

# Anti-social Behaviour

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<b>Author:</b>	<b>Winsome Chambers</b>
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## Anti-social Policy Statement

**Anti-social behaviour can take many forms and can have a very serious impact on the lives of those it affects.**

London Housing Trust (LHT) places very great importance on dealing with acts of anti-social behaviour. We know that anti-social behaviour can ruin peoples' lives and break up communities unless dealt with quickly. We also know that the vast majority of our clients will wish to live a peaceful life and show mutual respect to their neighbours.

It is the actions of the few, whether they live on our developments or not, who cause the damage. LHT will not tolerate anti-social behaviour on our developments and aim to deal firmly with any incidents that are anti-social. The legislation provides powers to Registered Providers and we will use these to the full, up to and including legal action to seek possession of a property where necessary and proportionate. LHT hopes that our clients will work with us to identify perpetrators and our commitment to take the strongest line possible where appropriate. Of course there will be occasional disputes between neighbours but we expect these will be resolved amicably or through mediation. LHT accepts that it might not be able to resolve all complaints of neighbour disputes to the satisfaction of all parties but a thorough investigation will always take place.

LHT has reconfirmed its commitment to the updated Respect – ASB Charter for Housing. Working on the seven core commitments of the Respect Agenda, we have addressed these issues through this policy and procedure.

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

In preparation of this Policy and Procedure LHT has consulted:-

- a) Board
- b) Clients

c) Staff

The Homes & Communities Agency is the regulator and as of April 2012 launched its revised regulatory standards. The standards are classified as either “economic” or “consumer” LHT has incorporated the following consumer standards to ensure that we are meeting the needs of our customers:-

- Tenant involvement and Empowerment
- Home
- Tenancy
- Neighbourhood and Community

## 2. Scope

This Policy is a major step for tackling neighbour problems, for being tough on anti-social behaviour and supporting our residents in their efforts to build a secure and safe community.

## 3. Definition of Anti-social behaviour (ASB)

Anti-social behaviour is behaviour by residents, members of their household or their visitors, which causes annoyance, nuisance or disturbance to anyone else in the area.

LHT adopts the following definition of anti-social behaviour from The Housing Act

1996 (as amended by The Anti-Social Behaviour Act 2003). Anti-social behaviour is conduct which is capable of causing nuisance and/or annoyance to any person and which directly or indirectly relates to or affects our housing management functions.

LHT treats harassment as anti-social behaviour, some examples of harassment include but are not limited to, persecution or intimidation by residents, members of their household or their visitors, of a person or a group of people because of their race, colour, religion, nationality, sex, sexuality or disability. Some examples of behaviour that would be treated as anti-social behaviour include but are not limited to:-

- a) Noise nuisance
- b) Intimidation and harassment
- c) The fouling of public areas
- d) Aggressive and threatening language and behaviour
- e) Actual violence against people and property
- f) Hate behaviour

g) Domestic violence

h) Using or threatening to use housing accommodation for unlawful purposes

#### **4. Reporting Anti-social behaviour**

All reports of anti-social behaviour will be treated seriously, fully investigated and the complainant involved in agreeing actions to be taken. All reports will be treated in the strictest confidence and the identity of the complainant will not be revealed without their consent.

Complainants will be able to speak to a member of staff in private and in a mutually convenient, safe environment. Where possible, complainants will be given the option to speak to a member of staff who is of the same sex or of the same ethnic origin if they feel more comfortable with this.

Translation services and documents in alternative formats will be provided if required, to meet any specific needs of the complainant or witnesses. Safeguarding issues will be identified and dealt with appropriately in accordance with our Safeguarding Policies and Procedures. Further information in relation to the way in which reports of anti-social behaviour are dealt with can be found on the flow chart at page 6.

#### **5. Support for victims and witnesses**

LHT will ensure that appropriate support is provided on a case by case basis. We will carry out a comprehensive risk assessment and ensure that the complainant's support needs (and any other relevant person's needs) are met throughout the duration of the case. The facilities available to support both complainants and witnesses include:

- a) access to an out of hours reporting service for anti-social behaviour support provided by a tenancy support officer where applicable,
- b) filling out a victims matrix and if appropriate, referral to a Local Authority victims' champion,
- c) identifying other agencies that are able to offer a targeted support package or target hardening measures if appropriate.

#### **6. Obligation of clients**

LHT's tenancy agreements set out the tenant's responsibility to behave in a reasonable manner and to ensure that their family and any visitors do so as well. The tenancy agreement includes clauses covering anti-social behaviour and also domestic abuse. LHT will take action against clients, members of their household, and/or their visitors if they do not comply with the conditions of the tenancy agreement.

