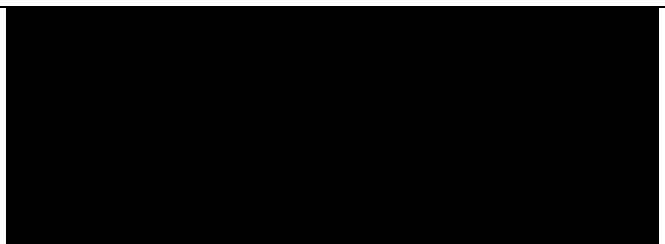


**Radian Group****Anti-Social Behaviour Policy****Version: 2****Approved: 2<sup>nd</sup> June 2009****1. Statement of Intent**

- 1.1 We are committed to do all we can, within our powers, to prevent, investigate, manage and tackle anti-social behaviour (ASB) and reports of criminal activity (e.g. drug related issues). We are aware of the impact that incidents of ASB can have on our communities and the harmful effect on residents. Failure to deal with it can result in high levels of customer dissatisfaction and a consequent downward spiral in the condition of neighbourhoods and the breakdown of sustainable communities.
- 1.2 We are committed to investigate complaints of ASB in a prompt, impartial and professional manner and to taking appropriate action to support and protect victims, complainants and communities.
- 1.3 One of our key strategic targets is:

“sharing knowledge to establish well resourced best practice approaches covering areas such as housing and services for older people, anti-social behaviour and welfare benefit advice.”

**2. Definition**

- 2.1 This Policy sets out how Radian Group will approach the prevention, management and tackling of such conduct. All references to the Group in this Policy include all housing associations which form part of it.
- 2.2 Although the definition of ASB can be extremely wide to take into account all elements of ASB, we have adopted the definition :
  - “conduct which is capable of causing nuisance or annoyance to any person and directly or indirectly relates to or affects the housing management functions of a relevant association”
  - “conduct which consists of or involves using or threatening to use housing accommodation owned or managed by a relevant landlord for an unlawful purpose”.

**3. Policy**

- 3.1 ASB can take a number of different forms:
  - Nuisance – behaviour that disrupts the daily lives of other residents, those working in the area or those using local facilities
  - Disputes – ongoing disagreements between individuals over a particular issue

- Harassment – someone deliberately inflicting fear, violence, aggression and intimidation on another person, often based on prejudicial views about specific characteristics of an individual or group, for example, race, gender, sexuality, religion, age, health and disability
- Although this list is not exhaustive, other examples of ASB include:
  - Noise
  - Litter
  - Dog fouling
  - Graffiti
  - Complaints of untidy gardens causing concerns for health & safety
  - Fly-tipping
  - Nuisance vehicles

3.2 We believe that residents, those working in an area and those using the local facilities have the right to enjoy peace, quiet and security.

### 3.3 Our Approach

3.3.1 We are committed to meeting the Respect Standard for Housing Management and will strive to achieve this by working with residents and other agencies to:

- Develop communities that promote inclusion and discourage ASB
- Respond quickly to complaints in an efficient, sensitive and consistent manner and investigate complaints fairly and thoroughly
- Offer support to the complainant and take appropriate action against the perpetrator
- Work with other agencies to assist the perpetrator in order that they do not repeat this behaviour
- Empower staff and communities through appropriate training and support.

3.3.2 We will take a multi-agency approach and work in partnership with appropriate agencies to resolve disputes and offer support and advice to both the complainant and the perpetrator. We will continue to support and be active members of the Community Safety Partnerships in areas where we manage housing stock.

### 3.4 Confidentiality

3.4.1 Protocols for the exchange of information with partner agencies have been established and a case conference approach to resolving issues will be adopted where appropriate.

3.4.2 In accordance with the Data Protection Act 1998 we will regard as confidential all ASB related information provided by a complainant. However, we will disclose

information to the Police, Social Services and associated agencies for the purpose of prevention and detection of crime, apprehension or prosecution of offenders, or where failure to disclose would be likely to prejudice these objectives. There may also be occasions when we consider it appropriate to publicise the actions we have taken.

3.4.3 We will ensure that the reporting of problems is made easy, and that effective and early action will be taken wherever possible. Where appropriate, we will encourage complainants to try and resolve problems directly with the alleged perpetrator.

