

Shoreline Housing Partnership

# Summary of Anti-Social Behaviour Policy and Procedure

If you would like to receive this information in another language or in another format such as large print, Braille or on audio tape, please contact Communications on 0845 849 2000 option 5 or email [communications@shorelinehp.com](mailto:communications@shorelinehp.com)

# Part 1 The Policy

## Introduction

This leaflet provides a summary of the responsibilities that Shoreline Housing Partnership has as a social landlord, what its approach is and how it intends to work, in partnership with local residents and other organisations and agencies, to tackle anti-social behaviour effectively. Copies of the full Statement of Anti-Social Behaviour Policy and Procedures are available at all Shoreline Housing Partnership Ltd offices and it will also shortly be available on the website at [www.shorelinehp.com](http://www.shorelinehp.com)

If you have any queries regarding this Statement, or wish to make comments or suggestions for future reviews of the Statement you can do so by contacting Shoreline Housing Partnership on **0845 849 2000 Option 3**.

## Definition

The Housing Act 1996 defines anti-social behaviour as 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 OR
- consists of using, or threatening to use, housing accommodation owned or managed by a relevant landlord, for an unlawful purpose

Anti-social behaviour can cover a wide range of actions or behaviour, but might include:

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

## General policy statement

The Company's approach to tackling anti-social behaviour involves a mixture of *prevention*, *support* and *enforcement*.

### ***Prevention***

Regeneration of neighbourhoods will be achieved through the commitment by Shoreline Housing Partnership in providing significant resources to initiatives specifically directed to reduce and prevent personal and environmental anti-social behaviour.

It is recognised that there is no set solution for our neighbourhoods but rather a cocktail of projects depending on the particular problems that a neighbourhood is faced with that will achieve this aim. The best intervention is always one of a preventative nature, to this end many of the regeneration projects will focus upon diversionary activity for young people that

does not focus on bad behaviour but, more importantly, good behaviour. Examples of regeneration investment initiatives are:

- Positive Lifestyle Programmes.
- Community Safety Interventions.
- Employment and Skills.
- Youth Diversionary and Inclusion projects.
- Neighbourhood Wardens.
- Educational Programmes.
- Social Enterprise (tackling graffiti, fly tipping etc).

Effective partnership interventions will both prevent and deter anti-social behaviour and, through this approach, Shoreline Housing Partnership's regeneration strategy will create safer neighbourhoods and cohesive communities.

### ***Support***

The Neighbourhood Services Team has entered into an agreement with the Community Mediation Service to provide an independent confidential service whereby neighbours can talk through their issues to achieve sustainable agreements about disputes.

By providing early intervention the Neighbourhood Services Team aims to help sustain tenancies and help tenants live comfortably in their home. The team will deal with all low level neighbour disputes and nuisance cases, most of which can be satisfactorily resolved by this initial intervention.

The use of floating support officers within the Anti-Social Behaviour Unit is designed to provide help and support to tenants by way of signposting and referrals to the people and agencies who can help. The support officers will talk with the tenant/s about their individual needs and plan the appropriate support.

### ***Enforcement***

Where evidence is obtained regarding anti-social behaviour then Shoreline Housing Partnership has a number of options with regard to possible actions. Any intervention is identified early and is intended to help maintain and sustain the tenancy. Any legal action is pursued only as a last resort when all other methods have failed. Any action will of course be proportionate to the seriousness of the behaviour. Possible actions include one or more of the following:

- Informal actions such as writing to or interviewing the known perpetrator(s)
- Acceptable Behaviour Contracts
- Parental Responsibility Contracts
- Anti-Social Behaviour Orders
- Injunctions
- Demotion Orders
- Possession Proceedings
- Eviction

### **Obligations of tenants**

The current tenancy agreement includes a section on “Nuisance, Discrimination and Other Harassment” in the section on Tenant Responsibilities, which gives a detailed explanation of the kinds of behaviour that are proscribed. This includes the behaviour of the tenant, anyone living with the tenant or visiting their home or locality (including children).

