

<b>Policy Name</b>	<b>Anti-Social Behaviour Policy</b>
<b>Policy No.</b>	<b>043</b>

## 1. Anti-Social Behaviour

- a) This Policy applies to all our tenants living in general needs, key worker, partial ownership and extra care accommodation.
- b) GHA defines anti-social behaviour as acting in a way that is capable of causing nuisance, annoyance, harassment, alarm or distress to another person.
- c) Anti-social behaviour can take many forms, such as threatening behaviour or persistent loud noise. However, a tenant may find an incident upsetting, but GHA may not class it as anti-social behaviour if it is not regular and persistent or if there is no risk of harm.
- d) Defined below is what GHA views anti-social behaviour to be.

What is Anti-Social Behaviour	What is not Anti-Social Behaviour
Verbally abusive, threatening or intimidating behaviour	Disputes related to parking unless they escalate to verbal abuse, threatening or intimidating behaviour
Drug use or dealing drugs in the property or local area	Complaints about normal domestic noises like doors banging, washing machines and normal everyday activities such as children playing at and night
Persistent loud shouting and arguing in around the property	Car and intruder alarm sounding
Persistently playing music or the television so it can be heard outside of the home	People being unpleasant to one another unless threatening
Persistent dog barking	Children playing ball games or children/youths congregating
	'one off 'events such as a birthday or Christmas parties

- e) GHA takes a problem solving approach to managing reports of anti-social behaviour. GHA encourages and supports tenants to be directly involved in remedying anti-social behaviour. GHA will expect the tenants to work with other agencies that we partner with (eg. Police, Environmental Health) to resolve incidents of anti-social behaviour. GHA will take reasonable and proportionate approaches to resolve these issues.
- f) Anti-Social behaviour can impact tenants in different ways and therefore the skills and actions required to alleviate instances of anti-social behaviour will be different in every case.
- g) GHA will evict as long as there are breaches to either the Tenancy Agreement, Lease or Licence when a tenant's behaviour poses a risk to another person(s) or there is risk of harm to our tenants.

## **2. Reporting Anti-Social Behaviour**

- a) An initial risk assessment will be undertaken by an officer from the Housing Management team and this will determine the priority.
- b) The risk of harm will be assessed as:
  - Level 1 – Personal, highest level of priority, anti-social behaviour is being targeted at an individual or group rather than the community.
  - Level 2 – Nuisance, medium level of priority, anti-social behaviour is causing trouble, annoyance or suffering to the local community
  - Level 3 – Environmental, low level of priority, anti-social behaviour incident is not aimed at an individual or group but targets the wider environment e.g. communal areas.
- c) The assessment will be logged on QL (Housing Management computer system).

## **3. Responding to Reports of Anti-Social Behaviour**

- a) GHA's first response will be to provide advice and assistance to tenants to help them find a solution and resolve the anti-social behaviour without our direct intervention. GHA will encourage tenants to speak with neighbours, where appropriate and safe to do so, which can often resolve matters more efficiently and effectively. The tenant will be encouraged to make contact with the person who has caused the problem to ask them in a friendly way to stop, as they may not be aware that their behaviour is affecting the complainant or others around them. If they feel unable to do so face to face, a brief letter from the complainant to the tenant being complained about may be more appropriate.

- b) How each case is dealt with will vary depending on the situation. During the investigation, the Housing Team may use a wide variety of methods to tackle the anti-social behaviour and in nearly all cases will involve speaking with the tenant that is being complained about. GHA will offer advice and support to tenants reporting anti-social behaviour. These methods will vary from the following but are not limited to:
- Phone call from the Housing Officer or Assistant to discuss the complaint with the tenants being complained about
  - Timeline/diary of events to be kept by the complainant
  - Mediation with the complainant and the tenant being complained about
  - Joint visit with the Police to the tenant being complained about
  - Formal warnings or letters to the person being complained about (depending on evidence)
  - Acceptable behaviour contract (depending on evidence)
  - Referral to the Environmental Health department for support with monitoring equipment if appropriate. Sound equipment may be fitted in the complainant's property by Environment Health to record the level of noise that can be heard. A sound recording App may also be used. This will determine whether the complaint constitutes as Statutory Nuisance. If the noise constitutes as Statutory Nuisance, this would be classed as a breach of the tenancy agreement, lease or license.
  - Referrals to other agencies who can provide additional support to the complainant and the tenant who is being complained about.
  - Immediate legal action (where appropriate)
  - Restorative Justice practices
  - Starter (licence) tenancy extensions (where appropriate)
  - Encourage the complainant to contact the Police at the time of the incident
- c) GHA records all cases of anti-social behaviour on QL (Housing Management computer system).
- d) Occasionally the above solutions will not be successful or the behaviour is so serious no other action is appropriate then GHA will commence eviction proceedings. The GHA will evict the tenant being complained about as long as the Tenancy Agreement, Licence or Lease allows the GHA to do so and there is supporting evidence, it may also require the complainant to attend Court as a witness.

#### **4. Support**

- a) GHA will provide support to complainants/witnesses and tenants, where it is appropriate. GHA will:
- Ensure every complainant has a Housing Officer responsible for managing the case and working with them to resolve the anti-social behaviour
  - Ask at the start what the complainant is looking for in a satisfactory outcome and GHA to advise what is achievable
  - Agree an action plan with the complainant
  - Aim to identify support needs for either party as early as possible and refer to the relevant agencies
  - Provide support should the complainant need to attend Court as a witness in evictions proceedings
- b) In dealing with cases of anti-social behaviour GHA staff may come across issues around the protection of adults and children at risk of harm or abuse. If so GHA will report such concerns to the relevant agency.

#### **5. Closing Cases**

- a) GHA aims to close all cases of anti-social behaviour with a sustainable outcome and will contact all parties to advise the case is closed. The matter will be closed when:
- The issues have been resolved to the complainants satisfaction or
  - GHA has taken all available action to resolve the matter or
  - The complainant fails to assist in providing evidence and GHA cannot take any further action without the complainants assistance or
  - Following GHA's investigation, no evidence exists to prove that incidents of anti-social behaviour have occurred.

#### **6. Unreasonable Complaints**

- a) Tenants have the right to complain about anti-social behaviour. However, if following our investigation, it is found that the complaints are false and/or malicious or that the tenant persistently complaining is being unreasonable, the GHA may take action against them.

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