

Dealing with anti-social behaviour

When you have a lovely, happy home, the last thing you want is unwelcome, nuisance behaviour to spoil it. If you do experience any anti-social behaviour, we will do our best to help resolve any issues. However not all situations can be resolved by us and further action can result in offenders losing their home, being fined or in some cases, imprisoned.

What is anti-social behaviour?

Anti-social behaviour (ASB) can cover a variety of issues ranging from minor neighbour disputes to serious criminal behaviour.

It is defined as behaviour that is likely to cause harassment, alarm or distress.

The following are some of the most common examples:

Environmental ASB:

- ◆ Condition of property that is causing a hazard to health
- ◆ Littering/fly-tipping
- ◆ Dog fouling
- ◆ Graffiti

Personal ASB:

- ◆ Foul and abusive language
- ◆ Threats of or actual violence
- ◆ Threats of criminal damage or actual criminal damage
- ◆ Harassment
- ◆ Persistent and unreasonable noise nuisance

Community ASB:

- ◆ Drug use/activity at or in the locality of a property
- ◆ Loud music/shouting/regular parties from an address
- ◆ Irresponsible or dangerous parking on land owned by us.

The following complaints will not usually result in legal action:

- ◆ Differing lifestyles, neighbours who work shifts, have young children or are elderly
- ◆ Small amounts of littering on communal areas
- ◆ Children playing ball games, playing on communal green areas. This doesn't apply to people intentionally causing damage.





Preventing nuisance behaviour

Attempting to resolve the problem with the person concerned is often the simplest and most effective solution.

Here are some tips:

- ♦ Make a friendly visit to the person causing the problem to discuss the situation
- ♦ Try to settle the problem without ill-feeling. Explain why you are complaining and that you would appreciate their co-operation in trying to sort out the matter
- ♦ Be prepared to compromise and reach an agreement you are both prepared to stick to.

Try not to:

- ♦ Get drawn into an argument
- ♦ Approach them when you are angry – calm down first.
- ♦ Speak to your neighbour in a loud or aggressive manner.

Please remember

Everyone has the right to lead their chosen lifestyle within the privacy of their own home. We will only take action where it is clear that this is interfering with the rights of others of the “quiet enjoyment” of their home.

If we are unable to take action due to lack of evidence, you may wish to seek legal advice on taking action, such as taking out an injunction, yourself.

Reporting ASB

You may contact us verbally or in writing to tell us about any issue. We will respond to reports of ASB within **three working days**. Cases involving threats of, or actual violence, criminal damage or hate crime will be responded to within **one working day** and develop an action plan with the customer within **two working days** of this contact. Contact should also be made with the Police if the ASB is of a criminal nature.

The officer dealing with your ASB case will be your neighbourhood officer. At all stages through the investigation of the case we will take a victim centred approach ensuring that communication is maintained.

- ♦ At the start of each case an action plan will be created with you detailing what action we will take with timescales. It will also be made clear to the complainant what action is required from them to ensure a successful resolution of the case.
- ♦ Throughout the case we will keep in regular contact with you and give you updates on how the case is progressing or request further information.
- ♦ Depending on the severity of the nuisance we may just visit the perpetrator and remind them of their tenancy conditions and consequences of not abiding by them. For more serious cases, we may consider immediate legal action.
- ♦ We may involve the Police or other statutory agencies in the case and will normally inform you of doing so. However, in cases of emergency, or if we believe that a crime has happened, this may not always be possible.

Supporting victims and witnesses of ASB

We will endeavour to support all victims and witnesses throughout the process, in return we ask for co-operation in any action we may take. It is important that we are kept up to date with recent incidents and they are accurately recorded. Should the case go to court then we normally ask for the attendance of witnesses to give evidence. Full support will be given to enable this to happen.

Other options available to us

We may take a number of actions to resolve ASB and will agree appropriate actions with the victim.

These options may include:

- ♦ Mediation/Restorative justice warning letters
- ♦ Acceptable behaviour contracts
- ♦ Good neighbour agreement
- ♦ Possession orders
- ♦ Action related to the tenancy agreement, such as extending a starter or probationary tenancy or applying for a demotion
- ♦ An injunction or undertaking.

We also recognise that dealing with ASB is often best done in partnership with others. We may identify situations where our partners have more appropriate tools to deal with the issues, these tools may include:

- ♦ Community protection notices
- ♦ Closure orders
- ♦ Prosecutions under environmental protection legislation
- ♦ Tenancy actions from other landlords (social or private)

Where another agency is leading on the action, we will consider what support we may be able to offer, such as providing any information we hold.

Closing ASB cases

We may close a case when one or more of the following happens:

- ♦ The customer confirms that the issues have been resolved
- ♦ Both parties confirm that mediation or other action has proved to be a success
- ♦ The perpetrator moves
- ♦ We feel that there is no further action that we can take. If this outcome applies we will ensure that we are clear as to the reasoning for this.
- ♦ The customer is not cooperating with us, where the requests are reasonable and they have no justifiable reason for doing so.

We will seek clear feedback at the close of a case which will be used to evaluate the effectiveness of the service we deliver.



Drugs and crime

Incidents of drug taking and/or dealing and other criminal activity should be reported directly to the **Police on 101**. You can also pass information anonymously by calling **CrimeStoppers on 0800 555111**.

Hate crime

We have signed up to a multi-agency protocol for tackling hate crime in all the communities where we work. This enables victims of hate crime to report it to a range of third parties, for example to housing associations or community organisations set up to represent particular groups of people, for example disability or faith groups. These third parties will then talk directly with the Police or other agencies on behalf of the victim. This is

designed to break down barriers to reporting hate crime, and to encourage people to report it to those they feel most comfortable talking to. If you are a victim of hate crime you can report it to any of the numbers listed below under the heading ASB reporting numbers.

Domestic abuse

Domestic abuse affects the lives of millions of people, young or old, male or female, and often goes unreported. Housing Plus Group, in partnership with local agencies, is committed to preventing domestic abuse and supporting and protecting its victims. We work closely with other agencies through the Multi Agency Risk Assessment Conference (MARAC) to share information and better help victims of domestic abuse.

ASB reporting numbers

Staffordshire

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|-------------------------------------|--|
| South Staffordshire Council | 01902 696000 |
| Staffordshire Police | Emergency 999 Non-emergency 101 |
| Staffordshire Victim Gateway | 03300 881 339 |
| Citizens Advice | 03444 111 444 |
| Online | www.report-it.org.uk |

Shropshire

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|---------------------------|--|
| Shropshire Council | 0345 678 9020 |
| West Mercia Police | Emergency 999 Non-emergency 101 |
| Victim Support | 01743 362812 |
| Citizens Advice | 03444 991100 |
| Online | www.report-it.org.uk |

Protection of Staff

We will not tolerate any ASB directed towards our staff, including contractors, whether this is by our tenant, their household members or visitors, or any other person present in our communities. Where these incidents occur, we will work with our health and safety officer to determine the most appropriate course of action, ensuring that any response corresponds to our no lone working policy. This may include legal action such as applying for an Injunction or taking tenancy action. The ASB Crime and Policing Act 2014 has introduced an amendment to the ASB ground for possession, specifically related to behaviour towards the Landlord and we will utilise this ground where appropriate.

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