



## **ANTISOCIAL BEHAVIOUR POLICY**

### **1.0 INTRODUCTION**

1.1 Almond Housing Association Limited (AHA Ltd.) recognises that antisocial behaviour will occur, and we are committed to addressing situations where Almond tenants are either the victims or the perpetrators of behaviour which prevents residents living in peace and safety.

1.2 The term "antisocial behaviour" is used in this policy to cover the types of behaviour by a tenant or tenants, members of their household and/or their visitors, which cause their neighbour(s) a problem, ranging from a minor irritation to serious criminal activity (see section 3).

It includes 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".

1.3 AHA Ltd. has a range of procedures and responses to deal with the variety of situations which may occur, as detailed in the procedures that support this policy. 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 AHA Ltd. will continue to develop the effective working relationships we have built up with the staff of other agencies which might become involved in antisocial behaviour situations, such as the Police, Social Work or Environmental Health Departments.

In particular, under the service level agreement with the West Lothian Council Safer Neighbourhood Team, AHA Ltd. will work closely with the Team as they deal with antisocial behaviour issues we have referred to them.

1.5 AHA Ltd. will ensure that all tenants understand clearly their rights if they are suffering from antisocial behaviour, and the implications if they cause a nuisance.

1.6 Except in the case of serious criminal activities, AHA Ltd. will normally seek to resolve instances of antisocial 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 AHA Ltd. will consider using restraint through interdicts as a less drastic alternative to eviction.

1.8 Where required, AHA Ltd. will consider implementing appropriate measures under the Crime and Disorder Act, i.e. seeking Sheriff Court approval of an Antisocial Behaviour Order (ASBO).

- 1.9 AHA Ltd. recognises that this policy can only provide a framework for the guidance of employees, and that the response to each situation will depend both on the individual circumstances, and on the judgement of the employee(s) involved.

## 2.0 RESPONSIBILITIES

### 2.1 Board of Management

- To ensure that there is in place a policy on anti-social behaviour which complies with current regulations, guidance and good practice.
- To monitor compliance with the policy through the receipt of reports and deal with any matters requiring a Board decision.

### 2.2 Management

- Head of Housing Management: To manage the implementation of the policy and procedures on a day-to-day basis, advising the Board of Management, other Heads of Section and all employees as required on specific matters.

### 2.3 Employees

- To ensure they have read and understood the policy and procedures, and to implement them as required in the course of their work.

## 3.0 DEFINITIONS

- 3.1 The term "antisocial behaviour" covers a wide range of activities which may be grouped together as follows:

- **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.
- **More serious** – Behaviour which goes against society's norms and accepted standards (including criminal behaviour), such as drug dealing (resulting in serious nuisance, safety hazards etc.), theft, unprovoked assault, persistent vandalism, harassment, damage to property or serious dumping of rubbish.

- 3.2 AHA Ltd. 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.

- 3.3 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.

## **Timescales**

- 3.4 Where we decide to become involved, AHA Ltd's aim will be to initiate action within 3 working days at the latest. In very serious cases we will initiate action within 1 working day.
- 3.5 The target for completion of a less serious case will be 28 days. If the same type of incident occurs within 2 weeks of the closure date the case will be re-opened as a continuation of the original case. If the similar incident occurs more than 2 weeks after closure it will be recorded as a new case.
- 3.6 No target will be set for completing more serious cases due to their complexity. Each case will be closed 4 weeks after the last recorded incident (in a series of incidents) and/or after all the investigations etc. have been completed and a final reply sent.

If the same type of incident occurs within 4 weeks of the closure date the case will be re-opened as a continuation of the original case. If it occurs more than 4 weeks after the closure date it will be recorded as a new case.

## **4.0 PREVENTIVE MEASURES**

### **Design**

- 4.1 AHA Ltd. will seek to minimise some of the effects of antisocial 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**

- 4.2 As part of our Tenant Participation Strategy AHA Ltd. will involve tenants in developing procedures and strategies to counter antisocial behaviour through:
- consulting with tenants on the content of relevant procedures and/or actions;
  - publicising this policy on our website, through tenant newsletters and other appropriate publications;
  - meetings with tenants, including the Tenant Focus Group, to discuss specific matters or overall policy.

4.3 The aim of these measures will be to:

- make all tenants aware that antisocial 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 antisocial behaviour are understood;
- create a climate within each estate which clearly states that antisocial behaviour is not acceptable there;
- encourage the reporting of genuine persistent antisocial behaviour;
- encourage those who live near to victims of antisocial behaviour to offer support, which can assist in deterring those who are the cause.

### Information

4.4 AHA Ltd. will seek to ensure that applicants and tenants understand the implications of antisocial behaviour by providing information through the following:

- the **Suspension of Applicants Policy**, which describes the circumstances under which an application will be suspended from AHA Ltd's housing list where there has been antisocial behaviour;
- the **Tenancy Agreement**, which includes antisocial behaviour as one of the grounds on which AHA Ltd. may terminate the tenancy;
- the **'Neighbour Nuisance' leaflet** included in the new tenant's 'sign-up' pack, which provides information on the common types of antisocial behaviour and how to tackle them, including a brief summary of the action AHA Ltd. may take;
- the **Tenant Handbook** which re-emphasises the conditions in the Tenancy Agreement regarding antisocial behaviour;
- the **Neighbour Complaint Form** which contains advice on how to report complaints.

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 the 'settling-in' visit any other follow up visits that may be made.

## 5.0 REVIEW

5.1 The Head of Housing Management will submit reports on performance in resolving antisocial cases as compared to targets, as part of the quarterly 'scorecard' report to the Board of Management.

5.2 The Head of Housing Management will ensure that this policy is reviewed by the Board at least every five years.

<b>FIRST APPROVED IN</b>	<b>SEPTEMBER 1996</b>
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