Anti-social Behaviour Policy

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1. Introduction

Most people care deeply about the neighbourhood and community in which they live, and many play an active role in making their neighbourhood a better place to live. We aim to create stronger communities where people are informed about what action is being taken to address their concerns, where people feel it is worth them taking the time to report Anti-social Behaviour (ASB) and take a stand against people who do not respect others or their environment. Housing Services is a key partner in the delivery of the Council’s Community Safety Partnership and we will continue to work closely with our partners to deliver excellent services. We aim to provide quality housing management services that reflect best practice, including the statutory guidance for the Anti-social Behaviour, Crime and Policing Act 2014, in order to make strong, proud communities where people want to live and feel safe. This Policy applies to ASB services to customers across all our housing provision, recognising that detailed processes may vary depending on the type of housing concerned.

2. Policy Statement

Housing Services works towards improving the quality of life for all our residents. We want to create communities where people want to live and visit and can enjoy their homes without living in fear of ASB and crime.

This policy aims to give a clear account of our on-going commitment to deal with all aspects of ASB and deliver a quality housing service. To achieve this, we will adopt a victim centred approach, at the same time recognising that perpetrators may be subject to particular vulnerabilities. We will therefore follow a preventative model, identifying and addressing potential risks at the earliest possible stage.

Housing Services’ policy highlights the following key principles in dealing with ASB:

- Defining what is ASB
- Clear service standards
- Victims and witnesses come first, including providing witness support
- Take swift and appropriate action
- Work in partnership with local neighbourhoods to improve our services
- Adopt and improve on best practice, through keeping abreast of current ideas and trends
- Value diversity and treat everyone with fairness and respect

3. Background

Housing Services is the housing service of the London Borough of Havering. This document fulfils a legal requirement to publish our ASB policy, and is designed to give a clear statement of our approach to ASB and the way we intend to work together with residents and organisations to deal with it.
This document is available at Housing Services offices, or on the Council’s website.

It can be made available in large print, Braille, on audio tape on request. Requests for translations into other languages will be considered on a case by case basis.

**Havering Community Safety Partnership**

Housing Services is a committed member of HCSP, which provides strategic direction to Council departments and other agencies in working together to address ASB issues throughout Havering.

**Tenant Management Organisations**

Our Tenant Management Organisations will also follow this ASB policy.

**Private Sector Housing**

This policy applies to all properties managed by our Private Housing Solutions team, including leased properties, those managed through Assured Shorthold Tenancies and Houses of Multiple Occupation.

**Leaseholders**

The lease agreements prohibit leaseholders or their tenants causing nuisance. Where both parties involved in a report of ASB are leaseholders, they must be referred to the Community Safety Team in the first instance. However, Housing’s Neighbourhood Services Team will provide appropriate support to CST where the nuisance involves environmental issues.

Where a tenant is involved in a dispute with a leaseholder, Housing Services will work with CST. The lead will depend on who the perpetrator is.

**Home Owners**

Where both parties in an ASB dispute are freeholders, the case will be dealt with in the same way as leaseholders, above.

**4. Strategic and Legal Context**

This policy sets out Housing Services’s processes for dealing with ASB in the delivery of the Council’s housing management function. It links with existing strategies and policies that impact on the reduction of ASB in the borough. This policy should be read in conjunction with the following documents:

- Housing Services Domestic Violence Policy
- Housing Services Hate Crime Policy
- Housing Services Racial Harassment Policy
- Havering Anti-social Behaviour Multi Agency Policy

Copies of these documents can be located on the Council’s website.

Housing Services’ ASB policies and procedures are in line with the following legislation:

- Anti-social Behaviour, Crime and Policing Act 2014
- Anti-social Behaviour Act 2003
• Housing Act 1985 and 1996
• The Crime and Disorder Act 1998
• Children Act 1989 (amended 2005)
• Domestic Violence, Crime and Victims Act 2004
• Data Protection Act 1998
• Children Act 2004 and Every Child Matters Steps 2004
• Equality Act 2010
• Environmental Protection Act 1990 – Statutory Nuisance
• Homelessness Act 2002
• Human Rights Act 1998
• Local Government Act 2000
• Protection from Harassment Act 1997
• Sex Offenders Act 1997
• Young Persons Act 1997
• Civil Evidence Act 1995
• Police Reform Act 2002

