



Anti- Social Behaviour Policy and Summary

1. INTRODUCTION

This document outlines Kilburn Square Housing Co-op (KSHC) policy and summary for dealing with nuisance and anti-social behaviour and describes our commitment to tackling nuisance and anti-social behaviour. We are required by section 218A of the Housing Act 1996 to publish policies and procedures for dealing with anti-social behaviour.

KSHC is committed to tackling anti-social behaviour as we know that it has a devastating impact on the lives of our tenants and leaseholders. Anti-social behaviour covers the range of behaviours from low-level nuisance to serious harassment, which can damage the quality of life and interfere with the ability of people to use and enjoy their home and/or community.

2. POLICY STATEMENT

KSHC will not tolerate nuisance or anti-social behaviour directed towards tenants, leaseholders their visitors or any other engaged in lawful activity in the locality of our homes, including our colleagues, contractors and others acting on our behalf. This policy sets out:

- Our commitment to tackling anti-social behaviour;
- Our overall approach in relation to anti-social behaviour;
- The methods we will use to tackle anti-social behaviour.

Our aim is to achieve a balance between:

- Prevention
- Enforcement
- Support

We will use a range of ways to resolve anti-social behaviour:

- Early intervention and prevention to resolve the problem as quickly as is possible and consider mediation, if appropriate, early in the process;
- Use the full range of non-legal and legal tools available
- Partnership working where appropriate;

3. DEFINITION OF ANTI-SOCIAL BEHAVIOUR

The Crime and Disorder Act 1998 outlines anti-social behaviour in terms of its impact or likely impact on victims, as well as the actions of the perpetrators, specifically where a person is found to have:

"Acted in an anti-social manner, that is to say, in a manner that caused or was likely to cause harassment, alarm or distress to one or more persons not of the same household".



Some examples of anti-social behaviour are:

- Rowdy behaviour including verbal abuse, insults, bullying shouting, swearing
- Noise
- Pets and animal nuisance
- Graffiti
- Drugs related
- Alcohol related

This is not an exhaustive list of behaviours that fall within the definition of anti-social behaviour.

4. YOUR RESPONSIBILITY

Our Tenancy agreements and leases have clauses regarding anti-social behaviour and clearly sets out what is expected of our tenants and leaseholders. We expect our tenants and leaseholders to comply with the terms and conditions and to:

- Ensure that they their family and visitors, act in a considerate and reasonable way to others living in the community.

5. WHAT WE WILL NOT INVESTIGATE

KSHC is committed to developing and maintain sustainable communities across the whole of its business. We expect a reasonable level of tolerance between neighbours and will seek to make a fair evaluation on whether complaints made are reasonable. An important factor of sustaining communities is the recognition and acceptance by tenants and leaseholders that the initial responsibility to resolve disputes with others lies with them. KSHC will therefore not investigate the following:

- Actions which amount to no more that tenants/leaseholders going about their normal everyday activities, for example children playing

- Complaints which are not a breach of the terms of tenancy, for example, complaints of people staring

- Actions which amount to people not being pleasant to each other but are not sufficiently serious to justify our involvement

- Complaints about people being inconsiderate or thoughtless where there is no breach of tenancy

- Complaints about other people having lifestyles that offend others, for example issues about differences in parenting, who people socialise with, how people dress, what they do in their own homes unless the behaviour is a breach of tenancy.



6. PREVENTING ANTI- SOCIAL BEHAVIOUR

We aim to prevent anti-social behaviour from happening by adopting a number of approaches including;

Ensuring that all our tenants and leaseholders are made aware of their rights and responsibilities in relation to anti-social behaviour harassment and intimidation. Using interpreters and interpreted material in other formats if required.

Carrying out estate environmental improvements to the estate working with relevant Police Officers to achieve improved levels of safety and security.

Taking an active role in local crime and disorder partnerships and other local multi-agency groups and initiatives.

7. TACKLING ANTI-SOCIAL BEHAVIOUR

How each case is dealt with will depend on the specific circumstances of the complainants/victims and the perpetrators. Our aims are to:

Make sure colleagues are trained and supported to deal confidently with anti-social behaviour complaints and are able to prioritise complaints based on the seriousness of the case and risk of harm.

