**Horton Housing Association**

**Anti-Social Behaviour Policy**

**Summary**

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| **Anti-Social Behaviour-What can I expect?****What is Anti-Social Behaviour?*** Behaviour by someone else that makes you feel frightened, annoyed, intimidated.
* It might include racial harassment, constantly playing loud music (or playing it at night), trying to get money from you or threatening to hurt you.

If you are not sure whether or not something is “anti-social”, you should talk to someone who can help you. This could be a member of our staff, but it could also be someone like the Citizen’s Advice Bureau, a Police Officer or a worker at another organisation that you deal with.If you are a victim, you can expect:* To be able to talk to a member of Horton Housing staff about the problem.
* We will look at the situation and talk to you about what you want to happen.
* We will treat what you tell us as confidential
* We will take action to deal with the problem.
* We will try to find solutions that benefit everybody and keep everyone safe
* We will get other people involved if we think it is the best thing to do (and you agree), for example the Police.
* We will keep you informed about progress with the case, or signpost you to another organisation if they are responsible.

If you cause anti-social behaviour:* We will tell you why your behaviour is a problem, and what we expect you to do about it.
* We will encourage you to behave in a responsible manner, and to look at whether we or another agency can help you
* We will support those who feel that you are causing them problems to take action.
* We will take action immediately if we think there is a threat to our staff, clients or anyone else (including visitors & neighbours).
* We will take legal action if we feel it is necessary.
* We will take action to evict you if we feel it is necessary.

If you witness anti-social behaviour, you can expect: that we will:* Make it easy for you to report the antisocial behaviour you have witnessed
* Listen to everything you say in a fair and unbiased way
* Treat all reports you make seriously and in a sensitive manner
* Provide you with advice, support, reassurance and where possible tailor our approach to meet your needs
* Clearly explain to you any action we intend to take
* Keep you regularly updated with what is happening by contacting you at least every 2 weeks unless we agree an alternative with you.
* Ask you for feedback on your experience to find out how satisfied you have been with the way we have dealt with the complaint(s) so we can make improvements to the service.
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# Introduction

# Horton Housing Association (HHA) provide support and assistance to clients to promote independence and empower them to take responsibility, for looking after their home and respecting their neighbours, their community and our colleagues. HHA is committed to addressing incidents of Anti- Social Behaviour (ASB) that involve clients of the Association, whether as victim, perpetrator or witness

# HHA works across a number of Local Authority areas in North and West Yorkshire. This ASB policy overarches our approach to dealing with ASB. Some operational activities and practices will be shaped by local priorities and local standards.

# Horton Housing Association (‘HHA’ or ‘the Association’) is the parent body of Horton Housing Group, and this Policy applies to all entities within the Group.

# Aims and Objectives

* 1. HHA aims to promote a safe and secure environment for clients by working in partnership with other statutory agencies to prevent ASB and any form of harassment. We work across diverse communities and are committed to working with clients to help address antisocial behaviour, harassment, nuisance and crime. We are committed to delivering an excellent service, working with clients to help stop ASB and create a culture of respect. We will work in partnership with key stakeholders to deliver these core commitments and the corporate objectives of HHA.
	2. **Responding to nuisance and harassment:** HHA understands that ASB can have a serious impact on our clients’ quality of life. We are committed to tackling harassment, nuisance, hate incident/crime and ASB with a proactive approach enabling clients to enjoy their homes and live peacefully in their neighbourhood.
	3. All incidents of ASB will be taken seriously. We will take positive action in tackling incidents of crime and serious ASB in or around our accommodation and/or grounds or properties
	4. We will respond promptly to ensure that reports are resolved at the earliest opportunity. We will adopt a person centred and supportive approach when dealing with victims, witnesses and alleged perpetrators and will be flexible in our approach to managing incidents, working in partnership with both internal and external partners to ensure a collaborative approach to tackle it
	5. Victims and witnesses of ASB will be treated in a fair, equitable and consistent manner. Whether Victim or perpetrator, individual support needs will be considered, when responding, investigating or taking enforcement action to issues of ASB and the management of ASB
	6. We will work with clients to try to resolve disputes informally and help the people involved to resolve their differences promptly. We will ensure that any action taken is proportionate and reasonable in relation to the ASB incident. Legal/enforcement action will be a last resort when all other actions have been explored
	7. All cases will be recorded and monitored and we will keep all concerned fully informed on a regular basis of progress

