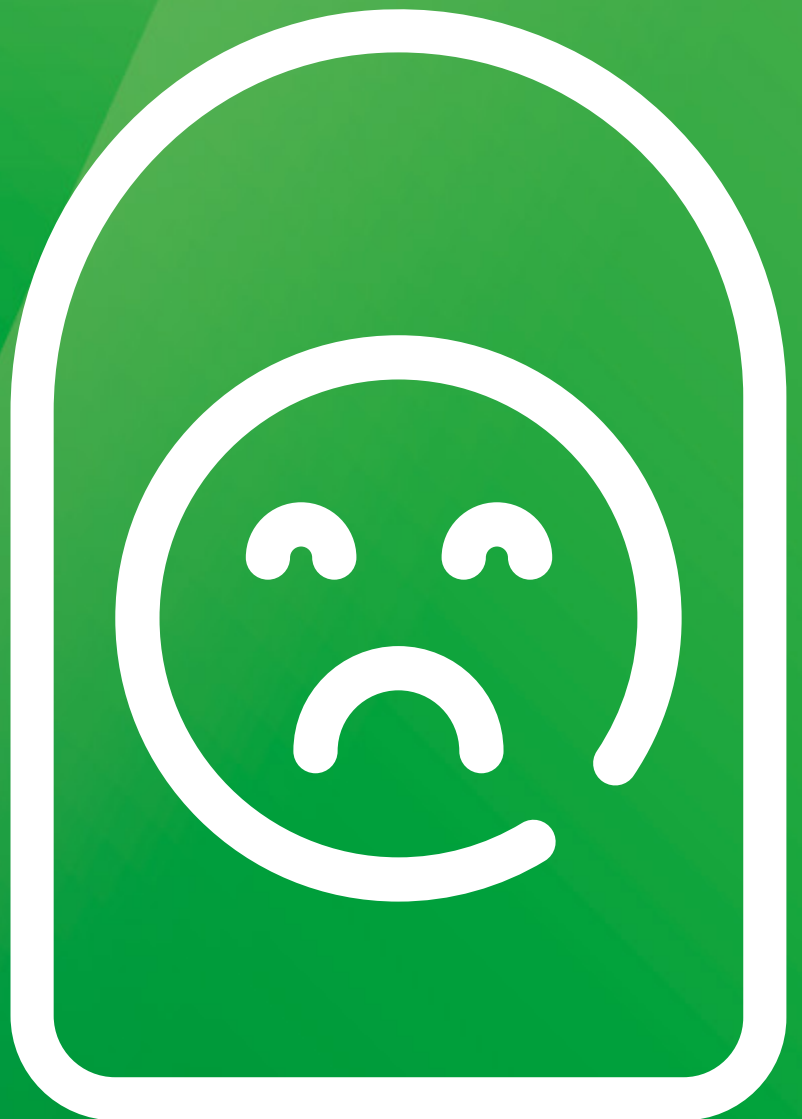


BERNIA

# Anti-social behaviour

This guide will provide support and advice to  
tackle the causes of anti-social behaviour



