



ANTI-SOCIAL BEHAVIOUR PROCEDURE

1. Introduction

- 1.1 This document sets the procedure Seymour Housing Co-operative Limited (“SHC”/“we”) will adopt when receiving a report of anti-social behaviour.
- 1.2 This Anti-Social Behaviour Procedure document should be read in conjunction with SHC’s Anti-Social Behaviour Policy Document.
- 1.3 The Co-op expects that in the case of non-threatening antisocial behaviour such as day to day noise created between properties that Members should talk to other Members that are creating nuisance to explain the effect and for those Members to work together to resolve issues. However, if the nuisance is persistent or you feel at risk in any way and are unable to resolve the problem yourself you should contact the Co-op.
- 1.4 ASB can be reported by any of the following methods: in person at the Office, by telephone, email, in writing, or through a third party (for instance, a Councillor, friend or relative). All complaints of ASB should be directed to the Housing Manager at the Seymour Office.

2. What the Co-op will do

On receipt of an anti-social behaviour complaint:

- 2.1 We will record the report or complaint. We may ask you to complete an ASB reporting form so we have the full details – see attached at Appendix 1. Help in completing the form will be given where necessary.
- 2.2 We will provide the complainant with the contact details for a named member of staff to work on the case. This will usually be the Housing Manager.
- 2.3 The staff member will assess the severity of the problem and whether it is or not the Co-op’s responsibility to deal with the problem – they will use the Risk Assessment Form – see Appendix 2.

- 2.4 If it is clearly not a matter for the Co-op to deal with, then the complainant will be offered advice on what they could do to resolve the problem themselves or they may be referred to a relevant authority i.e. the Police Local Authority.
- 2.5 We will ensure that we acknowledge the report formally within five working days, or one working day if it is a report of high risk ASB.
- 2.6 All cases will need to be reported, anonymously if requested, to SHC's Management Committee.
- 2.7 Any discussion regarding individual cases of ASB will be dealt with in the confidential section of the MC Meeting.
- 2.8 We will develop an initial action plan, in consultation with the complainant, to investigate and deal with the problem.
- 2.9 We will inform the subject of the complaint that a complaint has been made against them in writing.
- 2.10 We will take a neutral position until any ASB is proven and give the alleged perpetrator an opportunity to answer the complaint.
- 2.11 We will investigate, as far as possible, every complaint, even if reported anonymously. However if complaints are later found to be false or malicious then those complaints may be treated as examples of harassment against the persons named in the false complaints.
- 2.12 If there have been threats to your property or person the staff member will arrange for emergency security measures to be fitted to your Premises if necessary.
- 2.13 We will work to fully investigate every complaint within 20 working days. We will aim to report back to the complainant where possible within 5 working days of the investigation being completed.
- 2.14 The Co-op will keep full written records about the case, which will include details of any action taken, copies of diary/report sheets, any evidence collected, and contact records. These records will be confidential and will not be disclosed to anyone without the complainants' agreement, except where we are legally obliged to inform the Police or other agencies.
- 2.15 We will provide regular reports to both parties on the progress and action to be taken with persistent cases.

- 2.16 We will provide ongoing support bearing in mind that the Co-op's limited resources, to any witnesses, throughout the process and after that if necessary via reference to other support agencies where appropriate.
- 2.17 We will, where appropriate, use professional witnesses.
- 2.18 We will give consideration to issues of vulnerability of both complainants and perpetrators and will adapt our response where those vulnerabilities may have exacerbated the nuisance complained or the effect on a complainant.
- 2.19 We will address anti social behaviour by using the remedies available to us, where appropriate in partnership with other agencies
- 2.20 Where the anti-social behaviour is being committed by anyone under the age of 18, we will seek to engage with and involve the parents/guardians of the young person.
- 2.21 We will make appropriate referrals to outside agencies for further support/action if appropriate.
- 2.22 If appropriate, we will share information with other agencies (e.g. the Police) for the purposes of prevention and detection of crime.