### **Racial Harassment**

Shoreline Housing Partnership will not tolerate any form of racial harassment by or against its tenants and is committed to working with partners to take effective action against the perpetrators of racial harassment or racist incidents.

### **Domestic Violence**

Shoreline Housing Partnership will not tolerate domestic violence by or against its tenants and will work with the Police and other agencies to use existing legal remedies to deal with this. Where a tenant has been violent and this has led to other members of the family moving out and being rehoused Shoreline Housing Partnership will take this matter to the County Court to seek a possession order. However, the Company will always seek to remove the perpetrator in the first instance.

### **Working with Partners**

It is recognised that the problems of anti-social behaviour are complex and wide-reaching and that Shoreline Housing Partnership is unable to work in isolation to try and tackle this issue. The Company is committed to taking a multi-agency approach to anti-social behaviour in order to seek the most appropriate solutions.

### **Confidentiality**

Any information given to Shoreline Housing Partnership will be treated in confidence and will not be passed to the alleged perpetrator unless express consent is given. Information may be shared with partner organisations where this is appropriate and allowed by legislation (specifically the Data Protection Act 1998 and Crime and Disorder Act 2000) or where this is deemed necessary to protect the public interest.

## **Part 2 The procedure**

### **1. Making a complaint of Anti-Social Behaviour**

- 1.1 In the first instance a complaint should be made to the Neighbourhood Services Team on **0845 849 2000 Option 3** or on the Anti-Social Behaviour Confidential 24 hour message line **01472 572174**, or fax 01472 572177, or email us at [info@shorelinehp.com](mailto:info@shorelinehp.com) or call in at the Shoreline Housing Partnership Customer Service Centre, 11-13 Osborne Street, Grimsby DN31 1EY.

### **2. Dealing with a complaint of Anti-Social Behaviour**

- 2.1 When a call is received by the Neighbourhood Services Team, regarding nuisance or anti-social behaviour then the details will be recorded and the nuisance categorised. In the case of low-level neighbour nuisance information will be sent to the tenant regarding common-sense and practical steps for them to take to resolve the situation wherever possible.

- 2.2 If this does not resolve the issue then the matter may be referred to an independent mediation service.
- 2.3 Where a report of more serious or repeat occurrences of nuisance or anti-social behaviour is received by the Neighbourhood Services Team then the complainant will be contacted within set timescales, depending on the nature of the complaint, for further details to be recorded. The Neighbourhood Officer will agree with the complainant a course of action to be followed. This may include asking the complainant to complete a nuisance diary, or log sheets, and depending on the circumstances, visiting the perpetrator too.
- 2.4 All cases will be dealt with in a sensitive and responsive manner, however, it is to be accepted that further investigations will have to be undertaken before any clear decision can be made regarding the allegations.
- 2.5 The Neighbourhood Officer will then put into action the agreed plan. Ordinarily this will include a visit being made to the alleged perpetrator(s). In the event of a visit, this will take place within 5 working days of the "Action Plan" being agreed, unless specific circumstances make this inappropriate. Discretion will be used to determine whether a more urgent visit is needed.
- 2.6 The Neighbourhood Officer must remain impartial and listen to both parties before forming any clear opinion or deciding upon a course of action. At the end of the visit, the Neighbourhood Officer should be in a position to identify a way forward. This could involve the need to conduct further investigations or issuing appropriate advice or warnings to the parties concerned.
- 2.7 The Neighbourhood Officer will keep both the complainant and the alleged perpetrator informed of relevant information and developments at all stages throughout the process.
- 2.8 It will be the objective of the Neighbourhood Officer to achieve an early resolution through following the steps outlined above. In such circumstances the case will be monitored for a further 14 days. If no further complaints are received then, with prior notification to the complainant and the perpetrator, the case will be closed.
- 2.9 If further complaints are received the Neighbourhood Officer will liaise with the Team Leader or Senior Neighbourhood Officer for guidance on the way forward. Should the situation warrant an individual agency involvement (eg Environmental Health) then this will be sought. In certain circumstances the Housing Officer will arrange for a multi-agency case discussion to be held with partners from the appropriate partner agencies e.g. the Police, North East Lincolnshire Council Social Services, Education, Youth Offending Team etc.
- 2.10 Where it is decided that formal action is required then full case details will be presented to the Team Leader or Senior Neighbourhood Officer. Formal action should be considered to be the last resort.
- 2.11 For more serious and protracted cases of anti-social behaviour cases may be referred to the specialist anti-social behaviour unit.