Investing  
in homes,  
neighbourhoods  
and communities

# Anti-social behaviour

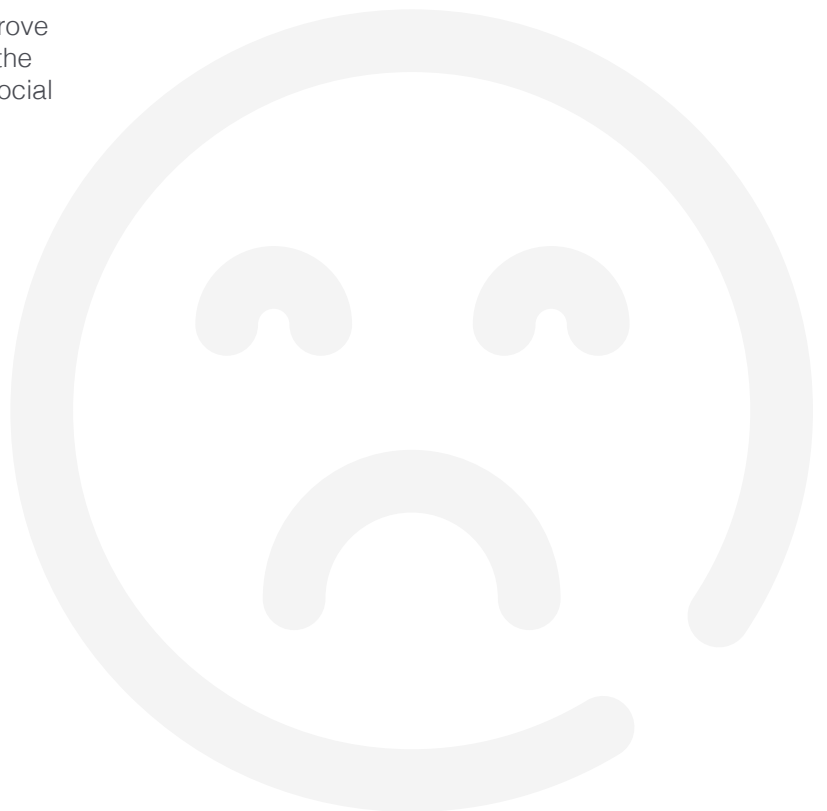
## Our promise to you

### We will:

- Offer a range of ways to report anti-social behaviour
- Respond to your case with sensitivity and respect
- Publish guidance about how we deal with anti-social behaviour and be clear about the limits of the service we provide
- Provide timescales for responding to anti-social behaviour cases and keep in regular contact with you throughout
- Work effectively with a range of partners including the police to prevent and tackle anti-social behaviour.

We work with residents' groups and other focus groups on projects to make sure that people have an opportunity to tell us what they think about our estates and our services. We also work with partner organisations to provide diversionary activities for young people.

We monitor satisfaction levels, complaints, compliments, comments and our performance in dealing with anti-social behaviour so we can improve the service. We regularly train staff so they have the knowledge and skills they require to tackle anti-social behaviour effectively.





## Welcome to your anti-social behaviour guide which applies to all tenants and leaseholders

It explains the approach we take and the support we can offer you. Every case is different and you may need to think about which approach suits you best. We are always available to provide support and advice.

### 1. Tackling anti-social behaviour?

We take anti-social behaviour very seriously and carry out a number of actions to reduce its impact on our local communities. Our Anti-Social Behaviour Statement is as follows:

**“Helping to create places where people want to live by 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.”**

Our Customer Contact Advisors are trained to deal with reports of anti-social behaviour while we also have dedicated officers who deal with anti-social behaviour cases. Our officers use a wide range of tools to tackle anti-social behaviour.

In tackling anti-social behaviour we believe that being pro-active is very important. We promote the action we take against those people who commit anti-social behaviour within our local communities.

This shows they can expect to have action taken against them while also helping to build confidence in the wider community that we will act when anti-social behaviour takes place.

We work with residents and other groups on projects to make sure that people have an opportunity to tell us what they think about our estates and our services. We also work with partner organisations to provide diversionary activities for young people.

We monitor satisfaction levels, complaints, compliments, comments and our performance in dealing with anti-social behaviour so we can improve the service.

We regularly train staff so they have the knowledge and skills they require to tackle anti-social behaviour effectively.

# Anti-social behaviour

## 2. What sort of behaviour is anti-social?

Anti-social behaviour can be broadly described as behaviour that is capable of causing nuisance, annoyance, alarm or distress to an individual or the wider community. There are many examples of these behaviours and they might include things such as:

- 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
- The misuse of fireworks
- Reckless use of motor vehicles, including mini-motorbikes
- Criminal activities, including drug offences and the use of weapons.

It is also important to remember that some things that cause you nuisance or annoyance may not be classified as anti-social behaviour.

Some examples could include such things as a young child crying, a neighbour starting their car in the early hours of the morning to leave for work, a roaming cat digging up plants in a garden or the sound of children playing.

## 3. Can I do anything to help stop the anti-social behaviour?

If you do not feel at risk and have not suffered any abuse or threats, you may want to consider talking directly to the person causing the problem - especially if it is a neighbour.

In our experience, some of the best and most effective long term solutions have come from neighbours talking to each other. Even if you have already reported the anti-social behaviour to us, there are many benefits to discussing a problem.

- When a landlord becomes involved it can increase tension between you and your neighbour
- You have an opportunity to explain how the anti-social behaviour is affecting you to the person you think is causing it
- It might be that your neighbour is not aware they are causing nuisance and annoyance to you and will be happy to change their behaviour immediately.

