



## Anti-Social Behaviour Policy

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<b>Supporting Procedures</b>	Procedure for the Investigation and Resolution of Complaints of Anti-Social Behaviour.
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### 1. Policy Statement

- 1.1 This anti-social behaviour policy is in compliance with the Housing Act 1996 as amended by the Anti-Social Behaviour Act 2003 part 2 section 12 and also the Anti-Social Behaviour, Crime & Policing Act 2014.
- 1.2 Part 2 of Section 12 of the Anti-Social Behaviour Act 2003 requires housing organisations to prepare and publish policy and procedures for dealing with anti-social behaviour.
- 1.3 This policy provides guidance on how livin will respond to complaints of antisocial behaviour. The Support & Intervention Team (SIT) are responsibility for recording, responding to and resolving all complaints of anti-social behaviour caused by or affecting livin tenants.
- 1.4 Anti-social behaviour is a complex phenomenon requiring a range of interventions by a variety of agencies and partnerships. In line with current best practice our approach to dealing with anti-social behaviour is focussed on achieving positive outcomes, building confidence in communities and is founded on the triangular model of:
- Support for victims to minimise harm and support for perpetrators to make positive behavioural changes
  - Intervention to prevent and deter people from acting in an anti-social manner
  - Swift and decisive enforcement action when it is necessary
- 1.5 Providing a quality housing service to all residents is central to livin's activities as a social landlord and we believe that everyone has the right to enjoy their chosen lifestyle providing it does not detract from the quality of life of others.
- 1.6 We will not tolerate anti-social behaviour and will take positive action to make our communities and tenancies safe and sustainable, both alone and in partnership with other agencies.
- 1.7 We actively encourage reporting of anti-social behaviour and will provide a sensitive, harm-focused response to each complainant. This response includes communicating regularly with complainants and providing meaningful support to victims, witnesses and perpetrators of anti-social behaviour.
- 1.8 We will use all of the tools and powers available to us to tackle anti-social behaviour in the interests of maintaining the quality of life for tenants and

residents in our communities and we will communicate the actions we have taken to the wider community.

## **2. Defining anti-social behaviour**

2.1 The term anti-social behaviour covers a wide range of behaviours and conduct. The common denominator is that the behaviour causes or is likely to cause nuisance or annoyance to one or more other persons living in, working in or visiting the locality.

2.2 Livin uses two definitions of anti-social behaviour taken from the Housing Act 1996, S.153 A (1) provides that *“Anti-social behaviour is conduct which is capable of causing nuisance or annoyance to any person (even if no complaint has been received) and which directly or indirectly relates to or affects the landlords management of its housing stock”*.

2.3 And S.153 B of the Act, *“any conduct which consists or involves using or threatening to use housing accommodation owned or managed by the relevant landlord for an unlawful purpose”*.

2.4 For the purposes of this Policy anti-social behaviour may be experienced by anyone who has a right to live in property owned or managed by livin, those living in any other property in the neighbourhood such as owner occupiers and tenants of other landlords and anyone else in the locality, for example working, or using local facilities. This covers everyone who works for or with livin, including our agents, contractors and partners.

## **3. Our approach to anti-social behaviour**

3.1 To provide a quality housing service that promotes sustainable tenancies livin recognises that it must be effective in tackling problems created by anti-social behaviour. Our tenants have the right to live and work in an environment free from anti-social behaviour and livin will take action against perpetrators of anti-social behaviour to protect that right.

3.2 Livin will seek to resolve issues at the earliest stage possible and act decisively and authoritatively. Our aim will be to sustain tenancies, both of perpetrators and victims of anti-social behaviour however if necessary we will act to end a tenancy if by doing so we will promote the sustainability of the wider community. .

3.3 Livin will build effective partnership arrangements with local agencies to maximise the range of potential partners and services available to our tenants and residents in our communities.

3.4 We will investigate all reports of anti-social behaviour impartially and objectively. This means that we will, unless it would compromise the safety of residents, seek evidence to substantiate the report by contacting other residents, witnesses and the alleged perpetrators of the anti-social behaviour.

3.5 It is important for communities to set the standards of behaviour by which they expect people to live but if these standards are to be credible it must be clear that swift and effective action will be taken against unacceptable behaviour. The Tenancy Agreement is issued and explained to all tenants on sign-up. It is a legal contract that sets out the rights and responsibilities of livin and our tenants.

3.6 The Tenancy Agreement places an obligation on tenants not to do anything which would cause a nuisance, annoy or disturb any person living in their area. It also emphasises that tenants are responsible for the conduct of all those who live at and visit their property.

Our tenancy agreements expressly states at Condition 8 that:

*You are responsible for the behaviour of everyone (including children and pets) living in or visiting your home. You are responsible for them in your home, in communal areas and in the locality of your home.*

3.6 We will regard any report of anti-social behaviour that is demonstrated to have been made maliciously as an anti-social act in of itself and we will take appropriate action against the reporter.