### **3. Supporting complainants**

- 3.1 It is vital, for any action that Shoreline Housing Partnership takes to succeed, for complainants to be offered help and support during what can be a very stressful time. For any action to be successful we would normally need statements from witnesses and for people to be willing to go to court if necessary to confirm what they have seen or what has happened. Some people may feel uncertain about doing this as they may worry about possible repercussions or intimidation.
- 3.2 In the most serious of cases we may consider moving the victims or witnesses to another area. However, this is a very extreme circumstance and normally just talking through the procedure with the witnesses is enough to reassure them. We can help with transport to get to court and can often arrange a visit to the court before the actual hearing. In some cases we may be able to put the witness in touch with someone who has acted as a witness for us before, for support and encouragement. Victims will be referred to relevant support services where appropriate.
- 3.3 In some cases then it is possible for Neighbourhood Officers to attend Court and provide “hearsay” evidence where the witness is unable or unwilling to do so. In other cases then the anti-social behaviour may have been witnessed by an officer of Shoreline Housing Partnership and they can then give personal evidence to the Court.
- 3.4 In certain circumstances, cameras can be used to gather evidence. Shoreline Housing Partnership will only use cameras in cases where it is decided that this is appropriate, and in all cases this decision will be made by the Head of Housing or Neighbourhood Services Manager, having regard to the guidelines which are contained in the Regulation of Investigatory Powers Act 2000.<sup>1</sup>
- 3.5 Whenever court action is taken complainants and witnesses will have the legal processes explained to them with realistic timescales of when the court is likely to deal with the case.
- 3.6 Support may also be appropriate for the perpetrators and Shoreline Housing Partnership has existing links with a number of agencies that can offer a range of support and rehabilitation services.

### **4. Options available to landlords for responding to complaints of Anti-Social Behaviour**

- 4.1 There are a range of actions that can be taken, depending on the seriousness of the behaviour, and taking into account the affect that the behaviour is having on the victim(s), the length of time the behaviour has been ongoing and the number of tenants affected.
  - Writing to or interviewing the known perpetrator(s)
  - Acceptable Behaviour Contracts
  - Parental Responsibility Contracts
  - Anti-Social Behaviour Orders

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<sup>1</sup>

Although RIPA applies only to Local Authorities, Shoreline will use the guidelines in order to ensure it follows good practice in this area

- Injunctions
- Demotion Orders
- Possession Proceedings
- Eviction

## **5. Monitoring Anti-Social Behaviour**

- 5.1 Shoreline Housing Partnership keeps records of the numbers and types of nuisance complaints that we receive and the actions that we take to deal with it. It also carries out satisfaction surveys on tenants who have made a complaint about anti-social behaviour.

Where complainants or perpetrators are unhappy with the action that we have taken, then they may make a formal complaint about this using the Complaints procedure. Complaints handling and outcomes are monitored. In addition to this the Company will periodically send questionnaires which ask tenants their views on what they consider to be the most serious problems in their area, eg vandalism, drug dealing, graffiti etc.

- 5.2 By carrying out this monitoring Shoreline Housing Partnership is able to continually review the way that it works and determine how effective its policies and procedures are, in order that it can improve performance.