**In cases where there has been very serious anti-social or criminal behaviour including violence, threats, abuse, harassment or hate crime we would advise that you do not approach those involved.**



## What should I do if I want to go ahead and speak to the person?

- Never try to speak to the person if you are still angry
- When you are talking to them, try to stay calm and explain things clearly, always keeping to the facts
- Be as friendly as possible - remember they might not realise their behaviour has been affecting you
- Consider explaining that you just want the problem to stop – nothing more
- Always remember that they will probably be defensive at first so make sure you listen to their side of the story and always agree with the points they make if they are true
- It is not about winning an argument. It is important you and the person reach an agreement. If you manage to do this, thank them for listening and make a note of what has been agreed
- If you cannot reach an agreement, or if things get tense or go badly always walk away from the situation. Never retaliate or make any threats.

## 4. How will I be treated when I report anti-social behaviour?

We recognise the disruption and misery anti-social behaviour can cause. We want to support you to enjoy your home and live in the way that you choose, providing it does not affect the quality of life for others.

### In tackling anti-social behaviour we will:

- Support you to take a stand and report anti-social behaviour to us
- Make it easy for you to report anti-social behaviour
- Listen to everything you say in a fair and unbiased way
- Treat all reports you make seriously and in a sensitive manner
- Provide you with advice, support, reassurance and where possible tailor our approach to meet your needs
- Clearly explain to you any action we intend to take
- Keep you regularly updated with what is happening by contacting you at least every two weeks unless we agree an alternative with you
- Check with you to make sure the problem has stopped before we close any case
- Ask you for feedback on your experience to find out how satisfied you have been with the way we have dealt with the complaint(s) so we can make improvements to the service.

# Anti-social behaviour

## 5. How long will it be before someone contacts me and what advice will I be given?

- We will contact you within five working days of you making a report of anti-social behaviour
- In extreme cases involving violence, threats of violence, domestic abuse or hate crime we will contact you within one working day
- In all cases we will confirm in writing that we are dealing with your report and will provide you with information on how we will support you by giving you a copy of this anti-social behaviour guide
- We will give you the name and contact details of the person who will be dealing with your case
- We will discuss an Action Plan with you in relation to how we will try and resolve the problem
- We will always be realistic in our assessment of what can be achieved and how quickly
- We will give you practical advice on dealing with any ongoing anti-social behaviour and what helpful details / evidence we need from you
- We will keep you regularly updated with the investigation process.

## 6. I am a victim of hate crime or harassment

We are committed to supporting people who are victims of hate crime or harassment. We can provide you advice and support while we also have a separate policy for the way we deal with victims of hate crime or harassment.

Hate crime is anti-social behaviour / criminal offences committed against a person or property that is motivated by the offender's hatred or prejudice of people because of their personal characteristics. This covers gender, religion, ethnicity, race, age, disability, or sexual orientation.

Examples of hate crime may include assaults, physical attacks, offensive graffiti, hate mail, phone harassment, vandalism or threats of violence, but this is not an exhaustive list.

Hate crime can be broken into distinct categories of hate crime, which differ depending on what the crime is thought to be motivated by. These categories are as follows:

- Racist and religious crime
- Homophobic or transphobic crime
- Disability hate crime.

Certain types of hate crime can be investigated, and individuals prosecuted by the police and we would encourage you to report any serious crime to the police in the first instance, and then to report it to us.

In addition to providing support and taking prompt action in cases of hate crime, we closely monitor levels of hate crime. As these incidents don't just affect individuals but sometimes entire communities.

## 7. I am a victim of domestic abuse

If you are suffering from domestic abuse we have trained officers who can help and support you. If necessary, we can also refer you to a specialist support agency.

We are committed to dealing with all cases of domestic abuse sensitively and in confidence. We have a support guide available for you. Contact us for more details.



## 8. What information do you need from me to tackle anti-social behaviour?

We can't always take any action if we don't have evidence. We therefore need you to report all acts of anti-social behaviour, including those which take place after you make the first report.

There are some very important details you need to tell us and if possible, keep a written record.

- What is the anti-social behaviour?
- Where does it happen?
- When does it happen and how long does it last?
- Have you reported it to us before and have you reported it to the Police or anybody else?