# What is Anti-Social Behaviour

* 1. Anti-Social Behaviour is a broad term for describing a wide-range of unacceptable activity that can negatively affect the lives of many people, often on a daily basis. It covers a wide range of issues from inconsiderate behaviour to serious criminal activity. It can leave those affected feeling helpless, desperate and with a seriously reduced quality of life.
	2. There are also definitions of ASB, which are subject to a number of legal tests in order for action to be taken. The Crime and Disorder Act 1998 defines ASB as ‘a manner that caused or was likely to cause harassment, alarm or distress to another individual or household’
	3. ASB can include loud music, verbal abuse, vandalism, drug dealing, racial and other harassment and even physical violence. These problems are often brought about by neighbour disputes and friction and can create a significant housing related issue
	4. **Definitions**
	5. **Harassment** is any behaviour that intimidates, dominates or harms an individual or a family or group of individuals. The actions can be either physical or verbal. Harassment differs from nuisance and ASB in that it is targeted against particular individuals, households or group of people.

For example:

* Abusive or insulting behaviour – written or verbal.
* Violence and threats of violence.
* Vandalism.
* Repeated or unfounded complaints against another client, family or group.
* Abusive telephone calls.
* Uninvited visits to someone’s home.
* Placing rubbish, excrement or offensive materials near or in a victim’s home.
	1. **Hate incident/crime** is any kind of behaviour that causes fear, alarm or distress where the victim or any other person feels that they have been targeted because of their **racial heritage, religion or beliefs, disability, gender identity or sexual orientation.** This includes crime against a person’s property as well as the person themselves.
	2. The Police record a hate crime if the victim or anyone else believes it was motivated by hostility based on any of the 5 personal characteristics listed above
	3. **Nuisance** is more likely (but not always) to affect more than one individual or household. Nuisance also covers behaviour that unreasonably interferes with other people’s rights to the use and enjoyment of their home and community.

For example:

* Noise nuisance including parties.
* Intimidating behaviour from groups of people.
* Car repairs and abandoned vehicles.
* Drug and alcohol related incidents.
* Rubbish dumping/fly tipping.
* Using premises for commercial gain or outworking.
* Graffiti, vandalism and damage to communal areas.
* Nuisance caused by pets and other animals.

# What is not Anti-Social Behaviour

* 1. It is important to be tolerant of other people’s lifestyles and make an effort to get on with neighbours. Behaviour that results from different lifestyles, or which would not be considered unreasonable by most people is not ASB.

 For Example:

* general disagreements,
* staring or ignoring someone,
* life style clashes,
* children playing or youths innocently congregating,
* ball games,
* parking disputes,
* children falling out or arguing,
* BBQ’s, celebrations, cooking odours and reasonable household smells
* household noise such as toilets flushing, washing machines, babies crying, smoking in own property or doors closing.
	1. **This is not a definitive list and reports will be assessed on a case-by-case basis.**
	2. Although these are some examples of behaviour that we do not generally consider to be ASB, we know that sometimes low level repeated incidents treated in isolation which may not appear serious or even as ASB, may be having a serious impact on a victims life
	3. Therefore, for low-level reports of ASB, if the behaviour is persistent and deliberate and is found to be having a harmful impact on a person or they feel that they are potentially at risk then we will investigate the matter as ASB in line with this policy.
	4. If you feel dissatisfied with some other aspect of the service we provide to you, which does not involve or relate to ASB, please refer to HHA’s Complaints Policy and Procedure or speak to a member of HHA staff

