

Anti-social Behaviour Policy

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1. Purpose

This policy applies to Signpost Housing Association and Signpost Care Partnerships' (the Associations) properties, and any accommodation directly managed by the associations and applies to incidents of anti-social behaviour (ASB) caused by, or inflicted upon, any person residing in the Associations' property, or any person visiting the Associations' property.

This policy has been developed to ensure the Associations comply with current legislation, Tenant Services Authority Standards, Housing Corporation guidance and good practice and includes:

- ensuring staff are fully committed to effectively deal with and to take a pro-active approach when dealing with ASB
- pro-actively managing ASB by working in partnership with other agencies and the community
- contributing towards, and supporting, local authority ASB strategies
- ensuring that when a member of staff becomes aware of a significant issue which could be considered to be criminal then this issue will be referred to the Police
- dealing with complaints of ASB in accordance with the Associations' policies and procedures.

The Associations strive to achieve the Spectrum Group mission:

'To be recognised and respected for providing quality homes and services. Empowering people, supporting active communities and building better futures'.

This policy supports the Associations' overarching plans and strategies to deliver quality services and ensure accessibility to these services for all the Associations' customers.

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2. Definitions

2.1 Anti-social behaviour

The Crime and Disorder Act 1998 defines ASB as:

“acting in a manner which caused or was likely to cause harassment, alarm or distress to one or more persons who are not of the same household”

Sections 153A(1) and 153B(2) of the Housing Act 1996, introduced by the Housing Act 1996 (as amended by the Housing Act 2002) provide a further definition of ASB:

- is capable of causing nuisance or annoyance to any person; and directly or indirectly relates to or affects the housing management functions of the associations or
- consists of or involves using, or threatening to use, housing accommodation owned or managed by the Associations for an unlawful purpose.

The Home Office states:

'Anti-social behaviour is virtually any intimidating or threatening activity that scares you or damages your quality of life. Anti-social behaviour doesn't just make life unpleasant, it holds back the regeneration of disadvantaged areas and creates an environment where more serious crime can take hold'

Examples of ASB include:

- noise
- harassment, including verbal abuse, intimidation and threatening behaviour
- hate related incidents (based on race, sexual orientation, gender, disability, religion, age). Racial harassment and race hate crimes will be dealt with in accordance with the racial harassment policy, see 2.2
- vandalism and damage to property
- pets and animal nuisance
- nuisance from vehicles

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- drugs / substance misuse / drug dealing
- alcohol related anti-social behaviour
- domestic abuse
- physical violence
- litter / rubbish / fly-tipping
- garden nuisance
- misuse of communal areas / public space or loitering
- prostitution / sexual acts / kerb crawling
- criminal behaviour / crime.

2.2 Exceptions

Racial Harassment and Racial Hate Crime

Racial harassment and racial hate crime are dealt with in accordance with the racial harassment policy and procedure.

Racial harassment is not restricted to criminal behaviour, violence or verbal abuse. The term covers behaviour, which may be verbal, non-verbal or physical. It is behaviour that the recipient may find offensive and/or affects the dignity of the recipient.

Race crime is not just when someone becomes a victim because of the colour of their skin. It also includes nationality, culture and language. Any racial hate crime that is reported to the police is treated seriously, even if it could be classed as a minor incident, because of the fear that racist crime can create within communities.

Domestic Abuse

Domestic abuse will be dealt with in accordance with the Domestic Abuse policy and procedure.

Domestic abuse is defined by the Home Office report 'Domestic Violence – A National report, 2005) as:

'Any incident of threatening behaviour, violence or abuse (psychological, physical, sexual, financial or emotional) between adults who are, or have been, intimate with partners or family members, regardless of gender or

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sexuality.’

Family members are defined as father, mother, stepfather, stepmother, son, daughter, stepdaughter, stepson, grandmother, grandson or granddaughter, brother, sister, uncle, aunt, niece or nephew (whether of full blood, half blood or affinity) of that person’s spouse or former spouse. This also includes cohabitantes, who if they were married to each other, would fall into one of these categories.

2.3 The Respect Standard

The Respect Standard for Housing Management is part of the Government Respect drive to tackle ASB and is a voluntary standard endorsed by the Housing Corporation. The Standard commits associations to tackle and prevent ASB and to work with partner organisations at all levels.