- Most importantly, who is being affected by the anti-social behaviour and what effect is it having? (For example, the music is being played loudly and you can't sleep so you are being affected at work the next day).

You should always try to write down details as soon as it happens so it is accurate even if the anti-social behaviour happens in the middle of the night.

### **Only record what you see and hear.**

Never write down what other people tell you.

## Why might I have to fill in an Incident Diary Booklet?

An Incident Diary Booklet helps you to help us and so we may ask you to keep one.

It is a booklet that you record any reports of anti-social behaviour that have affected you. We do not see an Incident Diary Booklet as the solution to tackling anti-social behaviour. It is just one tool we use so we can take action.

Any action we take will rely on evidence and so it is vital that you complete the Incident Diary Booklet if you are given one.

There are many different ways of recording this information. For example, if damage has been caused you could consider taking a photograph of it.

## 9. What support can you give me?

There are a range of ways in which we can support you when you report anti-social behaviour.

These include making sure:

- When you speak to someone they are fully trained to deal with what you tell them
- When we talk in person, you are in a place you find comfortable and have someone with you for support
- You can speak to an officer of the same sex if you would prefer
- We assess whether you require extra security measures (e.g. locks, alarms)

- Where appropriate and when a case involves court proceedings or threats, we provide you with an emergency contact number for support when our offices are closed
- We provide you with details of specialist support groups such as witness support, who may be able to help you
- We apply for an emergency injunction if you are threatened or intimidated as a witness (this is very rare).

# Anti-social behaviour

## 10. How will you investigate the anti-social behaviour?

- We will begin our investigation as quickly as possible and in all cases within 5 working days. In extreme cases where an immediate response is required, we will begin our investigation within one working day
- We always try to contact the person(s) believed to be committing the anti-social behaviour as quickly as possible after receiving a report
- Our general approach is to give them an opportunity to respond and give their version of events in relation to the complaints that we put to them
- We do not reveal who has made the complaint
- We always try to find an effective solution and will be fair and balanced during our investigations
- We work closely with the Police, local community groups and other agencies when we are trying to put together a case of evidence or support the perpetrator to stop committing the anti-social behaviour. This approach can be very successful in tackling anti-social behaviour. We will usually tell you if we intend to contact the Police and check with you first
- In some cases we hold multiagency meetings to make sure as organisations, we all commit to a joined-up approach to tackling the anti-social behaviour
- If it is clear that the anti-social behaviour is not going to stop then we may consider using mobile CCTV, sound monitoring equipment or professional witnesses
- We regularly review the evidence available and take the relevant action at the appropriate time.

## 11. What action can you take to stop the anti-social behaviour?

While we investigate anti-social behaviour using the same methods to ensure consistency in the service we provide, we recognise that every case is different. That means we have to tailor our action to the case in question but our aim is always to get the anti-social behaviour to stop.

This might include supporting those responsible and giving them help so they can stop. We are committed to taking firm, reasonable and swift action that is proportionate to the effect of the behaviour. We will always discuss any action we intend to take with you.

In serious cases involving behaviour such as violence, threats of violence, hate crime and domestic abuse we will look to take immediate action which might include legal proceedings.

In most cases we begin with early intervention which includes interviews and warning letters. We usually try to give the person who is committing the anti-social behaviour an opportunity to modify their behaviour and to stop causing the problem.

In many cases we try to work with the person(s) involved to support them to stop the behaviour, since anti-social behaviour is sometimes caused by underlying issues such as alcohol or drug abuse, mental health issues or a lack of parenting skills.

We always try to directly tackle the behaviour in such cases by arranging support, often from external agencies and partner organisations. This might include counselling, parenting classes, a Family Intervention Project or equivalent depending on the local authority.





**If this does not work or is not appropriate, we will choose the best course of action. This might include one or a number of the following:**



### **Mediation**

This service is designed to help people resolve their problems and find a solution that everyone can live with. We normally refer people who are involved in a direct dispute with their neighbour to an independent mediation service.

Normally mediation takes place when no laws have been broken and is usually the best course of action when there have been misunderstandings, noise, nuisance from pets, car parking, boundary disputes, neighbours falling out or when there is a clash of lifestyles.



