

## ANTI-SOCIAL BEHAVIOUR POLICY

### 1.0 INTRODUCTION

- 1.1 Almond Housing Association, in acknowledging that anti-social behaviour will occur, is committed to addressing situations where Association tenants are either the victims or the perpetrators of behaviour which prevents residents living in peace and safety.
- 1.2 The term “anti-social behaviour” is used in this policy to cover the types of behaviour by a tenant or tenants, and/or their visitors, which cause their neighbour(s) a problem, ranging from a minor irritation to serious criminal activity (see section 2).

The term does **not** cover incidents of **harassment**, which is defined as: “behaviour deliberately intended to intimidate, dominate or harm an individual or group of people because of ethnic or racial background, colour, religion or belief, disability, sexual orientation or any other form of discrimination”. Our policy on these matters is described in the separate policy on harassment.

- 1.3 We have developed a range of procedures and responses to deal with the variety of situations which may occur (see the supporting procedure Ref: HSG/96/04). We recognise however that it will not be possible or appropriate to become involved in every situation, and that part of our response will be to encourage tenants to resolve their differences and difficulties with one another, or with the assistance of other agencies.
- 1.4 We will continue to develop the effective working relationships we have built up with the appropriate staff of other agencies which might become involved in anti-social behaviour situations, such as the Police, Community Mediation, Social Work or Environmental Health Departments.

In particular, following the signing of a service level agreement with the West Lothian Council Neighbourhood Response Team, we will work closely with the Team as they deal with anti-social behaviour issues we have referred to them.

- 1.5 We will ensure that all tenants understand clearly their rights if they are suffering from anti-social behaviour, and the implications if they cause a nuisance.
- 1.6 Except in the case of serious criminal activities, we will normally seek to resolve instances of anti-social behaviour without having to take legal action against a tenant, and will only take legal action when all other means of resolving the issue have been exhausted.
- 1.7 The use of restraint through interdicts will be considered as a less drastic alternative to eviction.

- 1.8 Where required, we will consider the implementation of appropriate measures under the Crime and Disorder Act, i.e. seeking Sheriff Court approval of an Anti-Social Behaviour Order (ASBO).
- 1.9 We recognise that this policy can only provide a framework for the guidance of staff, and that the response to each situation will depend both on the individual circumstances, and on the judgement of the staff involved.
- 1.10 This policy is based on the guidance in the following documents:
- SFHA Raising Standards - Chapter 16
  - SFHA Guidance Booklet No 7 - Dealing with Anti-Social Behaviour
  - Chartered Institute of Housing - Neighbour Nuisance: Ending the Nightmare (Good Practice Briefing No. 3)
  - Chartered Institute of Housing - Housing and Anti-Social Behaviour in Scotland – Practice Note: The use of legal remedies
- 1.11 This policy complies with Communities Scotland Performance Standard AS1.9 and Chapter 16 of the SFHA publication Raising Standards.

## 2.0 DEFINITIONS

- 2.1 The term “anti-social behaviour” covers a wide range of activities which may be grouped together as follows:
- **More serious** – Behaviour which goes against society’s norms and accepted standards (including criminal behaviour), such as drug dealing, theft, unprovoked assault, persistent vandalism, damage to property or serious dumping of rubbish.
  - **Less serious** – Behaviour which unreasonably interferes with other people’s rights to use and enjoy their home and immediate environment in peace and safety, such as playing loud music, lack of control over children or pets, failure to keep refuse areas tidy or verbal abuse.
- 2.2 We will not normally become involved in situations which are not serious or are not in direct breach of a condition in the Tenancy Agreement. Examples are domestic or family squabbles, minor or occasional irritations, occasional nuisance caused by children playing in the street, etc. Tenants will normally be advised to seek resolution of any such problems by discussion with those allegedly causing the problem, or with the assistance of any other appropriate agencies, for example the local Citizens Advice Bureau.
- 2.3 For the purposes of taking action on the grounds that the tenancy conditions have been broken, it will be necessary to establish that the behaviour can be attributed to the tenant, a member of the tenant’s household, a lodger, sub-tenant or a visitor.

## 3.0 PREVENTIVE MEASURES

### Design

3.1 We will seek to minimise some of the effects of anti-social behaviour through the design and construction of our properties, including the following measures:

- Adequate sound insulation within and between properties;
- Secure external doors, and windows;
- Controlled entry systems to flats;
- Overall layout of estates to “design out” crime;
- Adequate fencing and lighting in communal areas;
- Designated play areas, where possible, away from older residents;
- Effective security of empty properties.

### Tenant Participation

3.2 We will involve tenants in developing policies, procedures and strategies to counter anti-social behaviour through:

- consulting with tenants on the content of this policy
- publicising this policy through tenants newsletters and other appropriate publications;
- meetings with tenants, including any groups set up as a result of implementing the Tenant Participation Strategy.

3.3 The aim of these measures will be to:

- make all tenants aware that anti-social behaviour of any kind will not be tolerated, and that the Association expects all tenants **not** to cause a nuisance;
- gain wide support for this view;
- ensure that the potentially serious consequences of anti-social behaviour are understood;
- create a climate within each estate which clearly states that anti-social behaviour is not acceptable there;
- encourage the reporting of genuine persistent anti-social behaviour;
- encourage those who live near to victims of anti-social behaviour to offer support, which can assist in deterring those who are the cause.

### Information

3.4 We will seek to ensure that applicants and tenants understand the implications of anti-social behaviour by providing information in the following ways:

- The **Allocations Policy** will state that an application will be suspended from our housing list where there has been anti-social behaviour on at least two occasions in a current or previous tenancy.
- The **Tenancy Agreement** will include anti-social behaviour as one of the grounds on which we may terminate the tenancy.

- The '**Neighbour Nuisance**' leaflet included in the new tenant's 'sign-up' pack will provide information on the common types of ant-social behaviour and how to tackle them, including a brief summary of the action we may take.
- Housing staff will supplement the written information by additional explanation and emphasis, both at the time of signing the Tenancy Agreement and in particular during any follow up 'new tenant visits' that may be made.
- The **Tenant Handbook** will re-emphasise the conditions in the Tenancy Agreement regarding anti-social behaviour.
- The **Neighbour Complaint Form** will contain advice on how to report complaints.

#### **4.0 MONITORING AND REVIEW**

- 4.1 The Head of Housing Management is responsible for ensuring that this policy and the supporting procedures are implemented by all concerned.
- 4.2 The Head of Housing Management will ensure that this policy is reviewed by the Management Committee at least every five years.

<b>FIRST APPROVED</b>	<b>SEPTEMBER 1996</b>
<b>VERSION 3.0</b>	<b>JUNE 2004</b>
<b>NEXT REVIEW</b>	<b>JUNE 2009</b>
<b>COMPLIES WITH</b>	<b>Performance Standard AS1.9 SFHA Raising Standards Chapter 16</b>