# Anti-Social Behaviour Prevention

* 1. HHA is committed to preventing ASB happening in the first place by;
* carrying out effective tenancy induction
* conducting individual support needs and risk assessment and tailoring support to meet individual need
* ensuring adequate support is in place for those experiencing difficulty in managing their tenancy because of mental health concerns, learning disabilities, physical disabilities, substance misuse or other factors.
* working with other statutory and voluntary organisations to ensure specialist support is available where identified
* encouraging acceptable behaviour and supporting clients to understand the key features of being a responsible tenant.
* supporting clients to access diversionary activities including formal and informal learning, volunteering and social skills/being a good neighbour
* working with partner agencies such as the Police, Local Authorities and other agencies to maintain joint working arrangements

# Avoiding anti-social behaviour

* 1. The best thing to do is avoid action that might cause a nuisance to others.

For example:

* Be considerate of your neighbours.
* Do not play your TV, radio, hi-fi or musical instruments too loudly.
* Be aware of where your children are playing, who is supervising them and what they are doing.
* Talk to your children and visitors if their behaviour is likely to cause a nuisance or harassment to other people.
* Dispose of rubbish and waste in an appropriate manner.
	1. **Behaviour of family members and visitors**

If you are a HHA tenant, you are responsible under the terms of your occupancy agreement for the behaviour of your household and your visitors, both at your address and in the local vicinity of where you live. Your tenancy could be placed at risk if these conditions are broken.

* 1. These terms are set out in your occupancy agreement and scheme house rules. If you are in doubt, you can speak to your support worker or other member of staff, who can answer any queries you have about your obligations.

# Reporting and Responding to Anti-Social Behaviour

* 1. **If you, or a member of your household, are at serious risk, you should contact the police or other appropriate service as a matter of urgency**.
	2. You should also contact your housing support worker, housing manager or HHA head office. We will then advise you of the next steps to take. You can report incident of ASB by telephone, face to face, third party, email, or via our website –see contact details at the end of this document
	3. If the matter is urgent, a member of HHA staff will contact you for further information within one working day.
	4. If the matter is less urgent, we will aim to meet with you to conduct an interview within 5 working days
	5. Where you think a crime is being committed, you should report this to the Police or inform a member of HHA staff who can assist you in doing this
	6. **If you think you are suffering from ASB, you should contact the relevant agency in accordance with urgency and risk as outlined above-See Contact Details (Section 15) page 13**
	7. Categories described below determine the response time from HHA

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| **Category 1**  | **Target time for first contact with victim or referrer: one working day** |
| * Behaviour that is a serious risk to individuals or the peace of the neighbourhood/Accommodation Scheme and which may include violence, serious threats of violence or other criminal activity.
* Vandalism that may affect the safety of the property/building e.g. tampering with fire safety equipment, broken windows, damaged door entry systems
* Any complaint where the complainant or perpetrator is a vulnerable child, or adult as defined by s. 60(1) of the Safeguarding Vulnerable Groups Act 2006.
* Any complaint where there have been previous incidents and it appears to HHA staff that a greater risk has developed or may be developing.
* Category 1 includes extreme cases of anti-social behaviour such as:-
* Hate related incidents (hostility towards a person’s race or ethnicity,

sexual orientation, disability, religion or belief, or transgender identity) * Allegations of drugs/substance misuse and drug dealing
* Criminal behaviour involving violence or threats of violence
* Physical violence and threats of harm
* Arson
* Child abuse
* Domestic abuse
* Serious harassment/intimidation and threatening behaviour
* Racist or offensive graffiti following a report
* Threats to HHA staff
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| **Category 2**  | **Target time for first contact with victim or referrer: five working days** |
| * Disputes between neighbours such as disagreements about parking, minor noise issues, children, pets and environmental matters.

