

**ANTI-SOCIAL BEHAVIOUR POLICY**

**1. Anti-Social Behaviour**

- a) This Policy applies to all our tenants living in AHA accommodation.
- b) AHA 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 AHA may not class it as anti-social behaviour if it is not regular and persistent or if there is no risk of harm.
- d) Examples are given below to help describe what AHA 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
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
Extreme bonfire smoke	'one off' events such as a birthday or Christmas parties

- e) AHA takes a problem solving approach to managing reports of anti-social behaviour. AHA encourages and supports tenants to be directly involved in remedying anti-social behaviour. AHA will expect the tenants to work with other agencies that we work with (eg. Police, Environmental Health, Social Services) to resolve incidents of anti-social behaviour. AHA 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) Persistent anti-social behaviour is likely to be a breach of tenants' obligations under the Tenancy Agreement. If this is the case AHA will seek eviction.

## **2. Reports of Anti-Social Behaviour**

- a) An initial risk assessment will be undertaken by the AHA Manager 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 recorded by the AHA Manager.

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

- a) AHA'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. AHA 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 AHA Manager 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. AHA 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 AHA Manager 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
- Asking the complainant to consider taking civil legal action against the perpetrator for nuisance

c) The AHA Manager will record all cases of anti-social behaviour.

d) Occasionally the above solutions will not be successful or the behaviour is so serious no other action is appropriate then AHA will, subject to AHA Board approval commence eviction proceedings. The AHA will evict the tenant being complained about as long as the Tenancy Agreement allows AHA to do so, and where there is supporting evidence. It may also require the complainant to attend Court as a witness.

#### **4. Support**

a) AHA will provide support to complainants/witnesses and tenants, where it is appropriate.

AHA will:

- Ensure the AHA Manager will manage the case and work with the complainant to resolve the anti-social behaviour. This may include liaising with GHA for advice.
- Ask at the start what the complainant is looking for in a satisfactory outcome and AHA 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 eviction proceedings

b) In dealing with cases of anti-social behaviour AHA staff may come across issues around the protection of adults and children at risk of harm or abuse. If so AHA will report such concerns to the relevant agency.

## **5. Closing Cases**

- a) AHA 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 complainant's satisfaction or
  - AHA has taken all available action to resolve the matter or
  - The complainant fails to assist in providing evidence and AHA cannot take any further action without the complainant's assistance or
  - Following AHA'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 AHA may take action against them.

Approved: June 2020	Review: June 2022
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