



The Villages Housing Association Limited

### **Anti Social behaviour Policy**

Original Issue Date:	October 2004
Last Review Date:	July 2010
Next Review Due:	July 2012
Author:	Bernie McConnell
Approved by VHA Board:	24 September 2010

**The Villages Housing Association Limited**

**This document may not be copied, reproduced, or used in any way, either whole or in part, without prior permission.**

## Version Control

(Summarises revisions to the document)

Version Number	Date	Revision Details	By (person)	Approved by	Board approval date
1	2004	New Policy	Keith Grattan	SMT	
2	2005	Revised Policy prior to Audit Commission Inspection. Detailed procedure written.	Bernie McConnell		21 Dec 2005
3	Dec 2005	Additional Domestic abuse helpline numbers added following comment from a Board member.	Bernie McConnell	n/a	n/a
4	2007	Addition of closed case letter and satisfaction survey added	Sue Ward	Bernie McConnell	n/a
5	Dec 2009	Policy reviewed prior to being passed onto newly appointed ASB Officer	Jackie Bradley	Bernie McConnell	n/a
6	July 2010	Policy and procedure reviewed. Policy and procedure separated into 2 documents. No significant alterations to either document	Sue Grimmitt (ASB Officer)	Jackie Bradley	24 Sept 2010
7	September 2010	Amendments made to wording of Policy and Procedure following review by member of Tenants Scrutiny Panel. No significant alterations to either document.	Sue Grimmitt (ASB Officer)	Bernie McConnell	30 Sept 2010

**Equality Impact Assessment**

<b>Date</b>	<b>By (person)</b>	<b>Initial (yes/no)</b>	<b>Full (yes/no)</b>
1			
2			
3			

**Distribution / Alert**

This document has been distributed by CEO's P.A. to the following:-

**Names**

Team Managers	
Team Members	
Board and Committee Members	
Website	
Portal	
External Agencies	

Contents

1.0 Anti-Social Behaviour Policy .....1  
2.0 Domestic Abuse.....4  
3.0 Harassment .....5  
4.0 Responsibilities .....7  
5.0 Training .....8

## **1.0 Anti-Social Behaviour Policy**

### **1.1 Introduction**

Villages is committed to ensuring that good tenancy relations are maintained throughout its stock, and to ensuring that tenants and leaseholders enjoy their right to peace, quiet and security in their own homes.

Villages will take positive action in conjunction with its partners to deal with disruptive tenants and any other persons causing a nuisance or harassment in the area or in any of its dwellings.

Villages recognises the relationship between anti-social behaviour and demand for its properties. It is committed to proactive actions to combat anti-social behaviour in the interests of its tenants and its communities. Villages considers that such actions will have a direct bearing on the lettable of its properties and the sustainability of its communities and neighbourhoods.

Villages signed up to the Government's Respect Standard for Housing Management in May 2007. This is our commitment to residents to show that we intend that we do all that we reasonably can, working with partners to provide good services to tackle anti-social behaviour.

There has been considerable legislative change over the past ten years in the field of community safety. Villages welcomes these changes.

In particular the following legislation has been taken into account:-

Housing Act 1985  
Housing Act 1996  
Crime and Disorder Act 1998  
Police Reform Act 2002  
Anti Social Behaviour Act 2003  
Housing Act 2004  
Race Relations Act 1976  
Environmental Protection Act 1990

### **1.2 Our Approach**

Anti-social behaviour is considered any activity or behaviour which has a negative effect on others. Villages use the following definition:-

*"any act which caused or was likely to cause harassment, alarm or distress to one or more persons not of the same household as the perpetrator"*  
(Crime and Disorder Act 1998)

Villages consider that the following non exhaustive actions constitute nuisance or anti-social behaviour:

- Criminal activity including drug dealing;
- All forms of harassment including racial and sexual harassment;
- Violence or threat of violence;
- Neighbour nuisance and disputes;
- Physical abuse or intimidation;
- Noise nuisance;
- Condition of property.

### **1.3 Policy Objectives**

Villages will not tolerate and will take prompt and effective action against all forms of anti-social behaviour.

A comprehensive range of measures will be used by Villages to combat anti social behaviour which are described in this policy. Many of these measures will involve effective partnerships with other Agencies such as the Local Authority and Police.

Partnerships with Residents' Groups can also be extremely effective when dealing with anti-social behaviour and there will be a significant role for Board Members in this process. This role will include support for measures being taken and some decision making powers in relation to individual actions.

A strongly worded and thorough tenancy agreement has been produced which outlines tenancy rights but just as importantly tenancy obligations.

The rights and obligations contained within the tenancy agreement will be emphasised during the sign-up interview for each new tenancy. Villages' policy in relation to anti-social behaviour will be explained in detail. The standards of behaviour expected from Villages' tenants will be outlined.

