

# 2 FACT SHEET



## A summary of our antisocial behaviour policy

### Policy statement

#### Introduction

- 1 Longhurst & Havelok Homes are committed to tackling antisocial behaviour (ASB) firmly and fairly. We recognise that everyone has a right to enjoy their own lifestyle, but only when it does not interfere with the rights and quality of life of other residents.
- 2 We will take timely, effective and consistent action to tackle all forms of ASB at the earliest possible opportunity. When doing so we will ensure that our response is reasonable and proportionate in terms of the scale and seriousness of the problem.
- 3 Some acts of ASB are deliberate, whereas some occur as a result of lack of consideration or awareness of the impact on others, or as a result of conflicting lifestyles. We aim to provide timely and appropriate interventions with an emphasis on realistic expectations and outcomes in consultation with complainants.
- 4 We have to be very clear that not everything that may be annoying or irritating is ASB and we will encourage residents to resolve their disputes amicably by communicating with each other, with the help of mediation services where appropriate.
- 5 During the course of handling and investigating a complaint of ASB, we will always give consideration to issues of vulnerability, such as disability, mental health, drug and alcohol abuse, etc. We will seek the intervention and support of partner agencies to assist in addressing ASB, recognising the need to contribute to rehabilitation, where appropriate and possible.
- 6 We aim to make the reporting of complaints of ASB as easy as possible, supporting vulnerable people to make complaints.

#### Just Rewards

- 7 Longhurst & Havelok Homes operate the tenant incentive scheme 'Just Rewards'. Leaseholders and Shared Owners are not currently entitled to join the scheme; however the associated clear three-stage warning system on ASB will apply to give a consistent approach and warning method for all residents, regardless of tenure.

## Just Rewards (continued)

- 8 For those who are tenants, the purpose of the scheme is to encourage and reward compliance with the terms and conditions of the tenancy agreement, and prevent and deter ASB.

## What is antisocial behaviour?

- 9 Antisocial Behaviour is defined in the following legislation:

*Conduct causing or likely to cause a nuisance or annoyance to a person residing, visiting or otherwise engaging in a lawful activity in residential premises. Using or threatening to use residential premises for immoral or illegal purposes”.*

**(Housing Act 1996)**

*“Acting in a manner that causes or is likely to cause harassment, alarm or distress to one or more persons not of the same household as the perpetrator”.*

**(Crime and Disorder Act 1998)**

*“Conduct capable of causing nuisance or annoyance to any person and which directly or indirectly relates to or affects the housing management functions of a relevant landlord”.*

**(Anti-social Behaviour Act 2003)**

The list of what constitutes ASB is as follows, although it has to be acknowledged that other types of behaviour might be classed as ASB:

- noise
- verbal abuse / harassment / intimidation / threatening behaviour
- hate related incidents (based on race, sexual orientation, gender, disability, religion, age, etc)
- vandalism and damage to property
- pets and animal nuisance
- nuisance from vehicles
- drugs / substance misuse / drug dealing
- alcohol related
- domestic abuse
- physical violence
- litter / rubbish / fly-tipping
- garden nuisance
- misuse of communal areas
- prostitution
- criminal behaviour.

## Our customer standards

- 10 We aim to be responsive and understanding to all reports of ASB. We will take action where appropriate and treat all parties involved in a fair way. We will achieve this by:
- using a balanced approach of preventative, supportive and enforcement measures
  - working in partnership with other agencies and local communities
  - we will respect the anonymity of residents who report cases, although this may limit our ability to take action.
  - we will tell you if we feel your complaint has no basis or cannot be pursued due to lack of evidence
  - we will provide monitoring reports to our Senior Management and Board to reflect our performance.

## Antisocial behaviour prevention and rehabilitation

- 11 When approaching alleged perpetrators we will always give consideration to issues of vulnerability such as disability, mental health, drug and alcohol abuse, etc. Where such problems become apparent, we will seek the intervention and support of our partner agencies to assist in addressing the ASB. Referrals to specialist partner agencies for intervention and support could include:
- floating support services
  - Social Services
  - NACRO services
  - drug and alcohol services
  - Community Mental Health Teams
  - Probation Services
  - Education Welfare
  - Youth Inclusion Services
  - Children's Services
  - Black and Ethnic Minority Services
  - Independent Mental Capacity Advocate Service.

## Available remedies

- 12 The incremental nature of the Just Rewards warning system is intended to bring about real improvements in behaviour. If there is no change or improvement in behaviour after appropriate intervention and support we will have no hesitation in pursuing further action if it is just, appropriate and necessary.

In line with Housing Corporation good practice guidelines, eviction should be viewed as a last resort. However, where it is considered an appropriate action, we will endeavour to take such action swiftly. We will make use of the full range of legal remedies and other measures available to us. This may be in conjunction with our partners. These may include:

- exploring options available for support

## Available remedies (continued)

- formal warning letters
- Just Rewards warning notices
- Prohibition Notices
- mediation services
- Environmental Health statutory notices
- Acceptable Behaviour Contracts (ABC)
- Parenting Contracts / Orders
- undertakings to the court
- housing injunctions
- Antisocial Behaviour Orders (ASBO)
- demoted tenancy
- possession proceedings
- forfeiture of Lease
- Section 21 Notice to end an Assured Shorthold Tenancy or a Demoted Tenancy
- Premises Closure Orders (through Police and Environmental Health).

This is not an exhaustive list and we may work with our partners to consider a whole range of options available to us.

Longhurst & Havelok Homes is committed to equality and diversity and recognises diversity in all areas of our work. We seek to treat people with respect and deliver services that meet individual need.

This leaflet is also available in:



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