3.7 Livin can act against tenants and non-tenants who cause anti-social behaviour. The Support & Intervention Team will work in partnership with other agencies to address cross-tenure complaints of anti-social behaviour.

## **4. Support**

4.1 We will respond to the individual circumstances of victims of anti-social behaviour and provide appropriate support based on their needs.

4.2 We will identify the needs of the adults and children we work with and refer any safeguarding issues to the appropriate agency.

4.3 We will identify and deliver local actions best suited to resolve local concerns.

- 4.4 Livin understands that building and maintaining the confidence of witnesses and complainants is vital to tackling anti-social behaviour and our services will minimise the risk of harm they face.
- 4.5 Livin will create and maintain effective partnerships with local community networks. We will use the Vulnerability Risk Matrix to identify when victims of anti-social behaviour need specialist support and will refer victims to the appropriate agency.
- 4.6 We understand that offering support to perpetrators of anti-social behaviour is an important part of addressing the underlying causes of anti-social behaviour. Livin will work with perpetrators to identify and understand their support needs and will refer perpetrators of anti-social behaviour to agencies who can help.
- 4.7 Livin will prioritise support and assistance to perpetrators of anti-social behaviour as a first recourse to resolving the problem.

## **5. Intervention**

- 5.1 The focus of livin's response to anti-social behaviour will be protecting complainants and the wider community from harm and sustaining tenancies.
- 5.2 We will use effective early assessment of anti-social behaviour complaints and community concerns, including identifying and responding to risk and vulnerability. We will use a Vulnerability Risk Matrix to assess the risk of harm posed to victims of anti-social behaviour. We will do this at the earliest possible point in the life of a case and throughout the case if circumstances change.
- 5.3 Livin understands that early intervention to resolve concerns and prevent matters becoming worse is a key element of successful anti-social behaviour management and is critical to improving customer satisfaction with our service. We will respond to all allegations of anti-social behaviour within 24 hours and will aim to resolve all complaints at the earliest opportunity.
- 5.4 When investigating complaints of anti-social behaviour livin will remain objective and impartial.
- 5.5 Livin understands the importance of communication. We will agree action plans with complainants as soon as possible in the life of the case and will keep the complainant and partner agencies informed of the progress of the case at agreed stages.
- 5.6 We will prioritise the needs of the victim of ASB and be open to challenge when our services don't meet the agreed standard.

## **6. Enforcement**

6.1 Our first priority is to protect individuals and communities from harm. Livin will always try to resolve complaints of anti-social behaviour through support and non-legal intervention but when this is not possible we will take enforcement action to protect victims.

6.2 Any enforcement action taken by livin will be specific, proportionate and appropriate to the anti-social behaviour we are seeking to address.

6.3 When considering enforcement action livin will maintain regular communication with witnesses and complainants and keep their safety and welfare central to all our actions.

6.4 Livin will maintain effective partnerships with local community networks, including community support organisations and victim support agencies and inform these partners when our enforcement action impacts on their services.

6.5 Livin will embed and maintain a partnership approach to referring, managing and monitoring enforcement cases. Livin will attend local multi-agency partnership meetings and draw on the resources and intelligence of partners when taking enforcement action.

## **7. Partnership working**

7.1 We recognise that effective and sustainable solutions to anti-social behaviour cannot be achieved in isolation. Livin is committed to working in partnership with our statutory partners, agencies in the third sector, our communities and their representatives to find ways to address anti-social behaviour.

7.2 Livin will take part in local and regional forums to share information and tackle anti-social behaviour and will attend specific multi-agency case management and risk management meetings as required.

## **8. Equality and Diversity**

8.1. We recognise and accept that discrimination on any grounds, either intentional or unintentional can result in some members of the community being unjustifiably denied equal access to services or information about services This policy has been formulated with the core principles of the Equality Act 2012 and

designed to eliminate discrimination, advance equality and foster good relations between groups who share protected characteristics and those who don't.

## **9. Monitor and Review**

9.1 Livin will record and monitor all reported cases of anti-social behaviour in accordance with policy and procedure.

9.2 We will hold regular meetings to monitor the progress of cases and the actions we have taken. We will ensure that all cases of anti-social behaviour are resolved as quickly as possible with the minimum risk of harm to the complainant and the community.

9.3 We will report performance information to our Board at regular agreed intervals.

9.4 Livin will review our anti-social behaviour policy and procedures annually and train staff to ensure continuous improvement and best practice.

## **10. Complaints**

10.1 We aim to provide an excellent service for our customers but sometimes things can go wrong. If they do, we need to know so that we can put them right and learn from them. We welcome complaints and will use feedback to improve our services and ensure our customers are treated fairly.

10.2 Livin aim to resolve complaints quickly and satisfactorily. The complaints procedure is accessible to all and will be followed by all staff.