Actions within the Respect Standard are grouped under six headings:

- accountability, leadership and commitment
- prevention and early intervention
- empowering and reassuring residents
- tailored services for residents and the provision of support for victims and witnesses
- protecting communities through swift enforcement
- support to tackle the causes of anti-social behaviour.

2.4 The Respect Action Plan

The Government’s Respect Action Plan was launched in January 2006 and

‘Consolidates a holistic approach to tackling ASB, recognising that the root causes of nuisance behaviour need to be addressed in order to deal with the problem effectively. To this end, the plan looks at issues as broad as education and truancy through to enforcement and rehabilitation’.

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3. Legislation, Regulatory, Good Practice Requirements and relationship with other strategies, policy, and procedures

3.1 Legislation, Regulation and Good Practice Requirements

This policy complies with and aims to support:

- Anti-social Behaviour Act 2003
- Chartered Institute of Housing, Good Practice Brief : Equality, Diversity and Good Relations in Housing (April 09)
- Crime and Disorder Act 1998
- Criminal Justice and Public Order Act 1994
- Data Protection Act 1998
- Housing Act 2004
- Housing Act 1996 (as amended by the Housing Act 2002)
- Housing and Regeneration Act 2008
- Housing Corporation Good Practice Note 8 Equality & Diversity
- Housing Corporation Guidance 'Anti-social Behaviour, Policy and Procedure, March 2004)
- Housing Corporation Regulatory Code and Guidance
- Housing Corporation Guidance 'Promoting Respect, Tackling Nuisance Behaviour'
- Human Rights Act 1998
- Key Lines of Enquiry: Diversity and Tenancy and Estate Management
- Protection from Harassment Act 1997
- Public Order Act 1986
- Supporting People Quality Assessment Framework
- The Respect Standard for Housing Management.

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3.2 Relationship with other Strategies, Policies and Procedures

This policy should be read in conjunction with the following Spectrum Housing Group (SHG), Signpost Housing Association (SHA) and Signpost Care Partnership (SCP) strategies, policies and procedures:

- Access and Customer Care Strategy (SHA/SCP)
- Allocations and Lettings Policy (SHA/SCP)
- Anti-social Behaviour Strategy (SHA/SCP)
- Appeals Procedure (SHA/SCP)
- CCTV Policy (SHA/SCP)
- Community Involvement Strategy (SHA/SCP)
- Confidentiality, Privacy and Data Protection Policy (SHG)
- Domestic Abuse Policy (SHA/SCP)
- Equality, Diversity and Inclusion Policy (SHG)
- Estate Management and Neighbourhood Policy and Procedure (SHA/SCP)
- Homelessness Policy (SHA/SCP)
- Immobile Vehicles Procedure (SH/SCP)
- Racial Harassment Policy (SHA/SCP)
- Resident Involvement Strategy (SHA/SCP)
- Starter Tenancy Procedure (SHA)
- Value for Money Strategy (SHA/SCP).

4. Anti-social Behaviour Policy

The Associations are fully committed to effectively managing incidents of ASB and to take a pro-active approach in the prevention of ASB including:

4.1 Service Standards

The Associations will manage anti-social behaviour in accordance with the service standards listed at appendix 1.

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4.2 Strategic Approach

The Associations will take a strategic approach in the management of ASB including:

- contributing to, and taking part in, partnership and multi-agency working to deal with, and prevent, anti-social behaviour within communities where the Associations are represented
- reflecting new legislation or best practice relating to anti-social behaviour in policies and procedures
- supporting and contributing to local Crime and Disorder Partnerships to provide a co-ordinated multi-agency approach to tackle ASB
- developing schemes which 'design out' crime by developing and participating in design forums
- making appropriate budgetary provision to, where appropriate, undertake improvements such as increased security lighting which will help to prevent or reduce ASB.

4.3 Resident Responsibilities

The Associations will take action to ensure residents are aware of their responsibilities including:

- making new residents aware of their responsibilities to behave in an acceptable manner at the point of sign-up, with the terms of their tenancy, or licence agreement clearly explained. All new residents will be required to sign our 'Understanding ASB' statement
- providing a summary of the Associations' Anti-social Behaviour Policy and Procedure in tenancy handbooks and make this available to all residents
- issuing new residents with starter tenancies in accordance with the Starter Tenancy Procedure.

