

## Introduction

Great Places aim to promote a safe and secure environment for our residents and will do all we can to prevent anti social behaviour (ASB) and any form of harassment. We work across diverse communities and are committed to working with our residents and their families to tackle anti-social behaviour, harassment, nuisance and crime.

We are committed to delivering an excellent service to stop ASB and create a culture of respect. We will work in partnership with key stakeholders to deliver these core commitments and the corporate objectives of the Great Places.

## What is Anti Social Behaviour?

The term anti-social behaviour can mean different things to different people. Great Places considers anti-social behaviour to be:

“A wide range of unacceptable activity that can negatively impact the lives of many people, often on a daily basis. It can leave those affected feeling helpless, desperate and with a seriously reduced quality of life.”

There are also legal definitions of anti social behaviour which are subject to a number of legal tests in order to take action, an example is:

“conduct capable of causing housing-related nuisance or annoyance to any person”

**Nuisance and Harassment** – behaviour that unreasonably interferes with other people’s rights to the use and enjoyment of their home and community and which is likely to cause offence, alarm, or distress to another individual or household.

**Hate Crime** – If someone commits a criminal offence against you or your property that is motivated by a person’s hate or prejudice because of your:

- Race, colour, ethnicity, nationality or national origin
- Religion or faith
- Gender or gender identity (including transphobia)
- Sexual orientation (including homophobia)
- Disability
- Age
- Physical appearance

**Racist Incident** – “any incident which is perceived to be racist by the victim or any other person”

**Tenancy Management** – refers to activity that is specifically linked to an address where we have a tenancy agreement in place, and the behaviour can be dealt with as a tenancy management matter.

**Perpetrators** – for clarity, any reference in this policy to the ‘perpetrator’ is used to refer to the alleged perpetrator who is the person who is being investigated as a result of an ASB complaint.

## Context

Great Places will keep in touch with changes in Government policies and guidelines and will review this policy and the service that we provide. At the time of writing, the regulatory and legal framework was as follows:

### Regulatory Framework – Neighbourhood and Community Standard

Under the Neighbourhood and Community Standard registered providers are required to publish a policy on how they work with relevant partners to prevent and tackle anti-social behaviour (ASB) in areas where they own properties. In addition, in work to prevent and address ASB, registered providers shall demonstrate:

- that tenants are made aware of their responsibilities and rights in relation to ASB
- strong leadership, commitment and accountability on preventing and tackling ASB that reflects a shared understanding of responsibilities with other local agencies
- a strong focus exists on preventative measures tailored towards the needs of tenants and their families
- prompt, appropriate and decisive action is taken to deal with ASB before it escalates, which focuses on resolving the problem having regard to the full range of tools and legal powers available
- all tenants and residents can easily report ASB, are kept informed about the status of their case where responsibility rests with the organisation and are appropriately signposted where it does not
- provision of support to victims and witnesses

### Legal Framework

Great Places has a duty of care to victims of crime and ASB and is required to meet regulatory and legislative guidance as follows:

- Anti-social Behaviour, Crime and Policing Act 2014
- Equality Act 2010
- Crime and Disorder Act 1998 , as amended 2002
- Housing Act 1996
- Human Rights Act 1998

Great Places manages properties over a wide geographical area covering 36 Local Authorities across the North West and Yorkshire. This ASB policy overarches our group wide approach to dealing with ASB. Some operational activities will be shaped by local priorities, and local standards.

## Aims & Objectives

The overall aim of this policy is to create cohesive and sustainable communities. Our key objectives are to:

- Prevent incidents and reoccurrence of ASB in the communities where we operate. This may include taking action against any person, who may or may not be our tenants.
- Ensure that we tackle ASB as efficiently and effectively as possible using a variety of approaches. Early intervention and swift action is a key priority.

- Take a customer centred approach and ensure that appropriate support is provided to witnesses, victims and their households, at every stage of the case.
- Ensure that information is treated confidentially
- Work with vulnerable residents, both victims and perpetrators, and partner agencies to provide a holistic and appropriate response to deal with ASB.
- Use legislation and other tools to assist us in developing an effective approach in the prevention and management of ASB.
- Assist perpetrators to change their behaviour and where possible ensure they have access to the relevant support through early intervention. Where necessary, we will take appropriate enforcement action against perpetrators.
- Not tolerate any behaviour that is designed to threaten, intimidate or abuse our staff or contractors. Should we deem it necessary in conjunction with our policy on Managing Aggressive and Abusive customers, we will seek legal remedies should staff be subjected to this type of behaviour from our customers.
- Promote fair and equal treatment for everyone.