Category two includes neighbour nuisance and tenancy breaches such as:* Minor noise nuisance
* Untidy gardens that may harbour vermin
* Litter, rubbish, refuse disposal and fly tipping
* Minor vandalism and damage to property that does not affect a person’s safety or security
* Lifestyle disputes where breaches of tenancy cannot be proved
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# HHA Service Standards: What we will do when you report a problem of Anti-Social Behaviour

* 1. HHA will follow a set of service delivery standards when dealing with complaints of anti-social behaviour. These are:
* All cases will be risk assessed to establish the severity of the problem
* Urgent cases will be assessed within 1 working day
* If the ASB has affected the safety and/or security of your accommodation and the incident has taken place out of HHA office hours- HHA out of hours repairs service will attend within 24 hours from being alerted
* Non-urgent cases will be assessed within 5 working days
* All complaints of nuisance will be treated seriously and thoroughly investigated in a non-judgmental way
* You will be provided with a named contact, who will maintain regular contact and keep you informed throughout the process. For witnesses/victims who are already receiving support from HHA, this will generally be your support worker or Scheme manager
* We will provide appropriate support to victims and witnesses to enable them to stay safe
* If appropriate, an interview will be arranged with you to:
* find out more about the ASB
* discuss what you can do to help yourself
* explain what we and other agencies can do to assist, e.g. talking to the alleged perpetrator , involving Victim Support , Environmental Health, Police or other agency.
	1. HHA will explore all avenues available and always try to resolve ASB cases through informal action. This includes, but is not exhaustive to:
* Where additional needs have been identified, whether perpetrator or victim, such as mental health difficulties, we will provide support and seek additional specialist support as required;
* Complaints will always be discussed with the other party to hear their views unless the complainant does not want them to be contacted. At this stage anonymity of complainants will be maintained wherever possible;
* We will try to resolve disputes informally and help the people involved to resolve their differences before they escalate. Where it is safe to do so, this may include attending a joint meeting facilitated by HHA;
* Where appropriate, HHA will make use of its Warnings and Incident Procedures and agree individual action plans;
* When necessary, install noise monitoring or surveillance equipment, support the use of diaries to log frequency of incidents or make use of professional witnesses;
* Work in partnership with other agencies such as the police, substance support, mental health services or Local Authority to deal with anti-social problems
* We will take action where there is clear proof of ASB. The action HHA takes will depend on a number of factors such as the tenancy status of the perpetrator, but could include, setting up an agreement with the perpetrator called an Acceptable Behaviour Contract (ABC). The contract will list what the perpetrator will do to end the nuisance / harassment. We will monitor any contract that we set up.
	1. We will use legal action as a last resort, seeking primarily to find mutually beneficial solutions. However, we will be prepared to use legal action where we feel it is necessary for the protection of victims, witnesses, staff, other third parties or their property

# Legal Action and Enforcement

* 1. When all options to resolve a case have been exhausted, where appropriate, reasonable and proportionate legal action will be sought. There will also be occasions where immediate legal action is required such as where serious threats have been made or violence has occurred
	2. In serious cases, where a tenant has breached their tenancy as a result of harassment or nuisance, we can go to court to ask for possession of the property (i.e. evict the person responsible for the problem). In order to evict a tenant, HHA has to prove to the court that the harassment/ nuisance has occurred and convince the judge that it is reasonable for a possession order to be granted
	3. HHA aims to do this whilst keeping the need for evictions to a minimum.
	4. HHA will take necessary action against clients, members of their household or their visitors if they do not comply with the conditions of the tenancy agreement
	5. HHA may also take action against people who cause ASB in neighbourhoods where HHA has homes even if the perpetrators are not tenants of HHA.
	6. Possession of a HHA property may also be sought where ASB and/or criminality has already been proven by another court (e.g. Magistrates Court). This can apply when the perpetrator is the tenant, a member of the tenant’s household or a person visiting the property.
	7. HHA will also use available powers to protect non-HHA clients from unacceptable behaviour that may occur in neighbourhoods where HHA has homes
	8. In some cases, it may be more appropriate for HHA to support other agencies in taking legal action.
	9. Action can also be taken by other agencies we work with to resolve the problem, e.g. criminal proceedings by the police.