4.4 Multi-agency and Partnership working

The Associations will contribute to, and work in partnership, with other agencies to prevent and manage ASB including:

- taking a multi-agency approach and working with perpetrators to improve their behaviour
- working closely with local authorities, relevant partners, and agencies, to ensure that an appropriate assessment takes place prior to

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rehousing any person who has been linked with ASB and to identify perpetrators who may attempt to move from property to property

- being part of formal information sharing protocols, and other appropriate protocols to facilitate the exchange of relevant information
- forming and maintaining links with statutory and other agencies to work towards preventing and reducing ASB. Where the Associations are not the main social landlord in the locality, representation and feedback will be through the local housing partnerships
- being active members of key local partnerships such as Police and Communities Together (PACT) and local ASB liaison groups
- holding perpetrators accountable for their actions and ensuring that the full range of civil and criminal remedies are considered.

4.5 Risk and Support Planning

The Associations will manage potential risks and will identify support needs including:

- undertaking comprehensive risk assessments and support planning prior to, and during the tenancy, to achieve tenancy sustainability
- ensuring appropriate support is identified, including specific communication needs, by working in partnership with other service providers and agencies, and that where appropriate this support is on-going
- helping residents to manage their children's behaviour by referring to and working with specialist programmes, such as Youth Intervention Support Programmes (YISP), Parenting Programmes and Family Intervention Programmes to offer specialist training and support

4.6 Community Involvement

The Associations will work with communities to reduce and prevent ASB including:

- promoting diversionary projects for young people
- directing residents to the associations' community fund to assist with community activities and/or improvements
- contributing to, and taking part in partnerships that work towards the prevention, management, and protection of the wider community.

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4.7 Action to deal with anti-social behaviour

The Associations will consider the action that best delivers a proportionate and flexible response to the anti-social behaviour reported including:

- undertaking non-legal remedies such as offering advice and assistance, issuing Acceptable Behaviour Contracts, offering mediation and restorative justice services
- taking legal action such as Anti-Social Behaviour Orders, Injunctions, Demotion Orders, and Possession Proceedings or using other powers available to the Associations
- where appropriate supporting residents to obtain a move to another property
- making referrals to other agencies.

4.8 Information and Publicity

The Associations will use publicity to raise awareness of ASB and to provide information about how to report ASB and will provide details of support that may be available from specialist agencies including:

- providing information in the residents' newsletter 'Your Voice'
- contributing to and taking part in community events
- using other publicity opportunities such as newspaper articles and website information.

4.9 Supporting victims and witnesses

The Associations will assume in the first instance, that a complaint is justified and will, where appropriate, support victims and witnesses including:

- ensuring support needs and/or the need for protection is identified and is accessed by working in partnership with other specialist agencies and that, where appropriate, this is on-going
- being sensitive to the diverse needs of victims and children irrespective of gender, race, religion, age, disability, or sexual orientation
- respecting the complainants wish to remain anonymous and where appropriate, identifying alternative methods of providing evidence. The exception to this will be where a person (including children) is considered to be at risk, or if there is a risk of serious harm to anyone involved in the situation, or when required to do so by law or by an

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order of a court

- providing advice and assistance and a supportive environment, which encourages people to report ASB to the Associations, police and other relevant agencies
- listening to complaints from both individuals and the community. Complaints (which might be anonymous) will be received verbally, or in writing, from either the principal complainant or from someone acting on their behalf
- acting with and on behalf of complainants, commencing a full investigation into the complaint as soon as is reasonably possible and in accordance with the ASB service standards
- providing a quick response especially in cases of harassment, violence or intimidation in accordance with the relevant service standards
- developing the complainant's capacity to act as a witness by building their understanding, knowledge, sense of control, confidence and strength of purpose
- communicating regularly with complainants to keep them informed of progress
- considering whether, due to the seriousness of the situation, a transfer to alternative accommodation is appropriate and supporting this in liaison with the appropriate local authority (such circumstances are likely to involve priority 1 incidents, (see Appendix 1 for definition).

4.10 Rehabilitation of Perpetrators

The Associations will ensure that perpetrators receive advice and support to assist them in either modifying their behaviour, or to assist them to deal with any underlying cause of ASB including:

- responding to ASB issues at an early stage by clearly challenging the perpetrator about their behaviour, and explaining to the perpetrators their responsibilities. This may include accessing a specialist support service to help the perpetrator to understand and adhere to the tenancy obligations
- explaining to the perpetrator the potential actions which may be taken against them and the possible outcomes of such actions
- making all reasonable attempts to engage with perpetrators to improve their behaviour or increase their consideration for other residents

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- referring perpetrators to appropriate support services, such as Drug and Alcohol Advisory Services, to provide support and assistance with rehabilitation
- continuing to liaise with agencies supporting a perpetrator to ensure that there is an on-going 'joined-up' approach
- ensuring any action taken against a perpetrator is necessary and proportionate.

