

Anti-Social Behaviour Policy

1.0 Purpose

PRHA's policy for dealing with incidents of anti social behaviour aims to:

- Effectively tackle anti social behaviour, harassment and racial harassment and so reduce nuisance and harassment in the communities in which we work.
- Improve the quality of life and create a safer environment for our service users.
- Reduce the time it takes to effectively deal with anti social behaviour.
- Demonstrate PRHA's commitment to achieving continuous improvement in dealing with incidents of anti social behaviour.

This will be achieved by adopting a range of measures that include: -

- Using preventative and enforcement action;
- Working in partnership with other agencies;
- Involving residents;
- Following best practice;
- Integrating ASB issues into all levels of management, policies and procedures across the organisation;
- Providing witness support where necessary;
- Reporting all crimes and criminal behaviour to the police;
- Taking appropriate legal action;
- Recording and monitoring incidents;
- Providing appropriate training for staff;

2.0 Introduction

Nuisance, harassment (general and racial) and Anti-Social Behaviour (ASB) can seriously affect individuals as well as their estates, neighbourhoods and communities. The outcome of such behaviour can be very expensive. The negative impact on people and

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neighbourhoods can lead to decline in local areas and adversely affect individual's well-being.

This policy has been devised to draw together current policies and to introduce new practices to deal with acts of nuisance, harassment and anti social behaviour.

It is anticipated that the implementation and promotion of this policy will lead to increased and more accurate reporting of incidents of ASB as well as the more effective resolution of the incidents. There is no prescriptive approach to dealing with ASB. We will monitor the individual cases and their progress.

There is an upward trend in ASB and increasingly communities as well as social landlords have called on the government to act and raise the profile of this subject. Consequently, a number of elements have been put in place in the form of legislation and developments in good practice to enable communities to deal with the problem of ASB.

PRHA works with both general needs and supported housing residents. In the latter case many people will have been referred for support because of a history of anti-social behaviour resulting in homelessness or because of mental health or substance misuse issues which may create nuisance:

PRHA intends to deal with all reports of ASB through the mechanisms outlined in this policy.

PRHA also will ensure that **all** tenants and licensees receive clear messages about the behaviour expected of all members of society regardless of their support needs. Where relevant they will be assisted to develop appropriate life and social skills to prevent ongoing nuisance occurring.

3.0 PRHA's Anti-Social Behaviour Policy

3.1 Reporting and Raising Awareness

PRHA policy believes in ensuring that all individuals and communities are able to tackle ASB when it arises. ASB is everyone's responsibility.

This policy provides a framework for action and aims to inform our customers and the local community how we intend to tackle ASB.

The strategy incorporates the key themes of:

- **Enforcement** – effective application of the current range of powers including but not exclusively eviction;

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- **Good practice** – in terms of enforcement; preventative measures; information dissemination and exchange and media strategies;
- **Support and rehabilitation** – in particular for persistent offenders within the system who often float between the social and the private rented sectors.

What is anti social behaviour?

“Conduct which is capable of causing nuisance or annoyance to any person and directly or indirectly relates to or affects the housing management functions of a relevant landlord”.

“Conduct which consists of or involves using or threatening to use housing accommodation owned or managed by a relevant landlord for an unlawful purpose”.

3.2 Objectives

PRHA intends to take action to ensure that ASB is addressed using a range of measures. PRHA's tenants and licensees are expected to behave in a way which does not create a nuisance for other tenants and licensees or the general public. Tenants and licensees are also expected to ensure that their visitors do not create a nuisance. All PRHA tenancy agreements and licensees have an ASB/nuisance clause within them. If ASB is notified to PRHA we will use a range of measures to tackle it including legal action, mediation and individual interventions (including tenancy support). Whenever possible we will work with the perpetrator. However, anyone continuing to create a nuisance despite contact from PRHA and offers of appropriate support may be taken to court for breach of their agreement. This may mean that they will be evicted.

The strategic approach will be developed through:

- **The integration of ASB issues**
To integrate ASB issues into all levels of management and organisational development programmes, and ensures ASB issues are prioritised PRHA and Services' Business Plans and work priorities (e.g. priority is set for graffiti removal)

To ensure that appropriate training is provided to all appointed staff as directed by managers to enable them to respond to reports of ASB and to ensure that such reports are correctly recorded and monitored.

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- **The use of effective preventative and enforcement measures**
To take early intervention action, to review and develop new policies, and to use available legal remedies against perpetrators.
- **Partnership working**
To set up and become involved in multi agency working groups with key agencies such as the police and social services.

To sign up to the relevant agency information sharing protocols and by working across boundaries to tackle complex problems that face some residents.
- **Supporting complainants**
To support those making a complaint of ASB by dealing with their complaint promptly, keeping them informed of developments and where necessary referring to appropriate support and advice agencies.
- **Involving residents**
To encompass tenant governance policies on both local and organisational levels and encourage tenants and licencees to become involved in the decision making process of the organisation.
- **Best practice**
To keep updated on current best practice.
- **The use of appropriate resources**
To use resources such as publicity, training and budgetary controls to counter incidents of anti social behaviour.