# Closing A Case of Anti-Social Behaviour

* 1. Your case will be closed with the approval of the relevant scheme manager who will oversee the case and when the action plan is complete and/or if no further action is needed or is possible. For example, once it has been determined that the reported problems have been resolved and/or following the expiry of any legal order
	2. All cases will be held on file and may be re-opened should repeat incidents occur or further evidence identified

# Community Trigger [[1]](#footnote-1)

* 1. The Anti-social Behaviour, Crime and Policing Act 2014 introduced specific measures designed to give victims and communities a say in the way that complaints of anti-social behaviour are dealt with, this includes the Community Trigger.
	2. The Community Trigger process allows repeat victims of serious anti-social behaviour (ASB) to have a greater say in how their complaints are handled - allowing those who have made three separate complaints about anti-social behaviour in the last six months to have their cases reviewed.
	3. If you have reported 3 separate incidents in the past 6 months to the council, police or social landlord and feel that the matter is still ongoing, you can request a community trigger.
	4. The aim is to give victims and communities the right to request a review of their case and bring agencies together to take a joined up, problem solving approach to find a solution.
	5. A community trigger is an impartial review of the circumstances, which have previously been reported.
	6. A panel will review the case and determine if appropriate action is being taken to resolve anti-social behaviour. The panel can make recommendations to the responsible organisation to improve the situation.
	7. The trigger is not a complaints process. If you are unhappy with a service you have received, please consider making a complaint by contacting HHA and speaking to a member of staff
	8. Your local police or local council will be able to provide you with further information about the Community Trigger process in your area.

# Appeals

* 1. If you feel that your ASB case has been incorrectly closed, you have the option to appeal the decision made to close the case, with the appeal being fully investigated by a Manager who has had no involvement with the case ; and
	2. If you are unhappy or not satisfied with the way that an ongoing live case is being handled or do not feel that the process is being followed, you will have the opportunity to have you case reviewed through the appeal process, as above

# Data Protection, Confidentiality and Information Sharing

* 1. We will treat all information received with the strictest of confidence. In the first instance, the best interest and wishes of the complainant will drive the actions that we will take. As a registered provider, we have a duty to share information with relevant agencies as set out by the Crime and Disorder Act 1998. This will be done in accordance with the General Data Protection Regulations 2018 and any information sharing protocols we have in place.
	2. It is important to understand that in certain circumstances confidentiality may be subjected to a duty to disclose relevant information to other statutory agencies e.g. if there is any reason to suspect safeguarding issues that could impact on the safety of children or vulnerable adults or where there may have been a crime committed

# Monitoring and Policy Review

* 1. Review of performance will be undertaken quarterly by HHA Senior Management Team and findings reported to HHA Boards and published in the ‘Here at Horton’ Client Newsletter
	2. HHA will monitor performance against the following key performance indicators:
* Number of new cases this quarter
* Percentage of complainants satisfied overall
* Number of cases responded to within timescale
	1. All HHA staff, both accommodation and floating support will have day-to-day responsibility for delivering this Policy.
	2. We will keep up to date with good practice and legal developments, and will ensure that staff required to deal with complaints of ASB receive appropriate support and training.
	3. HHA will use data and feedback to review and improve the service offered.
	4. Changes to service delivery resulting from recommendations will be documented and incorporated in future Policy Reviews.

# Contact information for Reporting of Anti-Social Behaviour

* 1. Unless the incident is an Emergency or you are reporting a Crime, you should report your concerns to your Support Worker, Scheme Manager or contact Horton Housing Head Office for further advice
	2. If the perpetrator is not a tenant, or the landlord is not known, the matter should be discussed with Police or relevant Local Authority dependent upon the nature of the issue