#### **7. Support for perpetrators**

LHT recognises that it is important to support both the complainants and the perpetrator of anti-social behaviour in order to try and deal with the root cause of the problems.

In order to do this, LHT will assess whether the perpetrators may benefit from help and support from relevant support agencies if appropriate, and make such referrals as are identified as being appropriate.

## **8. Partnership working**

LHT is committed to working in partnership with other agencies in areas where it owns housing. LHT will agree action plans with partners where appropriate using a broad range of preventative, support and enforcement type interventions to modify behaviour and provide respite for communities.

## **9. Delivery and monitoring**

All reports of Anti-social behaviour will be recorded in line with the LHT's Anti-Social Behaviour Procedure Guide. This includes recording cases on the in-house IT system. Cases will be monitored in line with the Anti-Social Behaviour Policy and Procedure and will be subject

to monitoring by the Head of Housing Services or ASB Co-ordinator. The Anti-Social Behaviour policy will be available to all staff and via the website for clients and partner agencies. Regular training will be provided to staff on all ASB policies and procedures. The policy will be reviewed every two years.

## **10. Resolving an Anti-social behaviour case**

LHT will explore all avenues available to it including legal action where this is deemed to be appropriate to resolve anti-social behaviour cases to the satisfaction of LHT, complainants and witnesses where possible. Where appropriate, LHT may make use of restorative justice methods or make referrals to specialist services as appropriate. More complex cases, including those which require legal action, will be dealt with on a case by case basis.

## **11. Legal action and enforcement**

Where appropriate, the LHT will use legal remedies available to deal with anti-social behaviour in our neighbourhoods. In some cases, it may be more appropriate to support others in taking legal action, for example the Police or Local Authority. Complainants and/or witnesses will be kept updated as to who is taking the legal action and why.

## **12. Equality and diversity**

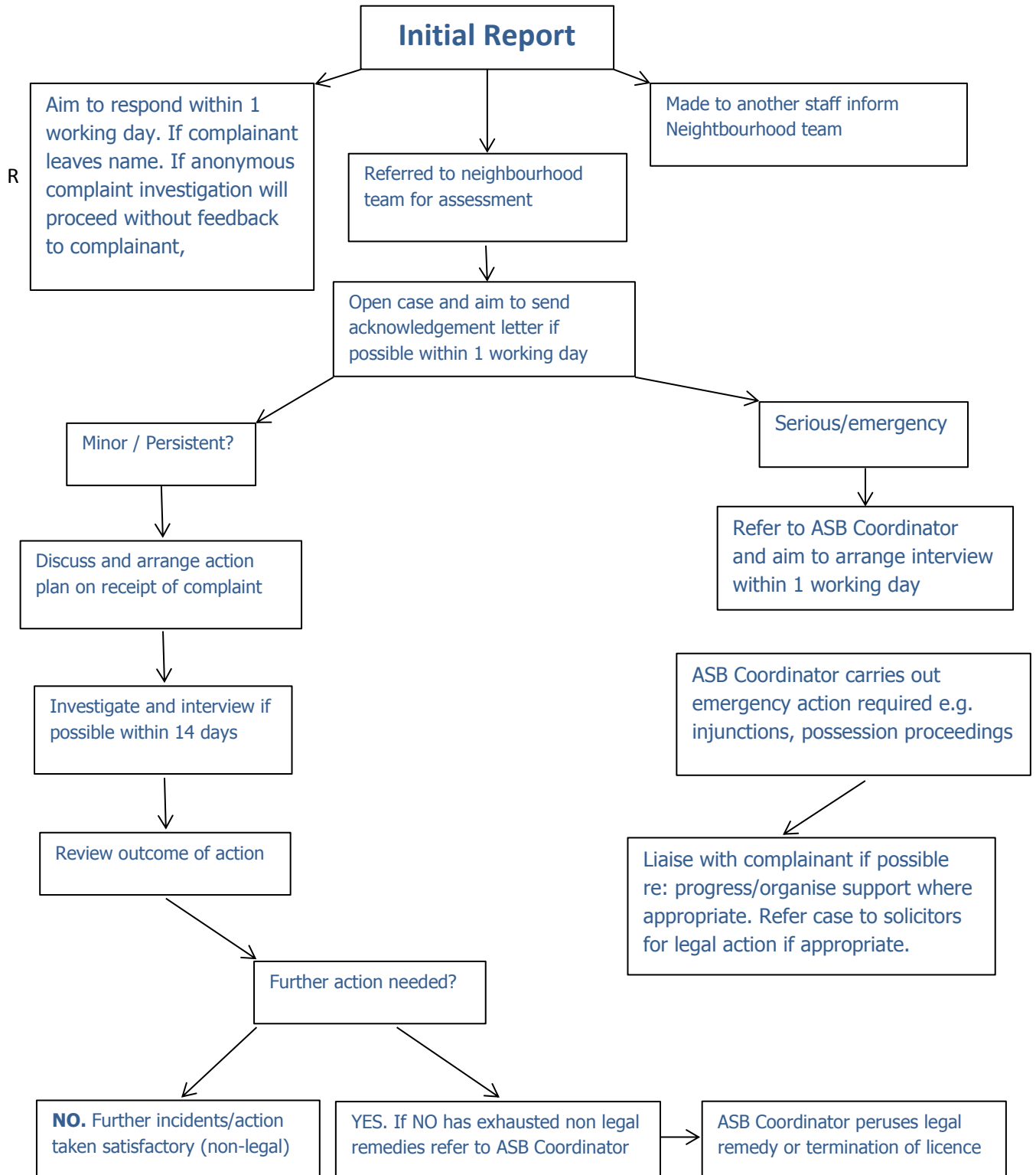
An equality impact assessment, screening document has been completed and any negative impacts from this policy have been addressed. The date of the Equality Impact Assessment was 23 December 2014.