## What is involved?

### Prevention, Early Intervention, Enforcement and Support

Great Places is committed to preventing incidents of ASB occurring in the first instance and will use a range of preventative actions to achieve this. Where incidents have occurred we recognise that early intervention is the key to avoid escalation. If necessary and appropriate, we will take legal action to resolve the situation.

#### **4.1 Prevention and Early Intervention:**

- Our Tenancy Agreements contain clauses which allow us to deal with unacceptable behaviour. Starter Tenancies will be used as a preventative tool in line with our Starter Tenancy Policy.
- We will use a range of tools including carrying out warning interviews and issuing formal warnings, Acceptable Behaviour Contracts (ABC's) and Parenting Contracts, as appropriate.
- We will adopt a multi-agency approach when dealing with cases and will work with partner agencies such as the Police, Probation, Social Services, Education and Youth Services.
- We will actively encourage the use of Mediation at an early stage between parties to resolve issues.

- We will work with partner agencies to ensure appropriate packages of support are available to help perpetrators address their behaviour, and to support those affected by unacceptable behaviour
- Where specific vulnerabilities are identified in a case we will endeavour to provide a tailored approach to those suffering and those perpetrating.

## **4.2. Enforcement - Legal Action**

Great Places recognises that there will inevitably be cases where conciliation, mediation and working with other agencies may not be successful, and that in such circumstances where sufficient evidence is available enforcement action will be pursued.

A range of tools are available to the Group to take action against perpetrators. These include:

- Undertakings
- Demotion of Tenancies
- Injunctions (including exclusion)
- Parenting Orders
- Possession proceedings as a last resort

We will work with partners to consider other potential solutions:

- Noise Abatement notices
- Closure of Premises in partnership with the police and Local Authority
- Criminal Behaviour Orders (CBOs)
- Dispersal Orders

## **4.3. Supporting Victims and Witnesses**

Great Places is eager to offer support and reassurance to all victims and witnesses of ASB. We will agree clear actions with them on how we are going to tackle the case.

We will:

- Provide a variety of methods in order to report incidents of ASB including telephone, face to face, third party, email, and via the website. This will include an ASB out-of-hours reporting line.
- Ensure front line staff are fully trained in taking initial reports of ASB, making sure that our policies and procedures are clear.
- Ensure that we complete a risk assessment of complainants where appropriate during the initial investigation, assessing any vulnerabilities and safeguarding issues. Safeguarding issues identified will be dealt with as per the Safeguarding and Protection from Abuse Policy and Procedures.
- Provide access to translation/interpretation in appropriate languages. Documents will be produced in large print, Braille or audio format where required.

- Ensure each report of ASB is investigated and where a case is logged, a case officer will be assigned and the complainant and any witnesses will be notified of the name and contact details. A plan of action will be agreed with every complainant and any witnesses, but there may be cases where it is not appropriate (e.g. anonymous reports, or where the reporter does not want to be engaged with the process).
- Ensure that evidence collected is in the most appropriate and effective manner, offering a range of methods e.g. diary sheets in appropriate community languages or dictaphones. If necessary and where proportionate; we will seek the use of professional witnesses or CCTV in line with the relevant policy.
- Consider the need for additional security and target hardening measures as appropriate.
- Make arrangements to remove offensive race and hate graffiti within 24 hours.
- Ensure that witnesses and victims are kept informed at all stages of the investigation and ensure that we work with other relevant agencies e.g. Victim Support and advocacy services for support before and after any court appearances.
- In extreme cases where there is a significant risk of harm that can not be addressed by other interventions, the Group will consider rehousing options in line with our policy on Management Transfers.

#### **4.5. Dealing with Vulnerable Perpetrators and Victims**

In addition to the above, we recognise that some residents, whether they are the victim or perpetrator, may have complex needs and may require additional support. This could include those who have issues such as:

- Drug abuse
- Alcohol abuse
- Mental Health or any form of disability
- Children at risk
- Young people leaving care

Where a perpetrator of ASB has such vulnerability, we will try and ensure that they have access to support to help address any unacceptable behaviour. This may include liaising with relevant professional organisations or support being provided in-house. We will work closely with Partner Agencies to ensure that support is available.