### **Warning letters**

We can send out warning letters. In many cases this will be enough for the anti-social behaviour to stop. Our letters are graded in terms of how serious the anti-social behaviour is and the response of the person to the first letter. We also write joint warning letters with other landlords, agencies and the Police.



### **Acceptable Behaviour Agreements (ABAs)**

These are written agreements between us and someone that has caused anti-social behaviour. These agreements are often drafted with other agencies such as the Police and are normally used for young people aged 10 years or over who commit anti-social behaviour although they can also be used for adults. The agreement states exactly what the person will or will not do and they normally last for 6-12 months and are reviewed regularly.



### **Injunctions**

An injunction is an order from the Court which instructs a person to either do something or to stop doing something. If they do not keep to the terms of the injunction they may face prison. Sometimes emergency injunctions are granted where there has been violence, threats of violence or intimidation.



### **Undertakings**

If a landlord applies for an injunction, the person who is allegedly committing the anti-social behaviour might make an agreement to sign an undertaking. This is a voluntary agreement made with the Court usually based on the conditions that were due to be in the injunction.

This is not an admission of guilt and while it has not been imposed by the court but is voluntary, can still carry the same penalties as a normal injunction if a person does not keep to the undertaking they have made.

# Anti-social behaviour



## Demotion

Landlords can ask the court to take away certain tenancy rights from a person who is committing anti-social behaviour. This can mean they have less security in their tenancy and cannot buy their home or exchange with another person. If granted, a demotion order usually lasts for a set period of time such as 12 months. If the anti-social behaviour continues during that time, the landlord can return to court and obtain a possession order and evict the tenant from their home.



## Possession Proceedings and Evictions

Landlords can serve a Notice Of Seeking Possession on a tenant who is committing anti-social behaviour. This explains that the landlord intends to apply for possession of the property and if necessary evict the tenant. Once a Notice has been served, the Landlord must wait for a court hearing and present a case of evidence in court. A significant amount of evidence will be required for a Judge to grant possession and the opportunity for a landlord to carry out an eviction. The Judge will make a decision and will take into account any defence offered by the defendant.



## The Judge will normally make one of four decisions:

### An adjournment

The Judge may decide that further evidence is required before a final judgement can be made and will ask both parties to come back to court at a later date.

### A dismissal

The Judge may decide that there is not enough evidence to grant possession and will dismiss the case and take no further action.

### A Suspension of the Possession Order

The Judge may give possession to the landlord but suspend that possession on the basis that the person does not commit any further anti-social behaviour.

### An Outright Possession Order

The Judge may decide that there is enough evidence to give a possession order to the landlord who can then apply to have the tenant evicted.

However, even if this happens, the tenant may appeal before the eviction takes place.



### Family Intervention

We have a number of options to support families. A Parenting Order can be obtained from the court or we can make referrals to a specialist residential Family Intervention Project where they receive support to modify their behaviour before returning to their tenancy.

We may ask them to sign a Family Intervention Tenancy which reduces rights while they receive support and their behaviour is monitored in their own home.



### Terminating or Extending Short-hold Tenancies

In cases where the tenants who are causing the anti-social behaviour have short-hold tenancies, the landlord can consider either serving a Section 21 Notice to end the tenancy or extend the short-hold tenancy until the anti-social behaviour stops.

## 12. How will you decide when to close the case?

After the case has been investigated and a conclusion reached, you will be advised when the case is considered as closed. Should the problem continue after this point, we can reopen the investigation and discuss a new action plan with you at any time.

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**Always dial 999 in an emergency situation if you feel in any danger or threatened by anti-social behaviour.**

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# Anti-social behaviour

## 13. Will you ask me for feedback about my experience of the service?

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We always try and put things right by offering the very best service we can. It is important that we receive feedback from you to monitor the quality of the service we are providing.

You may receive a telephone call or paper survey asking you to spend a few minutes giving us your feedback. We always use the complaints, compliments and comments that we receive to make improvements to the service.

## 14. I have a complaint about the service I have received

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We will always try to resolve cases to the satisfaction of everyone who has reported anti-social behaviour to us.

There may be times when things go wrong and we do not provide the level of service that you expect. While we will always try to put things right as quickly as possible, you may choose to access our complaints process.