Villages will be clear and firm about what constitutes anti-social behaviour and will be judged by its actions in relation to it. Every step will be taken to ensure that those who contemplate causing nuisance will be aware of the consequences that will follow. In particular publicity where relevant and which is not detrimental or harmful to children will be sought to emphasise Villages' stance on such matters.

Villages existing procedures have been reviewed and amended to reflect the actions that the association may take. The procedures outline the type of actions to be taken and the timescales for such actions. This includes speedy responses in serious cases. Every effort will be made to bring about real changes and improvements in behaviour to ensure that further action is not required. Such improvements and changes in behaviour are considered to be effective outcomes as they demonstrate clearly to individuals the

determination of Villages to take effective action on behalf of vulnerable people and the wider community. Such outcomes send out powerful messages about what will and won't be tolerated.

The procedures emphasise the need to ensure that individual complainants and victims are kept informed of progress at all stages and are offered the necessary support from Villages and, where relevant, the services of Victim Support, Police Family Support Unit, and Independent Mediation. This support will include placing individuals who are at risk in 'places of safety' where it is deemed necessary. The perpetrators will be kept informed of intended actions at each stage and opportunities to change their behaviour will be given at each stage.

The range of measures to be taken include the following:

- advice and warnings;
- tenancy enforcement ranging from issue of Notice through to possession proceedings where behaviour does not change;
- injunctions where necessary;
- demotion of tenancies;
- mediation in neighbour disputes;
- partnerships with the Local Authority Environmental Health Section in relation to noise nuisance;
- partnerships with the Local Authority Neighbourhood Wardens;
- partnerships with Knowsley Borough Council's Citizenship and Social Inclusion Unit to bring about joined up solutions, and Oldham Borough Council's Community Safety Unit;
- partnerships with the Police and in particular the Community/Neighbourhood Policing Section;
- Referral to Action for Children Family Intervention Project where the tenancy is at risk;
- gathering of evidence against perpetrators and to offer support to victims and witnesses; gathering evidence using employees and Independent Witnesses that may contribute towards the seeking of an Anti-Social Behaviour Order;
- legal advice on private actions to be taken by Villages tenants - the advice to be offered by Villages' Legal Advisors;
- Voluntary written undertakings by perpetrators not to continue to cause a nuisance, the terms to be negotiated by Villages' legal advisors;
- Designing out opportunities for crime and anti-social behaviour wherever possible and in particular through Villages' planned maintenance and improvements programmes.

Villages will work closely with its partners; in particular the Local Authority and Police. Villages will contribute significantly towards the preparation of the Local Authority Crime and Disorder Strategy.

The Crime and Disorder Act 1998 allows Villages to share information with Partners for the purposes of preventing and detecting crime and disorder. An Information Sharing Protocol exists to manage the sharing of information across the Partnership.

Where information is provided to Villages employees it will be treated confidentially and identities will not be disclosed unless written consent is obtained or if Child Protection issues are suspected.

In Knowsley, Villages will continue to work with partner agencies through JAG (Joint Agency Group to combat anti – social behaviour) and in Fitton Hill Villages will maintain the Service Level Agreement with the Community Safety Unit of Oldham Council.

## **2.0 Domestic Abuse**

### **2.1 Definition**

Domestic abuse is any incident of threatening behaviour, violence or abuse between persons who are or have been in a relationship together, or between family members, regardless of gender, sexuality, faith, sexual orientation, disability or age.

### **2.2 Assistance Offered**

Villages believes that none of its tenants should live in fear of abuse from a spouse or partner, former spouse or partner, or other member of their household and will take steps to assist and support any person suffering from or threatened with abuse. Such abuse may be physical, emotional or psychological. It is most often perpetrated by men but may also be perpetrated by women and between gay and lesbian partners as well as heterosexual and transgender partners. This policy is intended to cover all such instances.

Villages condemns all forms of domestic abuse and will take firm action to eliminate it on its estates.

Villages aim to offer assistance to any of its tenants or their families who are suffering from domestic abuse or threats of abuse from someone within their home or from someone outside their home (such as boyfriend/girlfriend or former partners or other family members).

When dealing with domestic abuse, the interests of the victims are paramount and they must be treated sensitively, courteously and respectfully at all times.

Wherever possible, Villages will endeavour to ensure that it assists those threatened with or suffering abuse by providing them with secure accommodation free from the threat or fear of abuse. Where Villages is not

able to offer such assistance it will provide advice to the victims of violence on alternative sources of accommodation and support including assistance from voluntary organisations, the Police Family Support Unit and the Local Authority.

A victim centred approach will be taken in responding to cases of domestic abuse. Recognising that evidence of abuse may not always be readily available Villages will accept the victim's account and will not insist on the victim providing proof of abuse. Villages will also be guided by the victim in determining the most appropriate course of action in responding to an incident of domestic abuse.

Action will be taken to evict the perpetrators of domestic abuse using the powers available to Villages and subject to the wishes of the victim.

A flexible approach will be taken in responding to incidents of domestic abuse to take account of the varying circumstances of victims of abuse and the different courses of action that may be possible and appropriate.

