

## **ANTI-SOCIAL BEHAVIOUR POLICY**

### Introduction

A key aim of the Sustainable Communities Plan is to improve the quality of life for all and anti-social behaviour is recognised as a significant barrier to achieving this goal.

The Housing Corporation's Regulatory Code emphasises the need for Registered Social Landlords to demonstrate their commitment to tackling the causes and consequences of such behaviour. The Anti-Social Behaviour Act 2003 further enhances the powers and responsibilities of registered social landlords and places a duty on them to produce published policies and procedures.

### Policy Statement

Midsummer seeks to provide homes and services that will contribute to thriving, balanced and sustainable communities.

In doing so it recognises the adverse affect anti-social behaviour can have on individuals and the community and the importance of tackling anti-social behaviour in all its forms.

Everyone has the right to the quiet enjoyment of his or her home and Midsummer will not tolerate any form of behaviour that adversely affects this principle.

Midsummer has a corporate commitment to dealing with all forms of anti-social behaviour effectively and will ensure that through extensive training, its staff have the confidence and knowledge to identify and investigate incidents and reports of anti-social behaviour and are equipped to take appropriate action.

### Definition

Midsummer has adopted the following definition as stated in the Anti-Social Behaviour Act 1996 (s153a (1) and s153b (2)):

- "Conduct which 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'
- "Conduct which consists of or involves using or threatening to use housing accommodation owned or managed by a relevant landlord for an unlawful purpose"

This policy covers a range of nuisance behaviour from the mildly irritating problems of dropping litter and untidy gardens through to more serious nuisance behaviour. Examples of behaviour, which Midsummer would consider to constitute anti-social behaviour, are listed below:

- Noise nuisance;
- Intimidation and harassment;
- The fouling of public areas;
- Aggressive and threatening language and behaviour;
- Actual violence against people and property;
- Behaviour that targets members of identified groups because of their perceived differences; and
- Using homes to sell drugs or for other unlawful purposes.

The Association's legal agreements will contain a specific clause relating to anti-social behaviour, setting out to residents the Association's expectations in terms of behaviour and relationships with neighbours and the community at large.

Midsummer expects its residents to have a degree of tolerance towards the different lifestyles of others. Residents are responsible for the actions of their family members, lodgers, friends, visitors and animals.

#### Midsummer's Approach to Anti-Social Behaviour

Midsummer will use a wide range of approaches to tackle anti-social behaviour. These will include telephone advice, personal visits, letters, mediation and encouraging residents to enter into Acceptable Behaviour Contracts. However, when necessary, the Association will take legal action which may involve obtaining injunctions, Anti Social Behaviour Orders, demoted tenancies (where applicable) and as a last resort, possession.

Complainants may well be concerned that their complaint could lead to retaliation by the perpetrator and consequently information may be provided on a confidential basis. Therefore, before disclosing information to a perpetrator, their legal representatives and any other interested parties, Midsummer will seek permission from the complainant.

Midsummer will:

- Investigate all reports of serious anti-social behaviour in accordance with set service standards and take appropriate action to ensure residents can peacefully enjoy their homes.
- Encourage residents in lesser incidents of nuisance and disputes to talk to each other, in order to reach a solution based upon mutual understanding.
- Actively promote any local mediation services and encourage residents to use them.
- Work in partnership with residents, resident groups and organisations to prevent and resolve anti-social behaviour problems.

- Work in partnership with key service providers to combat anti-social behaviour. These to include the police, probation services, local authorities, other Registered Social Landlords, neighbourhood wardens, youth offending teams, schools and health services.
- Develop formal information sharing protocols and partnership agreements to deal with anti social behaviour.
- Work with the local Community Safety Partnerships and specialists anti-social behaviour groups.
- Work closely with victim support groups and local community organisations. We will also provide help and support to the victim and to witnesses in appropriate circumstances. As part of our investigation process, we will consider the use of professional witnesses.
- Ensure all residents are given advice and assistance, which reflects their varying needs and abilities in accordance with the Association's Equality and Diversity Policy.
- Ensure that other policies compliment the Association's approach to anti-social behaviour, e.g. Allocations Policy, Racial Harassment Policy, Sustainable Development Policy, etc.
- Incorporate within the Association's design brief measures that provide good security and sound insulation, and estate designs that assist in the reduction of crime and aim to reduce the fear of crime amongst residents and their families
- Provide training for front line staff dealing with anti-social behaviour to increase skills and competencies within the Association

### Monitoring

The Association will monitor anti-social behaviour across the following headings:

- Categories of anti social behaviour (Noise, harassment, drugs, etc.)
- Target response times.
- Categories for the type of action taken.
- Incidences of anti-social behaviour by estate and local neighbourhood.
- Incidences by ethnicity.
- Outcomes.

Case progress will be monitored on an ongoing basis.

## Service Standards

Midsummer is committed to providing a high quality service to its residents. When dealing with cases of anti-social behaviour it will seek to achieve the following standards:

- Where the report is of a serious nature the Housing Officer will carry out a home visit within two working days
- If the incidence of anti-social behaviour is violent in nature or if people are at risk action will be taken within 24 hours
- All reports will be formally acknowledged in writing within two working days
- Priority will be given, where possible, by the Maintenance Team to deal with all necessary repair work within 7 days. Emergency work will be dealt with within 24 hours. Offensive and racist graffiti will be removed, where possible, within 24 hours. (It may be necessary to re-charge leaseholders for the cost of these repairs).
- Where a report has been received from the Mediation Service and no further action is required, the case will be closed and a closing letter sent to the resident within 5 working days of receipt of the report
- Cases being dealt with by a Housing Officer will be closed where the anti-social behaviour has not been repeated within 2 months of the last reported incident. (The exception being those cases where the Housing Officer considers that there is a continuing risk or where legal action is ongoing).
- The Mediation Service will be sent a monthly checklist of current cases

## Legislation

In fulfilling its obligations under this Policy the Association will have regard to a range of legislation including:

- The Housing Act 1996
- The Anti-social Behaviour Act 2003
- The Race Relations Act 1976
- The Data Protection Act 1998

## Linked Policies

- Racial Harassment
- Harassment
- Domestic Violence
- Tenure
- Equality & Diversity
- Allocations
- Sustainable Development