**If you would like a copy of our complaints leaflet or would like to make a complaint, please contact us by any of the ways described on the back of this leaflet.**





## Welcome to your Incident Diary Section. This Diary gives you the opportunity to write down incidents of anti-social behaviour you see.

### Why should I complete an Incident Diary?

To take any action we need good evidence from people that see or hear the anti-social behaviour and also what effect it is having on them. Without evidence it makes it very difficult to stop the anti-social behaviour.

### Are you asking me to fill in this diary because you don't believe me?

Absolutely not. We know that it might seem this way to some people but we see the Incident Diary as just one tool that we can use to decide on the appropriate action to take. We are committed to contacting you regularly to gather the evidence from you and will be in regular contact with you to discuss any updates with the case.

### What should I do if something serious happens?

If there are any specific incidents which are very serious then you should always dial 999 if you feel that you are in any danger or the police need to deal with the problem. You should write down the details of what happened but also contact us to tell us about it in person, by e-mail or over the phone.

### What should I do with the Diary?

You don't need to do anything, just keep it somewhere handy, write down what you see or hear and we will be in regular contact and arrange to collect the evidence from you.

### What if I have no space left in the Diary?

Contact us immediately and we will get another one for you.

# Anti-social behaviour

## Without evidence we cannot identify the best action to take

We therefore need you to report all acts of anti-social behaviour, including those which take place after you make the first report. There are some very important details you need to tell us and if possible to write down.

- What is the anti-social behaviour?
- Where does it happen?
- When does it happen and how long does it last?
- Who is causing the anti-social behaviour?
- Have you reported it to us before and have you reported it to the Police or anybody else?
- Most importantly, who is being affected by the anti-social behaviour and what effect it is having? (For example, the music is being played loudly and you can't sleep so you are being affected at work the next day)
- You should always try to write down details as soon as it happens so it is accurate - even if the anti-social behaviour happens in the middle of the night
- Only record what you see and hear
- Never write down what other people tell you
- You can also use other things such as photographs if any damage has been caused
- There are many different ways of recording this information.

### Before you start, please fill in your details:

Your full name:

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Telephone:

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Your address:

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Date of Incident - Start Time & Finish	Details of Incident (including who was committing the anti-social behaviour)	How Did The Anti-Social Behaviour Affect You/Your Family?

# Anti-social behaviour

How Did The Anti-Social Behaviour Affect You/Your Family?					
Details of Incident (including who was committing the anti-social behaviour)					
Date of Incident - Start Time & Finish					





Date of Incident - Start Time & Finish	Details of Incident (including who was committing the anti-social behaviour)	How Did The Anti-Social Behaviour Affect You/Your Family?

# Anti-social behaviour

How Did The Anti-Social Behaviour Affect You/Your Family?					
Details of Incident (including who was committing the anti-social behaviour)					
Date of Incident - Start Time & Finish					



Date of Incident - Start Time & Finish	Details of Incident (including who was committing the anti-social behaviour)	How Did The Anti-Social Behaviour Affect You/Your Family?

# Anti-social behaviour

How Did The Anti-Social Behaviour Affect You/Your Family?					
Details of Incident (including who was committing the anti-social behaviour)					
Date of Incident - Start Time & Finish					



Date of Incident - Start Time & Finish	Details of Incident (including who was committing the anti-social behaviour)	How Did The Anti-Social Behaviour Affect You/Your Family?

# Anti-social behaviour

How Did The Anti-Social Behaviour Affect You/Your Family?					
Details of Incident (including who was committing the anti-social behaviour)					
Date of Incident - Start Time & Finish					



## Who to call?

### Talk to someone you can trust...

You can report anti-social behaviour to a member of staff at Bernicia in person or by contacting us in any of the ways described on the back of this leaflet.



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### In an emergency...

If you are in immediate danger, you should contact emergency services by dialling 999

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## Possible criminal nature...

You should contact Northumbria Police which covers Northumberland, Newcastle, Gateshead, South Tyneside, North Tyneside and Sunderland or Durham Constabulary which covers County Durham.

Non Emergency: 101

## How to contact us



**Online:** [www.bernicia.com](http://www.bernicia.com)



**Email:** [contact@bernicia.com](mailto:contact@bernicia.com)



**Phone:** 0344 800 3800



**Letter:** Bernicia Group  
Oakwood Way  
Ashwood Business Park  
Ashington  
NE63 0XF

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