3 Methods of enquiry/investigation

The Co-op may investigate and collect evidence of each reported case of ASB by the following methods:

- 3.1 Interviewing neighbours.
- 3.2 Sending letters appealing for witnesses, or door knocking to get other witnesses to come forward.
- 3.3 Where possible we will ask the witness to let the office know when the behaviour occurs so that a staff member can come and be a witness to the behaviour.
- 3.4 Collecting Reports from official bodies (i.e. the Local Authority, Environmental Health, Police).
- 3.5 Asking other workers, agents or contractors to observe and monitor the areas where the problem has occurred.

4. Methods of dealing with proven ASB

The Co-op will deal with instances of ASB as appropriate to the complaint; we will use appropriate measures to deal with ASB according to the seriousness

of the problem. The below approach will be for a typical non-urgent complaint of anti-social behaviour.

- 4.1 **Stage one.** In the first instance, the named officer will approach the perpetrator and discuss the problem behaviour – wherever possible, the Co-op will try to resolve issues of anti-social behaviour through dialogue and negotiation prior to resorting to more punitive methods. The Coop will take a neutral viewpoint until proof of the ASB is provided.
- 4.2 We will provide mediation between different parties if the anti-social behaviour problem can best be solved through this method.
- 4.3 **Stage two.** If the behaviour persists an initial warning letter will be sent outlining what the problem behaviour is and how the perpetrator can rectify the situation.
- 4.4 **Stage three.** If the problem is still apparent after the first letter a second formal warning letter/ caution will be sent warning the perpetrator of the possible outcomes of persistent ASB.
- 4.5 **Stage four.** If the behaviour still persists the Co-op has various options according to the type of behaviour and age/circumstances of the perpetrator. Below are some examples of the tools it may consider using.
 - The Co-op may ask the perpetrator to sign an acceptable behaviour contract or agreement (where the parties concerned sign up to an agreed set of behaviours/actions). This agreement will usually be for a term of six months and can be used as evidence support in court if needed later.
 - In the case of under 18's the Co-op will firstly write to the adult parents or guardians of the child. In appropriate circumstances, the Co-op may also contact the Youth Offending Team and/or ask for a Parental Control Order or a Parenting Order.
 - In noise nuisance cases, the Co-op may liaise with the Local Authority's Environmental Health Department who may take action for statutory nuisance (e.g. serve noise abatement notices)
- 4.7 **Stage five.** If the problem is still not resolved by the actions listed above, the Co-op may take the following actions:
 - 4.7.1 We may issue an application for an Injunction based on Anti-Social Behaviour. We may ask for a power of arrest to be attached. In extremely serious cases we may ask for an Order excluding a perpetrator from their home.

4.7.2 If the behaviour is sufficiently serious then the Co-op may serve a Notice to Quit to end the tenant's tenancy.

- 4.8 **Stage six.** As a final resort, if a tenant of the Co-op's behaviour still is unacceptable after the above actions the Co-op will issue possession proceedings (where there has been serious or persistent anti-social behaviour or a breach of tenancy agreement)
- 4.9 If a property is being used for the sale of class A drugs or is causing serious nuisance to others, the Co-op has not been able to resolve the problem (in liaison with the Police) the Co-op may request a closure order (via the Police and/or Local Authority, or indeed any other tools available to them.
- 4.10 If the ASB is very severe - for example a proven serious physical attack - the Co-op may apply for an exclusion order without notice to the member tenant and thereafter take all necessary steps to obtain possession of the property.

5 How will we deal with racial or other harassment?

- 5.1 We will respond quickly in all cases of harassment. The Co-op will ensure that the perpetrators are identified wherever possible and that swift action is taken.
- 5.2 We will make our members aware of our policies in this area by advertising our policies on harassment around the Co-op. We will ensure that members are aware that the Co-op takes these matters very seriously so they feel able to report incidents
- 5.3 We will ensure that our staff members are trained to deal with harassment and to be able to distinguish between general neighbour disputes and harassment.
- 5.4 SHC will also act quickly to remove racist or offensive graffiti, wherever possible within 24 hours.

6 Support for Complainants/Witnesses

The Co-op recognises that people can be afraid of complaining about their neighbours/ASB and wishes to ensure that the complainants feel supported by the Co-op, with its limited resources. We will take the following steps to support complainants.

- 6.1 The named Officer will explain each stage of the process in detail to complainants.