### 3.5 Supporting Witnesses

3.5.1 We will provide a framework for supporting victims and witnesses in conjunction with other agencies.

3.5.2 We will ensure that the safety of witnesses and their well being are a high priority.

3.5.3 We will provide support through all stages of an on-going investigation and action, using either in-house or outsourcing support services.

3.5.4 Staff will be trained to gather witness statements. We will encourage the training of volunteers to gather evidence of ASB and support witnesses.

3.5.5 In appropriate cases the use of professional witnesses and other mechanisms to record evidence, will be considered where the witnesses of the ASB are reluctant to provide evidence.

### 3.6 Communications

3.6.1 We will encourage customers to be tolerant and respect the needs and choices of others.

3.6.2 We will encourage complainants to consider mediation or arbitration as means of dispute resolution.

3.6.3 We will ensure that residents are aware of the obligations contained within their tenancy or lease and that they are responsible for the behaviour of other members of their household including, children, lodgers, visitors and pets. All tenancy agreements and leases contain clauses that will require residents not to do or permit, anything that causes a nuisance or annoyance to others in the locality. We will consider letting all new tenancies as starter tenancies.

3.6.4 We will communicate with both the complainant and the perpetrator. Where possible we will inform them of any actions that have been taken taking into account the restrictions of Data Protection. This contact will be by a named officer and on a monthly basis but may be more often depending on the severity of the case.

3.6.5 We will

### 3.7 Supporting Vulnerable People

3.7.1 We recognise that some perpetrators of ASB may have a wide range of problems contributing to their behaviour such as:

- Drug abuse
- Alcohol abuse
- Mental ill-health
- Certain disabilities such as brain injury

3.7.2 Attempts to resolve such problems will require close working with specialist agencies and will take account Disability Discrimination legislation and best practice.

### 3.8 Legal Powers

3.8.1 Where appropriate we will use legal powers to ensure that people in our communities can live free from ASB. These powers include:

- Anti-Social Behaviour Orders
- Anti-Social Behaviour Injunctions
- Possession Orders
- Demoted Tenancies
- Parenting Orders

3.8.2 We will also use Acceptable Behaviour Contracts or Agreements as these are considered to be excellent examples of best practice.

### 3.9 Reports and Reviews

3.9.1 Our Group and Partner Boards will consider our performance in tackling complaints of to ensure that we focus on continuous improvement.

3.9.2 We will formally review the ASB Policy and Procedure on an annual basis as part of the Group's approach to continuous improvement, and we will encourage residents to participate in this process through our Customer Panels and Continuous Improvement Groups.

## 4. **Legal & Regulatory Framework**

- Housing Act 1985, 1988, 1996, 2004
- Children Act 1989
- Disability Discrimination Act 1995, 2005
- Anti-Social Behaviour Act 2003
- Crime and Disorder Act 1998
- Police and Justice Act 2006
- Housing Corporation's Regulatory Framework

- Good Practice Note 8 – Equality and Diversity

## **5. Links to other Policies**

- Allocation Policy
- Estate Management Policy
- Tenancy Management Policy
- Planned Maintenance Policy
- Responsive Repairs Policy
- Harassment Policy
- Domestic Abuse Policy
- Vulnerable Persons Policy
- Data Protection Policy
- Injunction Policy
- Equality and Diversity Policy

## **6. Related Procedures**

6.1 This policy does not detail the practical advice and assistance that should be provided, nor the actions to be taken by staff, when dealing with the issues of equality and diversity. Any such advice, action and assistance will be covered in specific procedure documents which should be used in conjunction with this Policy.

- Anti-Social Behaviour Procedure
- Allocation Procedure
- Estate Management Procedure
- Tenancy Management Procedure
- Planned Maintenance Procedure
- Responsive Repairs Procedure
- Harassment Procedure
- Domestic Abuse Procedure
- Vulnerable Persons Procedure
- Data Protection Procedure

- Injunction Procedure

## 7. Responsible Officer

Workstream Leader

## 8. Review Details

Approved by (including date of approval)	Radian Board – 2 <sup>nd</sup> June 2009
Review Cycle	Annual
Date of next review	September 2010

## 9. Associated Documents

## 10. Appendices

None