4 Key Tasks

4.1 Preventive Measures

Carry out early intervention, for example:

1. Inform new tenants and licencees of PRHA's
 - Anti-Social Behaviour Policy **CS50**
 - Harassment & Bullying Policy & Procedure **CS32** (which includes Racial Harassment)
2. Use Acceptable Behaviour Contracts (ABC's) & mediation
3. Provide tenants & licencees with access to support agencies where necessary.

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Publicise that PRHA will not tolerate anti social behaviour and thus increase the level of trust in tenants and licencees to believe that we are committed to acting against perpetrators of anti social behaviour. This will also assist with the development of tenant governance strategies.

Ensure that ASB clauses are incorporated into the tenancy agreements and that they are enforceable; thus making tenants and licencees aware that ASB is unacceptable. Such clauses should clearly state that tenants must not use the premises for any illegal activities.

4.2 Witness Support

Provide victim complainant support and alleviate social pressures on witnesses either by staff or by referral to other agencies.

Ensure that a named worker keeps them regularly informed of developments.

Enhance enforcement measures such as:

1. ABCs
2. Injunctions- In view of PRHA stock profile ASBOs are not best suited and in their place we envisage the use of injunctions
3. Use of professional witnesses
4. Working with the local police

4.3 Multi agency Partnerships

Lettings and allocations:

1. Further collaborate with local authorities in assessing vulnerability

Multi-agency partnerships:

1. Continue to be involved in case conferences.
2. Set up service level and neighbourhood agreements, where appropriate, in line with tenant groups.
3. Provide appropriate representation to any Racial Harassment Forums for the main local authorities we work in and the local Crime and Disorder Reduction partnerships. In order to gain insight and have input into the development and implementation of crime reduction strategies in our local areas.

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4. Carry out any appropriate environmental physical improvements, in partnership with other organisations such as the police and the local Crime Prevention Units in order to adopt best practice.

4.4 Community Links

1. Continue to attend ASB sub group meetings and develop links with community groups.
2. Liaise with the police on issues relating to the communities our homes are based in.
3. Continue to work with local neighbourhood managers especially on cross-tenure issues.

1.5 Support to Perpetrators

Where perpetrators have a support need such as substance misuse, mental health or disability PRHA will aim to provide support to perpetrators either through their own staff or through referral to statutory or voluntary agencies.

This will be aimed at ensuring that the ASB is addressed in an appropriate way and wherever possible without losing their tenancy.

1.6 Managing Agents

PRHA will work with its managing agents to ensure that they understand and are able to implement PRHA's policy. Their role in managing ASB will be reviewed regularly.

4.7 Policies and Procedures

Regularly review our policies and procedures so that we can:

1. Assess what has and has not been effective
2. Identify any gaps in service provision
3. Include any new initiatives, good practice or legislation

4.8 Legal Action

Ensure appropriate legal advice is sought at the appropriate time.

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Where necessary and appropriate, use professional witnesses and develop third party reporting procedures with relevant agencies.

Monitor racial harassment issues and all other discriminatory behaviour to ensure we keep updated with legislation and relevant guidelines as recommended by the Equality and Human Rights Commission. PRHA will be proactive in tackling all forms of discriminatory behaviour and tackling hate crime.

4.9 Support and Training

Have a commitment to train and induct all key personnel in the reporting of ASB, racial harassment and domestic violence so that they appreciate the impact upon tenants and licencees and the legislative framework governing our action. This will be incorporated into service induction programmes and corporate in-house training.

Provide key personnel with information on local agencies and services to assist and support victims of ASB and Racial Harassment.

Be aware of the equality and diversity issues relating to ASB and Racial Harassment.

5. Confidentiality

The identity of complainants will only be revealed to perpetrators or their representatives with the complainant's permission. However it may be necessary to reveal their identity to other agencies, if this is required to prevent a crime (including further serious ASB).

This must be made clear to the complainant on first contact.

*(See PRHA's Complaints, Suggestions & Compliments Procedure **C16**)*

6. Information Sharing

PRHA will share relevant information with appropriate agencies involved in managing ASB. This will include:

- Information on allegations and perpetrators
- Where relevant, information on support needs (e.g. if social services need to assist someone with mental health needs)
- Information on complainants (only with their permission)

See also PRHA policies on:

- Harassment & Bullying Policy & Procedure **CS32**
- Equality and Diversity Policy **C4**

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- Service User Involvement & Empowerment Policy **CS61**
- Complaints, Suggestions & Compliments Procedure **C16**
- Safeguarding Adults at Risk Policy & Procedure **CS48**
- Safeguarding Children & Young People Policy & Procedure **CS24**

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