- 6.2 The Co-op will arrange for an interpreter for complainants if necessary.
- 6.3 We will provide a list of emergency phone numbers and other sources of support if available i.e. other witnesses if those witnesses have given permission for their details to be shared.
- 6.4 With the complainant's permission the Co-op will liaise with Victim Support and other relevant agencies to provide additional support and/or counselling if the complainant needs it.
- 6.5 The Co-op may ask the Complainant if they are willing to support court action by acting as a witness in serious cases of ASB.
- 6.6 The Co-op will provide support before, during and after any related court action, which may include arranging pre-case court visits, arranging transport to and from court, maintaining contact after a court hearing.
- 6.7 We will make sure that security measures i.e. entry phones and communal lighting are in good working order and that lighting is sufficient. If deemed necessary the Co-op will provide additional security measures to the witnesses home.
- 6.8 We will treat any damage by perpetrators as an emergency repair.
- 6.9 We will use professional witnesses to gather additional evidence to support a case and to give evidence on behalf of witnesses if necessary.
- 6.10 We will, in very extreme circumstances and at the complainant's request, support complainants to make the applications to the Local Authority or other landlords to move out of their Premises either temporarily or permanently, for their protection.

7 Preventing ASB

- 7.1 We expect all members to sign and keep to the Good Neighbour Contract.
- 7.2 We will operate a sensitive allocations procedure, and fill voids promptly.
- 7.3 We will conduct pre tenancy checks where possible, and exclude applicants for housing if there is sufficient evidence to demonstrate that they are likely to cause nuisance, i.e. previous eviction for ASB.
- 7.4 We will explain our ASB Policies and tenancy agreement fully at sign up, especially the clauses relating to ASB and nuisance.

- 7.5 We will regularly inspect properties and remove graffiti and dumped rubbish as quickly as possible.
- 7.6 We will communicate clearly to spell out the consequences of ASB to our members. We will promote acceptable behaviour and educate all members of the community on anti-social behaviour, its impact on others, tolerance levels etc.
- 7.7 We will liaise, where appropriate, with outside ASB prevention agencies such as the Safer Westminster Partnership or the Tower Hamlets Safer Community Partnership.

8 How will we review and monitor our performance?

- 8.1 A nominated Member will monitor all ASB complaints and report back to the Management Committee on a monthly basis.
- 8.2 The monthly MC ASB report will be in a format that does not mention names or identifying information, unless the Committee is obliged to make a decision with regard to the case.
- 8.3 Complaints will be categorised according to the nature of anti social behaviour involved. An example of the categories is -
 - 8.2.1 Racial Harassment
 - 8.2.2 Other harassment
 - 8.2.3 Neighbour dispute
 - 8.2.4 Serious Noise
 - 8.2.5 Anti social Behaviour in common areas
 - 8.2.6 Minor nuisance
- 8.4 The ASB Policy and ASB Procedure will be reviewed on a three yearly basis, or sooner if necessary, by the Management Committee and may be revised accordingly.

APPENDIX 1 - ASB REPORTING FORM

**Seymour Housing Co-op
Antisocial Behaviour Reporting Form**

(Please use the Noise Nuisance Diary form for persistent noise complaints)

This form is for information about one incident only. If there is a second incident please fill out a separate form.

Is this report: (delete as appropriate)

ON THE RECORD – we will contact the people you are complaining about.

OFF THE RECORD – we will not contact the people you are complaining about but will note your complaint on your file.

Your Name:

Your Address:

When did the incident happen?:

Date of incident

(if overnight write both days i.e. 12/13th May 06)

Time of incident

(delete AM or PM)

Day:

Month:

Year:

Start:

AM/PM

Finish:

AM/PM

Where did the incident happen? *e.g. on the roof gardens at SB, outside 6 Grove Dwellings*

Who did it, or who was involved? *Put the name and address of the person/s responsible. If you don't know write "don't know"*

What Happened? *Write down exactly what you saw and heard.*

Continue on a separate sheet if necessary

Any Witnesses? *Did anyone else see or hear the incident. Put their name/s and address/es if known*

Have you reported it? *If you have reported this to the Police or the council, put the Officers name and reference or Crime number if there is one*

How has it affected you? *Write down the way it has made you feel. Include the effects on people who live with you, e.g. my children are too frightened to sleep*

Continue on a separate sheet if necessary

Your name and signature "I believe that the information I have given above is a true description of what I saw and/or heard."

