

Anti-social Behaviour (ASB) statement



A summary of our policy and procedure for dealing with anti-social behaviour

Anti-social behaviour (ASB) can affect the lives of residents and the communities they live in, often causing upset and misery, so we are determined to deal with it as quickly and effectively as we can.

We always welcome and take seriously any complaints about ASB and respond appropriately. We accept reports of incidents of ASB by any means open to residents and we will act quickly, investigating the complaint fairly and thoroughly, in line with our policy and procedure.

We will provide appropriate training and support for our staff to enable them to deal effectively with ASB. We will also regularly review our performance in tackling ASB with our tenants, and will focus on continuous improvement.

For more about tackling ASB, see our leaflet “**Anti-Social Behaviour – tackling it together!**” available on our website and at our offices.

Definitions

Our definition of ASB (from the ASB, Crime and Policing Act 2014):

- a) *conduct that has caused, or is likely to cause, harassment, harm or distress to any person*
- b) *conduct capable of causing nuisance or annoyance to a person in relation to that person’s occupation of residential premises, or*
- c) *conduct capable of causing housing-related nuisance or annoyance to any person.*

Our definition of harassment (from the Protection from Harassment Act 1997):

A person must not pursue a course of conduct:

- a) *which amounts to harassment of another; and*
- b) *which he/she knows or ought to know amounts to harassment of the other*

Harassment may include grounds of race, disability, sex, sexual orientation, belief or religion or gender reassignment.

Such actions can be physical conduct, verbal conduct, and non-verbal conduct.

We adopt the **definition of a racist incident** as provided by the Macpherson Inquiry Report 1999:

A racist incident is any incident that is perceived to be racist by the victim or any other person.

Dealing with ASB

To help deal effectively with ASB, we have a specialist Community Safety team to deal with serious cases of ASB. Neighbourhood Officers and other staff deal with other types of ASB.

We will deal with the following types of ASB through our Anti-Social Behaviour and Harassment Policy and Procedure:

Community Safety team:

- Harassment
- Physical assault
- Prostitution
- Proven drugs
- Serious criminal offences

Neighbourhood Officers:

- Alcohol related nuisance
- Communal nuisance
- Noise
- Other violent activity
- Other criminal activity

Our commitment

We aim to provide a good quality service to help us deal with and stop ASB and harassment, as well as encouraging everyone to consider the needs of those around them, care about the community, and allow others to live their lives in peace.

We will:

- Provide guidance to staff in tackling ASB and harassment
- Reassure residents and enabling them to effectively report ASB and harassment and work with us
- Prevent ASB and harassment and tackle it as quickly as possible
- Provide services that are specifically designed to tackle ASB and harassment
- Protect communities by taking swift legal action where appropriate.

Support

- We will effectively support victims and witnesses, by using Radian's support service and other agencies
- Provide support to people who have caused ASB and harassment to change their behaviour
- We will maintain regular contact with customers reporting ASB and harassment.

Working with other agencies

- We will work with other agencies to tackle and prevent ASB and harassment
- We will fully co-operate with any Community Trigger reviews

Taking action to deal with ASB and harassment

We will ensure that tenant and leaseholders know and understand the terms of their tenancy and leases and the consequence of breaking these. We will remind tenants that they are responsible for all members of their household and visitors to their property.

We will use non-legal initiatives to tackle ASB and harassment, such as:

- Acceptable Behaviour Agreements
- Good Neighbourhood Agreements
- Mediation
- Referral to supporting families initiatives.

If necessary we can also take legal action against those responsible for the ASB and harassment, including one or more of the following:

- Notice of Intention to Seek Possession
- Notice of Demoted Tenancy
- Civil Injunctions
- Demoted Order, which reduces the tenant's rights
- Possession Order, which allows us to take back the property.

We will also use the absolute grounds for possession where appropriate, where the tenant, or a member of the tenant's household, or a person visiting the property has met one of the following conditions:

- Convicted of a serious offence (specified in Schedule 2A of the Housing Act 1985)
- Found by a court to have breached a Civil Injunction
- Convicted for breaching a Criminal Behaviour Order (CBO)
- The tenant's property has been closed for more than 48 hours under a closure order for anti-social behaviour
- Convicted for breaching a noise abatement notice.

Monitoring and reviewing our performance

We will regularly review our performance in tackling complaints of ASB and harassment. We will also review our policy and procedure each year, in light of new laws and best practice. This will help us improve the way we respond to ASB and harassment and help make a positive difference to the quality of life of all residents in the community.