim Support, if they would like us to do so.
- 2.6.9 We will offer to show anyone giving evidence around the court at least a week in advance of the hearing date so they can familiarise themselves with the layout and ask any questions they may have about the practicalities of the day.
- 2.6.10 We will write to employers to support any requests that someone giving evidence may make for time off work to attend court, if this is proving difficult.



- 2.6.11 We will pay for reasonable childcare costs for those people giving evidence if this is necessary on the day of the court appearance.
- 2.6.12 We will provide transport/pay for any reasonable transport costs to and from court on the day of the hearing for anyone giving evidence.
- 2.6.13 We can provide interpretation and translation services, should witnesses require this in order to give your evidence in court.
- 2.6.14 We will provide anyone giving evidence with a dedicated officer for the day of the court hearing who will provide advice and emotional support throughout the day. This officer will stay with whoever is giving evidence throughout the proceedings, even when evidence is being given to the Judge.
- 2.6.15 We will keep anyone giving evidence fully updated about any late changes to the court hearing, such as a delay in starting or any extra information.
- 2.6.16 We will keep all witnesses up to date with information about the outcome of the legal action we have undertaken.
- 2.6.17 We will discuss with all witnesses if they feel that there is any additional support that they are likely to require following the court hearing.
- 2.6.18 We will carry out any repairs to properties that have been damaged as a result of harassment to witnesses as quickly as possible.
- 2.6.19 We recognise that there may be witnesses who feel that they need an enhanced level of support due to the type or severity of the anti-social behaviour they have provided evidence against. In these instances we can offer a variety of enhanced support options which may include:
- Providing extra security measures i.e. locks, chains, and security lighting
  - Asking the police to patrol and check a specific area more often and explain to them why any call to a given property should be deemed a priority
  - Apply for an emergency injunction, in cases where threats and intimidation have occurred before or after the court hearing
  - In exceptional circumstances we may consider re-housing witnesses for a temporary period of time.

## 2.7 Feedback

- 2.7.1 We will monitor best practice, satisfaction levels, complaints, compliments and comments on our performance in dealing with anti-social behaviour so we can use feedback from our customers to help influence and improve the service.



- 2.7.2 We regularly train our staff so they have the knowledge and skills they require to tackle anti-social behaviour in line with this feedback.

### 3. Responsibility for implementation

- 3.1 The Housing Services Manager will be responsible implementing the policy ensuring that staff are aware of and appropriately trained in policies and procedures relating to prevention and tackling cases of anti-social behaviour. Managers will also be responsible for reviewing the policy in conjunction with appropriate staff involved tenants and partners.

### 4. Actioning the policy

- 4.1 This policy will be actioned in reference to all anti-social behaviour, both reported and potential and will be used across the group as a foundation for preventing, investigating and tackling anti-social behaviour.

### 5. Monitoring the policy

- 5.1 We will monitor this policy using a variety of key performance indicators to assess our progress. This will be the responsibility of the Housing Services Manager.
- 5.2 In addition to monitoring key performance indicators we will undertake satisfaction surveys with people who report anti-social behaviour to ask how they felt about the service we provided them with.
- 5.3 The Customer Services Committee receive quarterly updates on the anti-social behaviour across the organisation and use these to assess the effectiveness of this policy.

### 6. Resources

- 6.1 There are no additional resources implications are a consequence of this policy.

### 7. Equality and Diversity

- 7.1 An equality and diversity impact assessment has been undertaken on this policy. In carrying out its services, we are committed to:
- Treating all customers and employees positively regardless of any personal characteristics including gender, age, ethnicity, disability, sexuality, gender reassignment or religion.

- Taking seriously all complaints and investigating and responding to them accordingly.
- Using plain language and providing information in other languages, large print, audio and Braille on request.

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