We will do an equality impact assessment as appropriate to ensure we make adjustments to our approach in order to not disadvantage those protected by the Equality Act 2010.

On occasion, and where appropriate, we may seek advice from independent professionals including medical, mental health, fire safety.

#### **4.6 Confidentiality, Record Keeping and Case Management**

We will treat all information received with the strictest of confidence, in the first instance the best interest and wishes of the complainant will drive the actions that we will take. It is important to understand that in certain circumstances confidentiality may be subject to a duty to disclose relevant information to other statutory agencies e.g. if there is any reason to suspect that children are at risk.

All information received is recorded on a secure Case Management IT system, and sensitive information is restricted to relevant staff.

## **4.7 Monitoring and Review**

We will use an electronic case management system with reporting facilities which will enable us to report against a range of performance measures.

Our performance is reported to customers on a regular basis against the Group service standards, and through regular performance reports to our Customer Service Voice panel which are also published on the website.

The standards for acknowledgement and investigation of anti-social behaviour complaints are:

- High priority – 1 working day for initial acknowledgement and follow up by case officer
- General ASB – 2 working day for initial acknowledgement, and 5 days for follow up by case officer.
- Low level ASB – 2 working day for initial acknowledgement, and 5 days for follow up by case officer.

N.B. Acknowledging a case may be either sending an acknowledgment letter or telephoning the complainant, depending upon which is most appropriate.

On closure of a case, the Quality and Performance team may carry out a telephone satisfaction where appropriate. Performance is monitored against annual targets for:

- Satisfaction with the way the case has been dealt with
- Satisfaction with the outcome of the case
- Days taken to close a case
- ASB cases as a percentage of stock

## **Who will be involved?**

Low-level ASB is often associated with Tenancy Management related issues, and is primarily dealt with by Neighbourhood Officers and Co-ordinators in the regions. For Low Level ASB cases the Low Level ASB process should be consulted for guidance. Examples of low level ASB include, Nuisance from Animals, Household Noise, Parking Issues & General Neighbour disputes.

High priority and General ASB such as cases of nuisance, harassment and criminal behaviour should be referred to and dealt with by the Group's Community Safety team. Examples of General ASB include, Verbal Abuse, Noise Nuisance such as noisy parties or Loud Music. High Priority ASB is any case where there is a risk of harm, examples include, Threatening or aggressive behaviour, Violence, Assaults, Intimidation, Harassment & Domestic Abuse.

Please see appendix 1 for a breakdown of issues and categories.

We will work with all relevant partners in order to progress casework to a satisfactory conclusion.

## **5.1 Staff Training**

All relevant staff are trained appropriately to manage ASB.

- All new Great Places Housing Management frontline employees will receive training as part of their induction on the ASB Policy and Procedures.
- All Great Places staff directly involved in dealing with ASB incidents will receive, on a continuing basis, appropriate training on policy, procedures and legal practices as appropriate to their role.
- Training on preventative measures will also be provided to all relevant staff. This will include conducting warning interviews, producing ABC's.
- A training matrix will be used in order to identify areas of specific training needs.

## **5.2 Multi Agency Working**

Great Places recognises that dealing with ASB is not the sole responsibility of any single agency. We will work closely across all of the Local Authorities with all relevant agencies, and will share information with appropriate partners. We have a commitment to the rehabilitation of offenders and will work within existing frameworks and develop information sharing protocols. Interface agreements would also be developed in order to share information.

We will work specifically with Local Authorities in developing Local Area Standards in consultation with residents.

Where appropriate we will identify “hot spot” areas and endeavour to work with partners to co-ordinate a more focussed and concentrated approach. This will be done by attending a variety of Multi Agency Forums in local areas as necessary.

Please see Appendix 2 listing Partner Agencies.

## **5.3 Data Protection and Information Sharing**

As a registered provider, we have a duty to share information with relevant agencies as set out by the Crime and Disorder Act 1998. This will be done in accordance with the Data Protection Act 1998 and any information sharing protocols we have in place.