## **13. Related policies**

- a. Domestic abuse policy
- b. Equality and diversity policy

c. Safeguarding policy

### ASB REPORTING FLOWCHART



## 14. Appendices

### 14.1 Appendix 1 – Single Equality Impact Assessment

#### Equality Impact Assessment

Policy/Procedure being assessed	Anti Social Behaviour Policy and Procedure
Section:	Operations
Date of assessment:	December 2014
Person (S) Responsible for assessment:	Miss Winsome Chambers
Is this a new or existing policy?	New Policy

1. Briefly describe the function being assessed	How as an organisation we ensure that all aspects of our work is tenant led and customers are at the heart of what we do.		
2. Who are the main stakeholders in relation to the function?	Clients, Staff, and Board		
3. Who will be consulted as part of this EIA?	Clients, Staff, and Board Carried out postal survey for complainants of ASB between December 2013 and December 2014		
What types of consultation will be carried out?			
4. Could the function have a differential impact on racial groups?	Yes ✓	No	
What evidence exists to support your analysis?	Language and cultural barriers where complainants and perpetrators cannot understand English.		



5. Could the function have a differential impact due to gender? Or gender reassignment	Yes	No ✓	
What evidence exists to support your analysis?			
6. Could the function have a differential impact on disabled people?	Yes ✓	No	
What evidence exists to support your analysis?	Possible access issues for customers who cannot make it to interviews.		
7. Could the function have a differential impact due to age?	Yes	No ✓	
What evidence exists to support your analysis?			
8. Could the function have a differential impact due to sexuality?	Yes	No ✓	
What evidence exists to support your analysis?			
9. Could the function have a differential impact due to religion or belief?	Yes	No ✓	
What evidence exists to support your analysis?			
10. Could the function have a differential impact due to any other protected or vulnerable characteristic including marriage or civil partnerships, pregnancy or maternity.	No		
What evidence exists to support your analysis?			
If the answer is NO to all questions 4-10 and no differential treatment has been found there is no requirement for a full Equality Impact Assessment. Please go back regularly and review the cycle. If the answer is YES to any of the questions 4-10 please continue to question 11			

<p>11. In what areas could the differential impact identified in 4-10 be considered to be an adverse impact in this function? (Please tick if yes)</p>	<p>Any other protected or vulnerable characteristic</p>	<p>Race ✓</p>	<p>Gender/ Gender reassignment</p>	<p>Disability ✓</p>	<p>Age</p>	<p>Sexuality</p>	<p>Religion/belief</p>
<p>12. What solutions will be introduced to overcome these adverse impacts?</p>	<ul style="list-style-type: none"> <li>• Use of profile data to look at clients needs.</li> <li>• Provide translation and interpreter service when required.</li> <li>• Ensure interviews can be carried out at clients' house if unable to make venue due to disability.</li> </ul>						
<p>13. In what areas could the differential impact identified in 4-10 be considered to be a positive impact in this function? (please tick if yes)</p>	<p>Race</p>	<p>Gender</p>	<p>Disability</p>	<p>Age</p>	<p>Sexuality</p>	<p>Religion/belief</p>	
<p>14. What strategies will be introduced to safeguard and spread these positive impacts?</p>							
<p>15. Which Action Plans have these</p>							

solutions/strategies been transferred into?	
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Signed off by (Director): .....

Date: .....

