



# Penwith Housing Association

## Anti-Social Behaviour: Statement of Policy and Procedures

‘Penwith Housing Association will actively seek to reduce the incidents of anti-social behaviour across our neighbourhoods by working closely with residents, the Police and other agencies. I believe we must show that such behaviour will not be tolerated and send a clear signal to all our residents that by working together we can ensure our homes are safe and pleasant places to live’

Melville Durrant

Chair of Penwith Tenants Committee

# Policy statement

We believe that people have the right to live their lives the way they want, providing their behaviour or actions do not spoil the quality of life of others.

We acknowledge that this is often a balance between being tolerant and respecting the needs and choices of individuals whilst being considerate towards other people living in the neighbourhood.

We recognise the role we play in supporting the sustainability of communities and are committed to ensuring that our residents are able to enjoy their homes and feel they are secure and safe places to live. By working in partnership with communities, local authority partners the police and other agencies we aim to detect and prevent anti-social behaviour.

We will take a pro-active role in taking action against those causing anti-social behaviour and crime so that it will cease and deter repeat actions. The action we will take will be proportionate to the severity of the behaviour and we will adopt an escalating approach, where relevant in conjunction with other agencies to ensure the full and combined efforts and available tools are disposed to combat anti-social behaviour within our neighbourhoods.

# Policy Summary

## Defining anti-social behaviour

There is no universally accepted definition of anti-social behaviour. We will interpret behaviour as anti-social if it:

- causes or is likely to cause harassment, alarm or distress to one or more persons who are not of the same household; or
- is conduct which is capable of causing nuisance or annoyance to any persons....or involves using or threatening to use housing accommodation owned or managed by us for an unlawful purpose.

Our Tenancy Agreements clearly set out the standards of behaviour expected of our tenants, their household and visitors for living in the community. Conduct or behaviour, which we would consider anti-social under this definition and policy include:

- harassment or intimidation
- excessive noise nuisance
- actual physical violence against people or property
- aggressive or threatening language or behaviour
- hate or racist behaviour targeted at members of minority or ethnic groups
- drug or alcohol abuse

## What will we do?

We will do what we can to deter anti-social behaviour from occurring in the first place and to stop it escalating.

We will make it easy to report incidents and treat all reports seriously and investigate allegations as quickly as possible, responding promptly, professionally and confidentially. Our approach will be in proportion to the problem and we will use a range of interventions and good practice measures, which may include:

- mediation
- Acceptable Behaviour Contracts or Parenting Contracts
- Engaging with support services, including our own supported housing team
- partnership with other agencies and liaison with the Police
- Court action where necessary

We will make full use of any and all available legal remedies for serious anti-social behaviour. These may include measures available under:

- Housing Act 1985 and 1989 (e.g. Possession Orders)
- Injunctions or ASBOs
- Protection from Harassment Act 1997
- Environmental Protection Act 1990
- Crime & Disorder Act 1998
- Anti-social Behaviour Act 2003

## What are residents' responsibilities?

Our tenancy agreements includes a range of clauses that relate to anti-social behaviour and that seek to inform tenants what behaviour is deemed acceptable. This includes the behaviour of their invited guests.

Residents need to be considerate to their neighbours, but also be tolerant to different lifestyles. Nobody should be tolerant to serious crime or racial abuse.

Often low-level nuisance is best resolved by affected residents themselves and we encourage this approach.

## How will we support people affected?

We will do what we can to support and protect people who are experiencing or who have witnessed anti-social behaviour. We will try to meet their needs so that they can continue to enjoy their home.

We will keep them informed of what is happening and will amend our services for individual needs. This will enable them to be closely involved and play a full part in the actions taken.

## Partnership working

We recognise that we alone cannot tackle all of the causes of anti-social behaviour and that it is often complex and requires input from a variety of agencies. We therefore work in partnership with a range of organisations including: local councils, the police, probation services and youth offending teams, schools and colleges.

When it is necessary to work with other agencies and we need to share information we will use agreed protocols and information exchanged will be kept confidential to those staff involved.

## Staff training

All our staff undergo regular training with individual training needs identified and built into the association's annual training plan. Training will cover the level of knowledge needed for the member of staff as some will require a general awareness and others will need a detailed understanding of legislation and current good practice. Training programmes will be regularly reviewed to ensure we can respond to anti-social behaviour and fulfil our responsibility to our residents and staff protection.

# Procedure Summary

## How can people report anti-social behaviour?

Reports of anti-social behaviour may be made by letter, in person at our

reception, by telephone, fax, email or via our website at [www.penwithha.org.uk](http://www.penwithha.org.uk)

We will record all reports on our database and will give you a reference number. We will categorise and prioritise the case 'serious', for things like harassment, violence or threats of violence or 'standard', which could include intermittent noise nuisance, fly-tipping and other breaches of tenancy.

We will assign a member of staff to deal with the case, who will investigate incidents within our deadlines and targets. In some cases, we may ask people to report the problem to another more appropriate agency, such as the police or environmental health.

## Agreeing an action plan

We will take a 'victim centred' approach, which means that wherever possible, we will agree the action plan with the complainant and involve them with decisions on actions we may take.

We have a duty of care to our staff and a responsibility to all our residents and contractors to ensure their safety. We will therefore carry out a risk assessment when we first become involved in a case and will take this into account when agreeing a course of action.

## Taking action

There are a number of actions available and the action we decide to take will depend on the seriousness of the case and what evidence is available.

Action may include one, or a combination, of the following:

- asking the person causing the nuisance to change their behaviour. In some cases we will suggest that you take this action yourself as it is often more effective than involving a third party
- mediation
- formal warnings
- an Acceptable Behaviour Contract
- injunctions
- demotion of tenancy
- extending or ending a probationary tenancy

We will consider using legal proceedings where other enforcement action has been unsuccessful or for serious and persistent cases. Eviction proceedings will be the last resort and we will always try to resolve cases without the need to take eviction action.

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This statement of our policy and procedures for tackling anti-social behaviour sets out our general approach. Copies of this 'Summary' can be obtained free of charge by contacting our main office or from our website at [www.penwithha.org.uk](http://www.penwithha.org.uk)