

## INFORMATION

Policy Name

Owner

Last Review/Update

Next Review/Update

Consultation

Parent Board

Operating Board

Subsidiary Boards

CGG

Resident Involvement

Equality Analysis

Confidentiality H,M,L

## DATE/DETAILS

Community Safety

Group Director – Landlord Services

October 2015

November 2017

November 2013

Rolling through Mar-Nov 2013

Rolling through Mar-Nov 2013

December 2012

Yes

Low

## 1. Purpose

Your Housing Group is committed to working with our communities to tackle anti social behaviour and neighbour nuisance by establishing clear aims to reduce, tackle and resolve issues of anti social behaviour. This policy is aimed at maintaining everybody's right to enjoy their home and environment safely and peacefully.

The Antisocial behaviour white paper May 2012, 'Putting victims' first - more effective responses to antisocial behaviour', sets out the government's plans to deliver on the commitment to introduce more effective measures to tackle antisocial behaviour. Your Housing Group in consultation with our customers is adopting this approach.

A 'victim centred' approach will be taken which will focus on the needs of the victim. By ensuring the victim is at the heart of decisions made to resolve the complaint, the aim will be to resolve complaints as swiftly and fairly as practically by co operation and agreement. Perpetrators identified as vulnerable will be referred to an appropriate support agency.

We will continue to ensure that our anti-social behaviour service is accessible and useful to every individual. We will ensure that information and guidance is accessible to all of our customer groups, be aware and sensitive to the issues that customers may experience in reporting anti social behaviour and for example, provide interpreters for those whose first language is not English.

As part of Your Housing Group's commitment to tackling anti-social behaviour we are active members of Social Landlord Crime and Nuisance Group and we are signed up to the Respect Charter for Housing Management.

The Charter aims to ensure that unacceptable behaviour is tackled and the quality of life for our customers, particularly those in disadvantaged communities, is improved. The importance of partnership working is raised in improving outcomes for service users and is acknowledged throughout the Charter. The Charter continues to be voluntary, and is a key part of the new, co-regulatory approach within housing with self assessments against the Charter forming a key contribution to continuous improvement.

## 2. Scope

Review of this policy is the remit of the Group's Community Safety Manager.

This policy applies where the Group provides a service to its customers and any additional service users within its accepted remit.

The Group seeks to have in place comprehensive policies and procedures that are compliant with legislation and best practice, yet remain flexible to the needs of the communities it serves.

## 3. References

The 'Statement of Community Safety Policy and Procedure' is supported by separate associated policies entitled:

- Hate Crime Policy
- Domestic Abuse Policy
- Tenancy/Access to Housing Policy
- Equality and Diversity Policy
- Confidentiality Policy
- Complaints Policy

Your Housing Group's approach to Community Safety (ASB) is compatible with relevant statutes including the following:

- Housing Acts 1985, 1996 & 2004
- Crime and Disorder Act 1998
- Police Reform Act 2002
- Local Government Act 2000

- Anti-social Behaviour Act 2003
- Homelessness Act 2002
- Children Act 1989
- Family Law Act 1996
- Disability Discrimination Act 1995
- Human Rights Act 1998
- Protection from Harassment Act 1997
- Regulation of Investigatory Powers Act 2002
- Data Protection Act 1998
- Race Relations (Amendment) Act 2000
- Equality Act 2010
- Customer Service Standards Leaflets

## 4. Definitions

- 4.1 **Anti-social behaviour** is any activity that impacts on other people in a negative way and interferes with a person's right to live peacefully in his/her home and in the surrounding area. We recognise different people may be distressed or alarmed by different types of behaviour and activity as such the Group has adopted a victim centred approach to all complaints of anti-social behaviour. Each case will be considered individually.
- 4.2 **Nuisance** is behaviour that unreasonably interferes with other people's rights to the use and enjoyment of their home and community, such as playing loud music at night. The term has legal standing in relation to nuisance grounds for possession and statutory nuisance. Each case will be considered individually.
- 4.3 **Harassment** - is behaviour deliberately intended to cause suffering to a particular person or family. Harassment may take many forms of threatening behaviour, either verbal or physical, against property, people or their pets. Tenants may be harassed due to their race, age, sex, colour, religion, sexuality, illness or disability, or it may be a combination of these characteristics.. Each case will be considered individually.
- 4.4 **"Tenants"** refers to both sole and joint tenants of the Group
- 4.5 **"Customers" and/or "Residents"** refers to individuals or groups living in properties where there is a contractual relationship with Your Housing Group, its Stock Owning Subsidiaries (SOS), or where the Group or SOS provides management services to another organisation under a contract.
- 4.6 **"Complainants" and/or "Victims"** may be individuals, families or groups of people who feel that the actions of others adversely affect their quality of life.

