

HORIZON HOUSING ASSOCIATION LIMITED	HOUSING SERVICES
TITLE	ANTI SOCIAL BEHAVIOUR POLICY
DATE OF APPROVAL	JUNE 2005
DATE OF REVIEW	JUNE 2008

1.0 POLICY STATEMENT

1.1 Aim of Policy

The Association aims to:

- Encourage tenants to respect and tolerate their neighbours
- Prevent and take action to minimise and reduce the incidence of anti-social behaviour
- Deal appropriately with anti-social behaviour in a consistent, sensitive and objective manner
- Work in partnership with others to manage such behaviour

1.2 Purpose of the Policy

The policy defines anti-social behaviour and sets out the principles and framework for operation of the policy, ensuring the Association satisfies its legal responsibilities and meets Communities Scotland performance standards.

2.0 SCOPE OF THE POLICY AND DEFINITIONS

2.1 Definition

Consultation with tenants showed that the terms 'anti-social behaviour' can be very widely interpreted. For the purpose of this policy, the Association uses the Scottish Executive's definition¹:

"A person(s) acting in an anti-social behaviour manner, that is to say, in a manner that caused or was likely to cause harassment, alarm or distress to one or more persons not of the same household as himself".

One instance of a behaviour may be tolerable or considered as a nuisance. However repetition and persistence of the behaviour can mean that the behaviour can be defined as anti-social. The list of possible behaviours which could be categorised as anti-social is listed at Appendix 1.

2.2 Related Policies and Documents

¹ Scottish Executive: Guide to anti-social behaviour etc (Scotland) Act 2004-05 Page 17

The policy does not cover incidences of less serious neighbour nuisance or neighbour disputes, which are dealt with under the Good Neighbour Agreement and in the provision of the Scottish Secure Tenancy Agreement.

Other related policies, which contribute to prevention of anti-social behaviour, are the allocations policy, etc.

3.0 RESPONSIBILITIES

The Housing Services Sub-Committee has responsibility for this policy area and for its monitoring and review.

The Housing Services Manager holds the lead responsibility for implementation of this policy and for developing detailed procedures and guidance for staff.

The Chief Executive will be responsible for authorising legal action and its subsequent enforcement where this could result in an anti-social behaviour order or tenancy repossession.

4.0 PRINCIPLES

4.1 Rights and Responsibilities

- The Association believes that everyone has the right to their chosen lifestyle providing this does not spoil the quality of life for others. This implies some degree of tolerance of and respect for the requirements and needs of others.
- Horizon as a landlord has a role in ensuring that such rights and obligations are realised in individual cases. In order to provide a quality housing service it must be effective in tackling the problems created by anti-social behaviour and nuisance
- All complaints of anti-social behaviour and nuisance will be taken seriously and treated in a non-judgemental way.

4.2 Working with Partners

In many cases, Horizon will only be able to tackle anti-social behaviour in partnership with others, including tenants.

The Association is committed to forming relationships and inter-agency approaches where appropriate. This is in order to prevent and subsequently tackle anti-social behaviour and to protect the best interest of the communities in which the association serves. The association will therefore involve and work with partner agencies, such as the Police and local authorities, in the management of anti-social behaviour.

4.3 Tenant Involvement

The Association recognises that tenant involvement is crucial to preventing and tackling anti-social behaviour effectively. This helps to develop agreed standards on key areas of service delivery.

5.0 OPERATIONAL FRAMEWORK

The framework below will be supported by detailed procedures.

5.1 Prevention

The Association will consider the impact of lifestyle in its development designs and allocation decisions.

5.2 Early Action

There will be a prompt response in accordance with Appendix 1 and according to the degree of severity. The appropriate response will be decided, with action being taken within 7 working days. Where criminal activity is indicated, the Association will respond within one working day of receiving the report.

A general indication of response times for different types of behaviours is given in Appendix 1. In all cases, housing arrangements staff will have discretion to proceed more rapidly if the circumstances require it.