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| **Horton Housing Association Head Office**Office Opening Hours are:Monday to Thursday 9am to 5pmFriday 9.30am to 4.30pmClosed Bank Holidays  | Telephone  | 01274 370689 |
| Email  | headoffice@hortonhousing.co.uk |
| Website  | [www.hortonhousing.co.uk](http://www.hortonhousing.co.uk)  |
| In Writing Or Face to face | Chartford House54, Little Horton LaneBradfordBD5 OBS |
| **Police Emergency** - if you or someone else is in immediate danger, or if there is a crime in progress | Telephone | 999 |
| **Police - Help and Advice**, if the crime is not an emergency | Telephone | 101 |
| You can also contact **Crimestoppers** to report a crime anonymously. They will pass the information about the crime to the police. | Telephone | 0800 555 111 |
| Website | [www.crimestoppers-uk.org](http://www.crimestoppers-uk.org)  |
| **Victim Support**Yorkshire and Humber and North Yorkshire  | <https://www.victimsupport.org.uk/help-and-support/get-help/support-near-you/yorkshire-and-humber/north-yorkshire> |

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| **Local Area Contact Details for External Agencies:** |
| **Calderdale*** **Police**: **non-emergency**

Antisocial behaviour unit* Email:  asb.unit@calderdale.gov.uk

Telephone 01422 28800* **Calderdale Council:**

<https://www.calderdale.gov.uk/v2/residents/community-and-living/crime-prevention-and-community-safety/antisocial-behaviour-and>* **Vulnerable victims of antisocial behaviour**

**Anti- Social Behaviour Partnership team**For example, a person is vulnerable due to physical disability or learning difficulties and experiencing antisocial behaviourTelephone: 01422 288001<http://www.arcuk.org.uk/safetynet/resources> * **Community Trigger:**

<https://www.westyorkshire.police.uk/advice/abuse-anti-social-behaviour/anti-social-behaviour/anti-social-behaviour/calderdale-district-community-trigger>  | **North Yorkshire*** **Police: non-emergency**
* Police website:[www.northyorkshire.police.uk](http://www.northyorkshire.police.uk/)

Address: North Yorkshire Police, Alverton Court, Crosby Road, Northallerton, North Yorkshire, DL6 1BFEmail: general.enquiries@northyorkshire.pnn.police.uk * **North Yorkshire County Council:**

<https://www.northyorks.gov.uk/><https://www.northyorks.gov.uk/complaints-comments-or-compliments>* **Independent local support for victims of Anti-Social Behaviour**

Supporting Victims in North Yorkshire – support and information services to victims of crime.**Website**: <http://www.supportingvictims.org/> Tel: 01609 643100Email: help@supportingvictims.org* **Community Trigger:**

<https://northyorkshire.police.uk/what-we-do/public-safety-and-welfare/antisocial-behaviour/community-remedy-and-community-trigger/>  |
| **Bradford*** **Police: non- emergency**

 To report online you can follow the link: <https://www.westyorkshire.police.uk/form/report-anti-social-behaviour>* **Bradford Local Authority**

Follow the link below and click on the relevant link in relation to the issue you wish to report:<https://www.saferbradford.co.uk/community-safety/anti-social-behaviour/#:~:text=Report%20anti%2Dsocial%20behaviour,illegal%20parking%20on%2001274%20431000>* **Community Trigger:**

<https://www.westyorkshire.police.uk/advice/abuse-anti-social-behaviour/anti-social-behaviour/anti-social-behaviour/bradford-district-community-trigger> | **Kirklees*** Advice and assistance is available from **Safer Kirklees**, which includes experienced staff from **Kirklees Council, West Yorkshire Police** and Kirklees Neighbourhood Housing and other partner organisations to effectively prevent and resolve anti-social behaviour.

<https://www.kirklees.gov.uk/beta/crime-and-safety/nuisance-neighbours.aspx> **Safer Kirklees**-Kirkgate Buildings, Byram Street, Huddersfield, HD1 1BY* 01484 221000

Email: [safer@kirklees.gov.uk](https://www.kirklees.gov.uk/beta/contact-the-council/frequent-contacts/default.aspx?contact=safer@kirklees.gov.uk)* **Community Trigger:**

<https://www.westyorkshire.police.uk/advice/abuse-anti-social-behaviour/anti-social-behaviour/anti-social-behaviour/kirklees-district-community-trigger> |

1. Community Trigger. <https://www.gov.uk/guidance/anti-social-behaviour-asb-case-review-also-known-as-the-community-trigger> [↑](#footnote-ref-1)