

Anti-Social Behaviour & Harassment Policy

1. Summary

- 1.1. The Neighbourhood and Community Standard of the regulatory framework (April 2016) requires Registered Providers to work in partnership with other agencies to prevent and tackle anti-social behaviour (ASB) in the neighbourhoods where they own homes and to publish a policy setting out how they intend to do this.
- 1.2. This policy sets out SHAL's commitment to managing ASB for our tenants. This includes complainants, perpetrators, victims and witnesses. This policy will also apply to the wider community where a connection between the ASB and SHAL exists as well as unacceptable behaviour towards members of SHAL's staff.

2. Objectives

- 2.1. SHAL aims to ensure a safe, peaceful environment for all our tenants. The key objective of this policy is to ensure any behaviour which detracts from this is tackled promptly and effectively, using all available legal remedies and working in partnership with other relevant agencies as appropriate.

3. Details

- 3.1. What is Anti-Social Behaviour?
 - 3.1.1. The Anti-social Behaviour, Crime and Policing Act 2014 defines ASB as being:
 - a conduct that has caused, or is likely to cause, harassment, alarm or distress to any person,
 - b conduct capable of causing nuisance or annoyance to a person in relation to that person's occupation of residential premises, or
 - c conduct capable of causing housing-related nuisance or annoyance to any person.
 - 3.1.2. Examples of behaviour that could be Anti- Social behaviour include:
 - a Regular and persistent noise nuisance

- b Intimidation and harassment
- c Aggressive and threatening language and behaviour
- d Actual physical violence against people and property
- e Domestic Abuse
- f Threat to damage or actual damage to property
- g Hate behaviour that targets members of identified groups because of their perceived differences e.g. Racial harassment
- h Using or threatening to use housing accommodations to sell drugs, or for other unlawful purposes

3.2. What is not considered Anti-Social Behaviour

3.2.1. We expect a reasonable level of tolerance between neighbours and will make a fair assessment on whether complaints made are reasonable. An important factor of sustaining communities is the recognition and acceptance by our tenants that the initial responsibility to resolve minor disputes with others lies with them.

3.2.2. We will not investigate:

- a actions which amount to no more than tenants going about their normal everyday activities, for example children playing or everyday household noises.
- b complaints which are not a breach of the terms of tenancy, for example, complaints of people staring
- c actions which amount to people not being pleasant to each other but are not sufficiently serious to justify our involvement
- d complaints about people being inconsiderate or thoughtless where there is no breach of tenancy
- e 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.

3.3. Tackling anti-social behaviour

3.3.1. We will establish procedures, which will allow appropriate action to be taken to deal effectively with instances of ASB on a case by case basis.

These will include:

- a appropriate and sensitive investigation
- b actions to modify the person’s behaviour
- c where appropriate, referral to a support provider
- d warning letters
- e notices of intent to seek possession on tenants who are guilty of anti-social behaviour or allowing such behaviour
- f injunction
- g acceptable behaviour contracts
- h other tools and powers available in the ASB, Crime & Policing Act 2014

3.3.2. We will adopt a multi-agency approach, working with local partners to tackle ASB and offer support to victims and witnesses. This will include liaising with police, local authorities, other RSL’s, social services and other local support services.

3.3.3. Where warnings and attempts at early intervention have not worked or where ASB is serious, legal action will be considered. This might include proceedings to end the tenancy or civil injunctions. Where SHAL feels it is appropriate and proportionate, we will consider the use of the mandatory grounds for possession as listed in the Anti-Social Behaviour, Crime and Policing Act 2014.

3.4. Ways to report anti-social behaviour

3.4.1. We encourage and support residents, staff, contractors, businesses, workers and visitors where appropriate, to report problems of ASB and to work with us to resolve problems.

- 3.4.2. We believe that anyone reporting ASB plays a key role in its successful management. Complainants are expected to co-operate with reasonable requests to assist SHAL to progress reports of ASB. This may mean agreeing to self-resolution actions, keeping to appointments, keeping records of incidents or taking part in mediation. We may not be able to take further action to resolve the ASB without reasonable cooperation from complainants.
- 3.4.3. Complaints can be made via telephone, email, text or by visiting our office and talking to a member of staff.
- 3.5. Supporting victims and witnesses
 - 3.5.1. We encourage and support complainants and others affected by ASB to continue to live at home and work with us to resolve the problem, rather than to move away from the problem.
 - 3.5.2. We keep the complainant and any witnesses informed of the progress of the case. We agree an action plan with the complainant, which will include timescales for action.
 - 3.5.3. We review security measures for witnesses where appropriate and ensure that they are well prepared for court. We may provide transport to court and an escort at court.
 - 3.5.4. We will consider referrals to other support agencies where we feel victims and witnesses may benefit from further support.
 - 3.5.5. SHAL work in a trauma informed way taking in to account a person’s adverse childhood experiences. We will work to understand a whole house dynamic and will take all circumstances in to account when managing ASB, ensuring that we do not re-traumatise people in the process.
 - 3.5.6. We will work with victims and alleged perpetrators fairly, using Restorative Practice where possible to address any disagreements or issues.

3.6. Reporting and monitoring our performance

- 3.6.1. SHAL will monitor performance on how well ASB cases are handled and how satisfied tenants are with this service. Performance information will be reported to the Board on a regular basis.

4. Outcomes

- 4.1. A safe community and a pleasant place to live will be created for all SHAL's tenants and their neighbours. People who report cases of ASB will feel their concerns are being taken seriously and they are being kept informed about what is happening.
- 4.2. All ASB cases will be managed promptly and effectively with the necessary action being taken at each stage.

5. Consultation

- 5.1. A draft copy of this policy will be available on our website to allow members of the public an opportunity to comment on its contents prior to being submitted for approval by SHAL's board.
- 5.2. All tenants will be contacted by text to advise of its availability online and a draft copy will also be made available on request.
- 5.3. SHAL's tenant scrutiny panel will also be invited to review the policy and suggest any comments and amendments prior to the policy being approved by the board.

6. Equality and Diversity

- 6.1. We will apply our ASB policy in a fair and consistent manner and will not discriminate against anyone based on their age, gender, nationality, race, religion, sexual orientation, disability or any other matter that may cause a person to be treated with injustice.
- 6.2. The needs of vulnerable residents will be considered in accordance with the pre-action protocol for possession based on rent arrears and the Equality Act 2010.

7. Value for Money

- 7.1. Text We will regularly review our processes to ensure resources and services are providing best value for money to our residents.

8. Owner

8.1. Housing Manager

9. Version and Revisions

9.1. This policy will be reviewed every 2 year(s)

9.2. Revisions

New version	Date	Revision details
1.0	07/06/2023	No changes indentified