#### 4.7 Examples of Antisocial Behaviour

- Intimidation and harassment
- Fouling of public areas
- Actual violence against people and property
- Aggressive and threatening language and behaviour
- Using homes to sell drugs or for other unlawful purposes
- Persistent Noise nuisance
- \*Domestic abuse committed by a tenant/visitor or family member
- \*Hate behaviour which targets members of identified groups because of their perceived differences

\*Please refer to the Group's separate policies on Hate Behaviour and Domestic Abuse

### 5. Risk

5.1 The risk factor from failure to operate the Community Safety Policy correctly is high

5.2 Financial risk:

- a) Failure to prepare court action correctly can require the payment of unnecessary court and legal costs.

5.3 Risk to the reputation of the Group:

- a) Failure to operate correctly the Community Safety Policy could jeopardise the Group's professional reputation.

### 6. Policy Statement

Your Housing Group is committed to ensuring all residents and tenants are able to receive quiet enjoyment of their homes without fear for their safety and well being.

We are committed to tackling issues of anti-social behaviour and deliver this in a range of ways:

Early Intervention

Prevention

Partnership working

Enforcement

Positive Activities to prevent anti social behaviour

Safeguarding & supporting Communities

The Group is committed to identifying potential problems at the earliest possible opportunity, making positive interventions to prevent situations becoming more serious.

The Group is committed to working with victims to help determine our responses in dealing with specific incidents of antisocial behaviour and to ensure all victims are supported fully in the process.

Your Housing Group will commit to the following:

- Your Housing Group will proactively deal with antisocial behaviour, nuisance and harassment and will ensure that effective procedures are used to tackle causes and consequences, take action against offenders and support victims
- Your Housing Group will encourage and support neighbours to try and resolve their problems by taking part in a face to face restorative meeting/mediation
- Your Housing Group will implement, strengthen and support preventative measures tailored towards the needs of customers and their families
- Your Housing Group will encourage tolerance by raising awareness to balance the needs of individuals with those of their neighbours by managing expectations upon receipt of a complaint
- Your Housing Group will make use of the wide range of options available to deal with incidents of antisocial behaviour, nuisance and harassment by working in partnership with statutory and non–statutory agencies in particular with the Police and Local Authorities. Such options will range from the provision of diversionary activities, mediation services, restorative justice, physical/property related solutions, to the full range of legal remedies at our disposal, in order to ensure we provide a quality service to our customers
- Your Housing Group will provide a range of options for reporting incidents, ensure all staff are trained in dealing with nuisance, antisocial behaviour and harassment, and will also establish access to a specialist Community Safety Team
- Your Housing Group will support victims, witnesses and complainants by working closely with relevant partner agencies to offer practical and emotional support
- Your Housing Group will use local lettings policies, assured shorthold tenancies and other management strategies necessary to tackle nuisance.

Members of the Community Safety Team will each focus on specific geographical areas, but the team will be deployed to effectively tackle problems in whichever Community or Neighbourhood of the Group that needs it.

Your Housing Group is committed to measuring the success of its approach to Community Safety and will engage in a variety of methods to assess the quality of the service we provide, monitoring satisfaction from an equality and diversity perspective alongside listening to the views of our customers.

## **7. Accessibility**

The Group will allow all those we hold information on the opportunity to see, comment on and correct personal and sensitive information to ensure the Group holds complete, accurate, clear and unbiased records, in accordance with the Data Protection Act.

The Group will give access to all personal information held to the person concerned or their authorised representative, except where:

- The information relates to, or identifies, a third party who has refused their consent to disclose
- The information was provided by a third party on the understanding that it would not be disclosed to the person concerned
- There is a significant risk that disclosure would cause serious physical or mental harm to the individual or another person
- The information is subject to legal privilege or a statutory requirement, or is likely to lead to legal proceedings being taken.

## **8. Review**

This policy will be reviewed in April 2015 in consultation with customers and partner agencies of Your Housing Group.

(Guidance to be developed)

**1. Purpose**

**2. Scope**

**3. References**

**4. Definitions**

**5. Risk**

**6. Policy Statement**

**7. Accessibility**

**8. Review**