



BARNSBURY

HOUSING ASSOCIATION

Barnsbury Housing Association

Anti-Social Behaviour Policy

Policy statement

BHA is committed to tackling anti-social behaviour (ASB).

Everyone deserves quiet and peaceful enjoyment of their home and neighbourhood. We believe that everyone has the right to live in the way they want, as long as it does not spoil the quality of life for others. We want our residents to feel confident that incidents of ASB are taken seriously and dealt with effectively.

- We aim prevent and minimise instances of ASB by taking a holistic approach by balancing intervention and enforcement with prevention and support for victims and supporting perpetrators to change behaviours.
- We will work with residents and local community groups to deal with ASB effectively.
- We will maintain close partnerships with key agencies, such as the Police and Local Authority and will enter into 'Information sharing protocols' and agreements for tackling nuisance and ASB.
- Action taken will be proportionate and reasonable in the circumstances. We will make it clear with those reporting ASB from the outset about whether it is something that we can realistically investigate and possible action we are able to take, the likelihood of that action being successful, the length of time it may take to resolve and what action, if any, they need to take to enable us and other agencies to act effectively.
- We will work in partnership to act against any kind of ASB in or around the areas in which we own property.
- We aim to resolve cases as quickly as possible and take a victim centred approach
- We will deal with complaints of ASB in confidence and with discretion and sensitivity. Information may be shared with our partners within the information sharing protocol but not to any other party.

Domestic Abuse and Hate Crime are covered in separate policies.

This policy applies to all residents and service users of BHA.

Legal and Regulatory framework

We will ensure that this policy complies with all relevant legislation and takes account of best practice.

- Anti-Social Behaviour Crime and Policing Act 2014
- Equality Act 2010
- General data Protection Regulation (GDPR) – Data Protection Act 2018
- Regulatory Framework for Social housing – Regulator of Social
- Housing
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Definition of Anti- social Behaviour

Anti-Social Behaviour is defined in the Anti-Social Behaviour, Crime and Policing Act 2014 as conduct that:

- Has caused, or is likely to cause, harassment, alarm or distress of any person
- Is capable of causing nuisance or annoyance to a person in relation to that person's occupation of residential premises, or
- Is capable of causing housing-related nuisance or annoyance to any person

Examples of ASB are (but not limited to) noise nuisance; serious acts of violence; harassment, domestic, verbal or physical abuse; threatening or intimidating behaviour; racial abuse or hate related incidents; criminal damage including graffiti and vandalism; failure to control pets and animals; nuisance from vehicles; substance misuse / drug dealing; drunk or disorderly conduct; litter / rubbish / fly-tipping; misuse of communal areas / public spaces or loitering; prostitution / sexual acts / kerb crawling; running an illegal business

What is not anti-social behaviour

Not all inconsiderate behaviour by neighbours is antisocial behaviour. Low level neighbour disputes and day to day living noise which is not excessive or unreasonable is not classed as anti-social behaviour. We will not investigate one off parties, where there is no evidence the incident will reoccur, smoking, cooking smells, crying babies, children playing, household appliances (unless at unreasonable hours), loud talking or laughing, people staring, noise transference due to poor sound insulation.

We expect complainants to take responsibility for minor personal disputes with their neighbours and we will offer advice on how to approach their neighbour in the first instance.

Our responsibilities

We will seek to promote and publicise this policy, to encourage positive perceptions so that our tenants have the confidence to report incidents and work with us to tackle ASB.

We aim to provide clear information to tenants about how to report incidents of ASB and provide a wide variety of ways to report incidents.

In our response to investigating ASB, BHA will take a victim centred approach.

Depending on the vulnerability of the resident and the type of ASB we will respond within the following targets.

ASB TYPE	TARGET RESPONSE TIME
Level 1 – High Risk	2 Working day*
Level 2 – Medium Risk	4 Working days
Level 3 – Low Risk	10 Working days
Level 4 – record only	Initial feedback only

We aim to deal quickly and effectively with all cases to resolve them at the earliest opportunity and keep complainants advised of progress on their case. All parties in an ASB case will be treated fairly and listened to equally. We will acknowledge the complaint and provide good, regular, up to date information on the progress of the case.

We will consider legal action and pursue court action if no effort is made to amend behaviour and complaints continue to be received. Our response to proven allegations of ASB will be proportionate and appropriate.

We will offer support to complainants, witnesses and perpetrators as appropriate.

Action plans will be completed with agreement from the complainant in which we will set out how we will manage the case, timescales and realistic objectives in order to seek to close the case. The Housing and Communities Director will review all cases regularly to ensure compliance with the policy and procedure and to ensure positive progress in case management, including regular contact with the complainant.

We will work with partner agencies including the Police, Islington Council and other statutory agencies where necessary in order to resolve cases.

In cases which have been identified that there is a neighbour dispute, and both parties are willing to engage to reach a resolution, the Housing & Communities Manager will consider whether a referral to an independent mediation scheme would be appropriate.

We will protect vulnerable groups by tackling Hate Crime and Domestic Violence and work with other agencies to ensure tenants receive the appropriate support.

We will focus on prevention, early intervention and changing behaviour, including conflict resolution and diversionary and community development activities.