Ensure incidents of anti-social behaviour can be easily reported, for example during a home visit or interview with a member of our staff, observations made by partner agencies altering us to problems, by letter, telephone, email, via the Estate Office.

Deal with incidents sensitively and appropriately taking into account the impact the behaviour is having.

Investigate complaints fairly and impartially.

Ask at the outset what the complainant is expecting and would be a satisfactory outcome for them, giving us the opportunity to be honest with them about what can and cannot be achieved.

Keep complainants informed of progress during the case.

Maintain appropriate confidentiality and act in accordance with Data Protection legislation.

Ensure actual or potential perpetrators of anti-social behaviour are fully aware of the consequences of their actions. Where appropriate, identify any support needs and engage the appropriate support services to assist the perpetrator in modifying their behaviour.

Consider the most appropriate tools to use, including non-legal and legal remedies to resolve the problem according to the available evidence.



We may also, in appropriate cases liaise with external agencies for example the police and local authority in relation to securing other legal tools that are available for example:

- Community Protection Notice
- Public Space Protection Orders
- Criminal Behaviour Orders
- Closure Notices and Orders
- Dispersal Powers

On a case by case basis tailor the support to victims, their families and any witnesses and identify any external support/witness services provided by other agencies e.g. Police, victim support or community support schemes and help them to access these.

Monitor performance on how we deal with anti-social behaviour and to regularly report achievement targets to our Board.

Use a range of methods including publicity to ensure a clear message that anti-social behaviour will not be tolerated.

8. SUPPORT FOR COMPLAINANTS, VICTIMS, THEIR FAMILY AND WITNESSES

In all anti-social behaviour cases we shall take into account the wishes of complainants, victims and witnesses. We shall keep in touch and review all cases with them on a regular basis. We will consider at an early stage and on an ongoing basis what we can do to support them considering each case individually. We shall consider how we can work with other agencies, to ensure the appropriate support is available. If the anti-social behaviour is caused by a tenant or leaseholder of another landlord but a KSHC leaseholder or tenant is the victim, we will work to share information and support the KSHC leaseholder/tenant. As a general rule complainants/victims of anti- social behaviour will not be rehoused.

9. SUPPORT FOR PERPETRATORS

We appreciate that some perpetrators may be vulnerable and will need help and support to enable them to sustain their tenancy and reduce the risk of losing their home. If appropriate, we will work with both internal and external support services and external specialist agencies.

10. TRAINING OUR STAFF

KSHC will provide training and development activities to ensure that all staff are:

- Aware of and can use effectively the anti-social behaviour policy, summary and procedures.
- Ensure all staff are trained in all aspects of dealing with anti-social behaviour, domestic abuse, hate crime, harassment and intimidation.
- Able to apply good practice.



11. PROTECTING OUR STAFF

We will not tolerate abuse or threats towards our staff or contractors. Legal action may be taken against tenants or leaseholders or other members of the community who assault, threaten to harm or who verbally abuse any staff/contractor.

12. DATA PROTECTION

We will maintain appropriate records of anti-social behaviour, harassment and intimidation. All information is confidential and not released to a third party unless either agreed by the people concerned or under the terms of the data exchange/sharing protocols and agreements. The following table is extracted from the Data Protection Act, and provides a summary of the circumstances of when information may be exchanged.

Type of Recipient	Circumstances for disclosure
Date Subjects themselves	A written request to view data must be received from the Data Subject and treated in accordance with the Right of Access
Relatives, guardians or other persons associated with the data subject	Information can only be given on receipt of the Data Subject's written consent. Steps should be taken to verify the identity of the individual to whom information is to be disclosed.
Healthcare, social and welfare advisers or practitioners	Specific limited information can be given to named contacts/advisers, e.g. for case conferences, social services.
Local Authorities	Specific information on a need to know basis through a joint protocol for data exchange.
Police Forces and other statutory agencies	Specific information on a need to know basis through a joint protocol for data exchange.

13. MAKING A COMPLAINT ABOUT HOW WE HAVE CONDUCTED CASES

If tenants/leaseholders are not happy with the way we are handling cases they can be referred to our complaints policy and procedure.