4.11 Training

The Associations will ensure that all staff receive ongoing training with regard to the range of remedies that are available and how to use them, as well as an understanding of the cost and the limitations of invoking those remedies. It is the aim that all relevant staff will be trained to take the most appropriate and effective action in all circumstances. The training will include:

- ensuring that staff who may be placed at risk from acts of violence or aggression when dealing with ASB are fully aware of the Health and Safety Policy (SHG) and Lone Worker Procedure (SHG)
- where appropriate, detailed training of the current ASB Policy and related procedures is identified and undertaken as part of the planned induction programme for new staff
- training staff who may initially receive reports of ASB to understand the requirements of the ASB Policy and Procedure
- ensuring best practice, new legislation and case law is disseminated to relevant staff and is communicated effectively by either service area team meetings, Operational Management Team briefings, legal briefings or the internal intranet
- identifying on-going training needs and arranging appropriate training as required for staff, residents and Board members.

4.12 The Right to Appeal

Any appeal against the decision to take action, or otherwise, against a perpetrator of ASB will be dealt with in accordance with the Associations' appeals procedure.

4.13 Monitoring and Control

Incidents of ASB will be monitored and reported to the Associations' Boards

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as part of the Performance Information pack.

A review of actions taken and their effectiveness will be undertaken as part of the annual review of the Anti-social Behaviour Strategy.

4.14 Equality, Diversity and Inclusion

This policy has been developed to support the associations' commitment to equality of access and quality of service delivery and includes:

- ensuring that no customer is disadvantaged irrespective of their race, gender (including gender reassignment), religion or belief, colour, ethnic or national origin, sexual orientation, marital status, age, disability, or social position in accordance with Spectrum Housing Group Equality, Diversity and Inclusion Policy
- ensuring specific communication or support requirements and equal access to the service is available
- identifying and addressing any inequality of access to the service
- recording and monitoring incidents of ASB and the actions taken to ensure no individual or group is excluded.

4.15 Equality Impact Assessment

This policy has had an equality impact assessment and has concluded this policy does not discriminate either directly or indirectly and does not disadvantage any individual or group.

4.16 Responsible Officers

The Divisional Director Housing Services, Signpost Housing Association, and the Divisional Director Support Services, Signpost Care Partnerships will be responsible for monitoring and implementing this policy.

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5. Appendices

5.1 Appendix 1, Service Standards

PRIORITY 1 - Serious anti-social behaviour will not be tolerated at any level. Where there is evidence that the household is at risk of serious assault or in danger, or there is persistent, substantial harassment and the victim is considered vulnerable, the case will be determined as a priority 1.

The Associations will take a victim-orientated approach when dealing with such cases and these will be treated as urgent. Full investigations will commence, and a response to the victim, will be undertaken within the same working day.

Examples include:

- actual violence or threats of violence (including domestic violence)
- racial or any other form of harassment (including racist graffiti)
- confirmed Class A drug dealing.

PRIORITY 2 - Where there is evidence of anti-social behaviour, but the victim is considered not to be at risk.

This will require an initial response, which may be an acknowledgement depending upon the severity of the issue, to the complainant, by the end of the next working day. Full investigations will be commenced within five working days of the report.

Examples include:

- drug dealing, unless the complainant is considered to be at risk or it is confirmed that Class A drugs are involved

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- drug use, unless the complainant is considered to be at risk
- nuisance from animals
- vandalism and graffiti (unless racist or offensive)
- regular loud noise including loud music, shouting and swearing, noise from televisions and radios, or vehicular noise during unsociable hours (after 11pm and before 7am)
- unroadworthy/abandoned vehicles
- litter/rubbish
- public disorder.

PRIORITY 3 – Incidents which may be causing a nuisance but which are not considered to be serious anti-social behaviour and do not present a risk.

These will be recorded and advice will be given, the initial response will be undertaken within three working days.

Examples include:

- household noise
- isolated incidents of loud music during the daytime
- potential one-off incidents such as a party or DIY work
- children playing or youths socialising/playing ball games
- parking issues
- clashes of Lifestyle (including disturbance to shift workers)
- minor disputes between individual neighbours where there is no independent evidence.

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