## **Links to Related Procedures**

There are a number of other Group Policies that are clearly linked to the ASB policy. These include:

- Equality and Diversity Policy
- Sustainable Communities Strategy
- Harassment Policy
- Safeguarding and Protection from Abuse Policy and Procedures
- Domestic Abuse Policy
- Lone Working Policy
- Starter Tenancy Policy and Procedure
- Repairs Policy and Procedure
- Surveillance Policy
- CCTV Policy
- Communications Plan for Community Safety

## Equality Impact Assessment Screening

Question	Yes/No (add explanatory notes if appropriate)
Could there be any equality issues arising from this policy? (If no, you do not need to answer the following questions but must provide justification for why)	Yes
Is there any reason that some groups may not receive a fair and equal service?	Yes
Could this issue have a significant impact?	Yes
Will the policy impact on a significant proportion of people? (include justification for why you think it is significant or not)	Yes
Is there any reason to believe service user/employee profile is not consistent with community profile?	No
Is there any evidence to suggest that any part of the policy, practice or procedure could discriminate unlawfully, directly or indirectly, against different groups?	No
<b>Total</b>	<b>4</b>

### Score:

5-6 = high priority

3-4 = medium priority

1-2 = low priority

0 = no EIA required

<b>Policy Approval Date:</b>	March 2015
<b>Equality Impact Assessment Date:</b>	March 2015
<b>Safeguarding impact</b>	Yes
<b>Policy Review Date:</b>	March 2018
<b>Lead Team:</b>	Community Safety
<b>Level of Authorisation Required:</b>	Regional Manager

## Appendix 1 – Categories of ASB

High Priority:					Category:
	CaseType	Example	Responsibility	Comment	
	Where any person is at a significant risk of harm	Dangerous dogs, safeguarding in respect of abuse	Community Safety	Inc. safeguarding within an ASB context	Detail specific
	Domestic Abuse & Violence	Mental, physical, financial, FGM, Honour Crimes	Community Safety	Generational abuse, extortion etc	Personal
	Hate Incidents	Race, Orientation	Community Safety	-	Personal
	Threatening & Aggressive Behaviour/Language	Physical or otherwise	Community Safety	Includes incidents directed towards staff	Personal
	Harassment & Intimidation	Physical or otherwise	Community Safety	-	Personal/detail specific
	Criminal activity linked to the property	Use of, or dealing drugs, prostitution	Community Safety	-	Personal
	Violence	Assault, or threatening assault	Community Safety	-	Personal
	Gang related incidents	Serious organised crime	Community Safety	-	Detail specific
General ASB:					Category:
	CaseType	Example	Responsibility	Comment	
	Youths nuisance	Distinct from children playing	Community Safety		Nuisance
	Noise nuisance	Loud Music	Community Safety		Nuisance
	Neighbour disputes with behaviour	Involving incidents of unacceptable behaviour	Community Safety		Personal/detail specific
	Purposeful damage to property	Malicious damage	Community Safety		Environmental/detail specific
	Verbal abuse	Offensive language directed towards another party	Community Safety	Use of bad language alone is not sufficient to be classed as verbal abuse	Personal
	Dangerous animals	Specific breeds or aggressive displays	Community Safety		Nuisance/ detail specific
Low Level ASB:					Category:
	CaseType	Example	Responsibility	Comment	
	Children	playing	Regional Team	Joint approach with CST maybe appropriate	Nuisance/ Environmental
	Rubbish dumping	Throwing things out of a window, littering and misuse of communals	Regional Team	Risk of Harm cases can be referred to CST	Environmental
	Property/Garden condition	Overgrown gardens	Regional Team	Risk of Harm cases can be referred to CST	Environmental
	Animal nuisance	Dogs barking	Regional Team	Risk of Harm cases can be referred to CST	Nuisance/ Environmental
	Vehicle nuisance	Parking issues, car repairs	Regional Team	Risk of harm cases can be referred to CST	Nuisance
	Household noise	DIY, washing machine	Regional Team	Persistent and significant nuisance can be referred to CST for advice	Nuisance/ detail specific
	Boundary disputes		Regional Team	-	Environmental
	Neighbour Disputes	People not getting along or agreeing with each other including name calling	Regional Team	Language that is not directed towards another party to be offensive, but is disliked by others when over heard. However a joint approach with CST may be appropriate	Personal/ detail specific

## **Appendix 2 - Partner Agencies**

These include the following:

- Police
- Local Authority Departments including:
  - Community Safety Unit
  - Education
  - Local Housing and Neighbourhood Teams
  - Social Services
  - Youth Offending Teams
  - Connexions – and other support agencies
  - Environmental Health
  - Fire and Rescue Service
  - Troubled Families Units
- Probation Services
- Mediation Services
- Voluntary and Community Sector
- Legal Services

Please note that this list is not exhaustive.