Name (print name):

Signature:

Date:

APPENDIX 2 – Example Risk Assessment Form (for use by the Co-op)

Name:	Address:											
Incident No:												
<p>This scorecard is designed to help you identify vulnerable victims, witnesses, and complainants. It should be used as a guide, and in combination with your own judgement to help ascertain what support and protection is required in any given situation. All action taken as a result of your assessment should be discussed with the witness to ensure it meets their needs.</p>												
History	1. Other than this occasion - how often do you have problems?	5 3 2 1 0	Daily Most days Most weeks Most months Only occasionally									
	2. Do you think the current incident is linked to previous incidents? If so why?	2 0	Yes No									
	3. Do you think that incidents are happening more often and/or are getting worse?	2 0	Yes No									
	4. Do you know the offender/ s?	2 1 0	They know each other well. They are 'known' to each other. They do not know each other.									
	5. Does the perpetrator (or their associates) have a history of or reputation for intimidation or harassment?	6 4 2 0	Perpetrator or their associates are currently harassing the complainant. Perpetrator or their associates have harassed the complainant in the past. Perpetrator or their associates have not harassed the complainant but have a history or reputation for harassment or violent behaviour. Perpetrator or their associates have no history or reputation for harassment or intimidation.									
	6. Have you informed any other agencies about what has happened? If yes, are you happy for us to discuss this problem with them? Details:	0 1	Yes No									
Vulnerability	7. Which of the following do you think that this incident deliberately targeted? Specify	4 3 1 0	You Your family Your community None									
	8. Do you feel that this incident is associated with your faith, nationality, ethnicity, sexuality, gender, or disability? Details:	3 0	Yes No									
	9. In addition to what has happened, do you feel that there is anything that is increasing you or your household's personal risk (e.g., because of personal circumstances)? Details:	3 0	Yes No									
	10. How affected do you feel by what has happened? Details:	0 1 2 3 5	Not at all Affected a little Moderately affected. Affected a lot. Extremely affected.									
Support	11. Has yours or anyone's health been affected as a result of this and any previous incidents? Details:	3 3	Physical health Mental health									
	12. Do you have a social worker, health visitor or any other type of professional support? Can we speak to them about this? Details:	0 1	No Yes									
	13. Do you have any friends and family to support you?	3 3 1 0	Complainant lives alone and is isolated. The complainant is isolated from people who can offer support. The complainant has a few people to draw on for support. The complainant has a close network of people to draw on for support.									
	14. Apart from any effect on you, do you think anyone else has been affected by what has happened? Details:	1 3	Your family Local community Other									
TOTAL SCORE:												
Based on these factors and your own judgement, adjust the scoring accordingly												
Low	0	4	8	12	16	20	22	24	26	28	30	High
Medium												

The agencies are there as a guide and should be used in combination with other local resources, and your own judgement of what support and protection are required in any given situation. All action taken as a result of your assessment should be discussed with the witness to ensure it meets their needs.

34 32 28 26 24 22 20 18 16 8 4 0 HIGH MEDIUM LOW	<p>POLICE</p> <p>HOUSING TEAM / ASB TEAM</p> <p>NEIGHBOURHOOD WARDENS</p> <p>VICTIM SUPPORT / VICTIM WITNESS CHAMPION / OTHER SUPPORT SERVICES</p>
	<p>POLICE</p> <p>HOUSING TEAM / ASB TEAM</p> <p>NEIGHBOURHOOD WARDENS</p> <p>VICTIM SUPPORT / VICTIM WITNESS CHAMPION / OTHER SUPPORT SERVICES</p>
	<p>POLICE</p> <p>HOUSING TEAM / ASB TEAM</p> <p>NEIGHBOURHOOD WARDENS</p> <p>VICTIM SUPPORT / VICTIM WITNESS CHAMPION / OTHER SUPPORT SERVICES</p>

CONSENT TO INFORMATION SHARING

I consent to agencies obtaining and sharing information as part of the multi-agency work to help and secure my safety and that of my family.

If there are child protection concerns, information will be shared regardless of whether this form is signed.

Signature: _____

Date: _____

PRINT NAME: _____