Villages will work closely with the Local Authority, Police Family Support Unit and other local Agencies to develop appropriate strategies for responding to the needs of those experiencing domestic abuse.

Domestic Abuse can:

- Have a prolonged effect on the health, welfare and confidence of the victim;
- Lead to a need for the complainant to move from their home. Villages has emphasised its position in relation to domestic abuse in its Tenancy Agreement and within its Tenants' Handbook.

### **3.0 Harassment**

#### **3.1 Definitions**

Villages accepts the following definitions of harassment for the purposes of this policy:

(i) **Harassment**

Harassment is the interference with a person's-comfort or safety. It can be physical or verbal abuse or intimidation and it includes attacks on and damage to property. It is often premeditated or recurring.

(ii) **Racial harassment**

Racial harassment is:-

*“any incident which is perceived as racist by the victim or any other person”*  
**(Rec. 12 of Stephen Lawrence enquiry McPherson report 1999)**

(iii) **Sexual harassment**

Sexual harassment is the interference with a person's comfort or safety on the grounds of their gender or sexual orientation.

(iv) **Disability harassment**

Disability harassment is the interference with a person's comfort or safety on the grounds of their disability.

### **3.2 Assistance Offered**

Villages will not tolerate and will take prompt and effective action against all forms of harassment. Villages will not hesitate to take legal action against any person or persons responsible for inflicting physical and/or verbal abuse or intimidating residents, their families or visitors and members of staff, Villages' contractors, or Board Members.

Villages condemns all forms of harassment and will take firm action to eliminate it on its estates.

Villages will work closely with the Local Authority, Police, other agencies and support groups when dealing with harassment cases in the wider community.

When dealing with violence and harassment the interests of the victims are paramount and they must be treated sensitively, courteously and respectfully at all times.

Preventing and controlling harassment is one of the biggest challenges facing housing management today.

Harassment can:

- spoil the lives of individual victims and if left unchallenged, can change the whole environment and culture of an area, and it can also disrupt the community;
- have a prolonged effect on the health, welfare and confidence of the victim;
- lead to a need for the complainant to move from their home Villages has emphasised its position in relation to harassment in its Tenancy Agreement and within its Tenants' Handbook.

## **4.0 Responsibilities**

### **4.1 Head of Housing Services**

The Head of Housing Services is responsible for:-

Ensuring the regular review, continual development and improvement of this policy, by consulting residents groups, the Tenants' Forums, voluntary agencies and statutory agencies such as the local authorities and the Police.

### **4.2 Estate Management Officers/Anti-Social Behaviour Officer**

Estate Management Officers (EMOs)/Anti-Social Behaviour Officer (ASB Officer) are responsible for:-

- i. Ensuring that all tenants abide by the tenancy conditions.
- ii. Advising tenants that the EMO/ASB Officer is the first point of contact for tenants reporting ASB and other tenancy-related issues. The EMO/ASB Officer will also advise tenants on cases which are clearly matters for criminal proceedings by the Police, rather than Villages as landlord. Emphasis should be placed on joint-working arrangements, whereby Villages will pursue breaches of tenancy and civil action to supplement any measures carried out by the Police or other agencies.
- iii. Investigating cases where tenants perpetrating ASB appear to have breached the tenancy conditions and taking action those who have done so.
- iv. Liaising with other agencies with a view to taking joint action where appropriate.
- v. Keeping accurate and consistent records and notes of all investigations and interviews with complainants and perpetrators.
- vi. Carrying out all duties in accordance with policies.
- vii. Endeavouring to resolve cases of minor disputes or complaints within the shortest practicable time period. In such cases, complainants will be encouraged to talk to the alleged perpetrator to resolve the complaint.
- viii. In more serious cases if the complainant is reluctant to talk to the other party, the EMO/ASB Officer may consider offering the parties involved the facility to use the Mediation Service.
- ix. Maintaining honesty, sensitivity and assertiveness with the complainant where the nature of the complaint does not warrant further investigation.
- x. Referral to Mediation where appropriate. The EMO/ASB Officer will send a letter enclosing a Mediation leaflet, thereby acknowledging the first complaint, which is necessary evidence if the parties continue to complain after the mediation process.
- xi. To issue diary sheets and directions for use where appropriate, accompanied by the name and contact number of their EMO. These will be used to facilitate the formal recording of any further incident(s) which are then used to support any further action.

xii. To record all incidents, report and events on IBS and the ASB register.

#### **4.3 CSO responsibilities**

- i. To be aware of the ASB policies and procedure.
- ii. To undertake the initial interview in less serious cases and issue the appropriate paperwork.
- iii. To assist the EMO/ASB Officer in the implementation of the procedure e.g. Issuing diary sheets and directions for use where appropriate.
- iv. To record all incidents, report and events on IBS.

#### **5.0 Training**

Villages is committed to providing the necessary training to enable relevant staff to understand and implement their responsibilities under the policy.