All allegations will be taken seriously. Staff will however be aware that from time to time unfounded or malicious allegations may be made and a non-judgemental, objective approach will be taken

5.3 Involving, Supporting and Protecting Victims and Staff

People experiencing anti-social behaviour will be encouraged to play a full part in action taken to deal with the problem. Their views will be taken into account in reaching decisions on courses of action.

Throughout an investigation, complainants will be kept informed of the action taken. Victims of anti-social behaviour will receive appropriate advice and assistance, including referral to appropriate professional help and support.

The professional witness scheme is not a scheme that we will offer due to the high costs. If however there is a serious risk to the witness, we will seek budget approval for such costs. A background report will be included.

5.4 Legal Action

There may be occasions when there is no other option but to take legal action in order to tackle the anti-social behaviour.

There is a range of legal remedies available. These range from seeking an anti-social behaviour order to taking repossession action. The Association will work with partners and take legal advice on the most appropriate legal route to pursue in each individual case. For example, the Association may take legal action when, despite repeated requests by the Association, the perpetrator continues to harass, alarm or distress others. Where criminal activity is involved, the Association may use remedies available under the anti-social behaviour legislation or seek repossession under the terms of Scottish Secure Tenancy, depending on the nature of the offence.

5.5 Information and Advice

The Association will ensure that the anti-social behaviour policy and procedures are publicised and communicated effectively to staff, tenants and partners. This will include use of the newsletter and website.

5.6 Record Keeping

The Association will keep an accurate log of reports of anti-social behaviour and the action taken to investigate and resolve the problem. Written statements will be taken from complainants and others contacted while investigating the complaint. These may be required as background documents should a case proceed to court.

6.0 PERFORMANCE MONITORING

- 6.1 The Association is committed to monitoring and measuring the success of this policy and its accompanying operational procedures.
- 6.2 Staff will monitor the progress of cases, trends and the effectiveness of the policy on a quarterly basis. Where legal action has been instigated, this will be reported to the next meeting of the Housing Services Committee.

6.3 The Housing Services Committee will set targets and receive an annual report monitoring the performance of the policy using the following measures.

- The number of anti-social behaviour incidents by category and priority
- Performance in meeting initial response time targets
- The number of resolved anti-social behaviour cases by category/priority, the methods of resolution (e.g. mediation, type of legal action, tenant transfer) and the average time to resolve the case
- Monitoring of groups who may experience anti-social behaviour incident reports
- Customer satisfaction case handling
- Number of evictions and current ASBOs or interdicts resulting from anti-social behaviour.

7.0 POLICY REVIEW

The policy will be reviewed in 3 years. The review will include consultation with tenants on their views of the effectiveness of the policy and seek their participation in discussion about any changes required to improve the policy.

8.0 APPENDIX 1

The following is a list of behaviours which could be considered as anti-social, set alongside the target time to respond to a complaint of such behaviour. The list is not exhaustive and in some cases the behaviour would only be considered anti-social if repeated on a number of occasions.

Policy by
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Housing Services Manager

APPENDIX 1

CATEGORY		RESPONSE TARGET
Failure to clean common areas	<input type="checkbox"/>	7 days
Abuse of common areas	<input type="checkbox"/>	7 days
Pet nuisance (Fouling)	<input type="checkbox"/>	7 days
Occasional, excessive noise	<input type="checkbox"/>	7 days
Frequent excessive noise	<input type="checkbox"/>	3 days
Vandalism to property	<input type="checkbox"/>	3 days
Trespass	<input type="checkbox"/>	3 days
Frequent/commercial car repairs	<input type="checkbox"/>	3 days
Disturbances	<input type="checkbox"/>	3 days
Pet nuisance (Biting dogs)	<input type="checkbox"/>	2 days
Attack or threats of violence	<input type="checkbox"/>	1 day
Burglary	<input type="checkbox"/>	1 day
Drug dealing/other criminal matters	<input type="checkbox"/>	1 day
Harassment	<input type="checkbox"/>	1 day