Resident responsibilities

We expect our residents to behave appropriately and not to commit or allow their family, household members, visitors or pets to commit ASB.

In emergencies and where the incident involves serious threats, physical violence or hate crime we will advise the complainant to make urgent contact with the police to report this.

Diary sheets are a necessary part of the investigation, and whilst we do not seek to overuse them, they provide helpful information as to the scale and frequency of the problem. We expect complainants to co-operate with us and complete diary sheets when asked to.

Prevention and early intervention

We recognise that the best way of tackling ASB is to minimise the likelihood of it happening in the first place and, when it does happen, addressing the issues at an early stage to stop the problem from escalating. The following examples show our commitment to this approach:

Prevention

- We carry out regular estate inspections to identify ASB in communal areas of our buildings at an early stage. This also allows us to identify any future estate improvements that could help reduce ASB on estates.

- We use 'starter' tenancies for new tenants; we will make clear to new residents what type of behaviour they are responsible for and what type of behaviour is not acceptable.
- We identify any support needs when signing up new residents.
- We reinforce the terms and conditions of all new tenancies by using 'Good Neighbour Agreements'.
- Provide and promote positive activities through our community involvement in conjunction with our local partners.

Early Intervention

- We provide advice and assistance to victims at an early stage and identify any support needs.
- We will refer victims and perpetrators to support agencies where necessary.
- Making referrals to mediation services for neighbour disputes and low level anti-social behaviour.
- Written or verbal warning letters
- Using Acceptable Behaviour Contracts (ABCs) to address poor behaviour at an early stage.
- Responding quickly to reports of environmental nuisance such as fly-tipping and graffiti.
- Visiting the complainant and carrying out joint visits with the Police or other agencies where necessary
- Interviewing alleged perpetrators
- Asking the Council to Install noise monitoring equipment

Enforcement

Regrettably, prevention and early intervention do not always work in tackling ASB. There are also occasions when the ASB is so serious that these measures are inappropriate. When this happens, we will act expediently to take action against perpetrators if there is clear and sufficient evidence to do so. The following examples show the enforcement actions we may take:

- Giving clear warnings to perpetrators to stop the ASB
- If the perpetrator is a starter tenant then we may extend the probationary period from 12 months to 18 months, or, ending the tenancy through the courts for serious ASB.
- Using enforcement tools such as legal notices, injunctions, consent orders, and Criminal Behaviour Orders
- Seeking Possession Orders through the County Courts in order to evict tenants who cause ASB, but only as a last resort.

Support

ASB can have a serious impact on victims, particularly victims who are vulnerable, e.g. disabled people, the elderly and people with mental health issues. We will support victims wherever possible and work with other agencies to provide support. For example:

- Staff will carry out home visits if these are requested.
- Signposting to other support and advice agencies.
- Carrying out risk assessments and make referrals to appropriate support agencies.
- Carrying out additional security measures to vulnerable victims such as the elderly and victims of domestic violence.
- Providing advice and assistance to those who wish to move home.
- If required, we will review security measures for witnesses and ensure that they are well prepared for court. We may provide transport if required.

We also recognise that some perpetrators are also vulnerable and may benefit from additional support to assist in stopping anti-social behaviour. We will also refer perpetrators for support where necessary and take any vulnerability into account before commencing legal action. However, where the ASB persists or perpetrators refuse to engage with support we will take enforcement action.

Closing a case

We will seek to close a case if there have been no further reports of ASB within a given period, when the issue is resolved or when no further action can be taken. However, cases will be re-opened should any new incidents of ASB reported.

Partnership working

To tackle ASB as effectively as possible sometimes we cannot act alone. For example, if there is a wider problem in a local area we must work in partnership with other agencies. Sometimes, we also need information and other agencies may require information from us. This is particularly important in identifying victims who are deemed to be high risk.

The following examples show how we work in partnership with external agencies and local partners:

- We are signed up to information sharing protocols with the London Borough of Islington and the local Police. .
- We participate in Local Authority multi-agency ASB forums and groups.
- Working with local Police Safer Neighbourhood Teams to deal with local problems.
- Working with other partners such as other Registered Providers, Youth Teams and Social Services departments.
- We will work with the Local Authority where a tenant wishes to have their case reviewed as part of the Community Trigger.

Community Trigger

The Community Trigger is a process which allows complainants to ask their local Community Safety Partnership to review responses to incidents of anti-social behaviour.

The Trigger has been introduced to help ensure that agencies are working together to resolve incidents of anti-social behaviour. The Trigger does not replace the existing complaints procedure.

Complaints

Tenants who are unhappy with our handling of their ASB complaint can use our complaint procedure. If they still remain dissatisfied and they meet the eligibility criteria, they may be able to request a case review by the Local Authority.

Training

Training will be provided for BHA staff to ensure that they have skills, knowledge and confidence to implement the Policy and Procedure.

Monitoring

BHA will monitor ASB activity, our responses to it and resident feedback. We will report back to the Board on a quarterly basis and include information on the percentage of customers satisfied with how their ASB complaint was handled.

Consultation and Review

We have consulted with a ASB focus group and the resident panel. We will undertake a review of this policy in 3 years or whenever there are any relevant changes to legislation or regulatory requirements.