5. Definition of ASB & Harassment

Housing Services has defined ASB as set out in the Crime and Disorder Act 1998:

“Acting in a manner that is unreasonable, persistent, disturbing or harassing to one or more persons not of the same household as themselves” The Anti-social Behaviour Crime and Policing Act 2014 has expanded on this as follows:

• Conduct that has caused, or is likely to cause harassment, alarm or distress to any person.
• Conduct capable of causing nuisance or annoyance to a person in relation to that person’s occupation of residential premises, or
• Conduct capable of causing housing –related nuisance or annoyance to any person

Havering’s tenants must comply with their tenancy agreement in relation to ASB which are also set out in the Housing Act 1996 as follows:

• Conduct causing or likely to cause a nuisance or annoyance to a person residing, visiting or otherwise engaged in lawful activity in the locality of the home
• Conduct which directly or indirectly relates to or affects the housing management functions of a relevant landlord or
• Using or threatening to use housing accommodation owned or managed by a relevant landlord for an unlawful purpose
• Behaviour that unreasonably interferes with people’s rights to the use and enjoyment of their home and community.

Housing Services will work in conjunction with our partners, including the voluntary sector to provide effective solutions to deal with issues of ASB in the borough. In the delivery of our housing services we consider some examples of ASB to be:

• Threatening or using violence towards anyone in the local area, including Housing Services employees and Contractors
• Doing anything that causes or is likely to cause nuisance or annoyance to anyone in the local area
• Doing anything that interferes with the peace, comfort or convenience of anyone who lives in the local area
• Playing music or the television at loud volumes
• Loud parties
• Nuisance Noise which includes, slamming doors, DIY, shouting and screening, misuse of communal landings and stairwells (nuisance that is persistent and at unreasonable times)
• Smell of drugs in communal areas or in neighbours’ homes
• Vandalism
• Using the premises for any immoral, criminal or illegal purposes, or being convicted of a criminal/unlawful offence in the local area
• Harassment of anyone in the local area on the basis of their colour, race, nationality, ethnic origin, sex, sexual orientation, mental or physical disability, religious beliefs or on any other grounds whatsoever
• Causing alarm or distress to neighbours and other tenants through the use or threatened use of domestic violence (including psychological abuse)
• Keeping an animal, where this causes a nuisance or annoyance to anyone in the local area. This would include allowing animals fouling communal areas, dogs barking, attacking or biting and causing intimidation to others

ASB may or may not involve criminal activity. When receiving a report, the main issue in deciding whether specific behaviour is anti-social or not, is its impact on others.

ASB can be started by individuals, both adults and children, or by groups and families or/and their visitors.

**Racial Harassment**

We will not tolerate racial harassment by or against our tenants. We will use legal remedies such as Injunctions specified in the Anti-social Behaviour, Crime and Policing Act 2014, or Criminal Behaviour Orders to deal with racial harassment where appropriate. We will also enforce any breaches of the
terms and conditions in the Tenancy Agreement by seeking eviction if appropriate. Racial harassment is a criminal offence and we will encourage victims to report incidents to the police, where appropriate.

Housing Services has a Racial Harassment Policy to explain how we manage racial harassment. Copies can be obtained from Housing Services office, on our website or by visiting our resident service days. This document can be made available in large print, Braille or on audio tape. We will consider translating in other languages on a case by case basis.

**Hate Crime**

Housing Services uses the Association of Chief Police Officers' definition of hate crime which is: “Hate Crime is any criminal offence committed against a person or property that is motivated by the offender’s hate against people because of their sex, race, religion, disability or sexual orientation”. We have also developed a Hate Crime policy that informs residents how we address hate crime. Copies can be obtained from any Housing Services Office, on our website or by visiting our resident service days.

**Domestic Violence**

Housing Services has also developed a separate Domestic Violence Policy, to explain how we manage domestic violence. Copies can be obtained from us, on our website or by visiting our resident service days.

### 6. Our Approach to ASB

Our approach to ASB is based on four key principles:

**Prevention**

We will be proportionate and appropriate, depending on the severity and persistence of the ASB. Our intention is to deter such behaviour and to encourage victims to come forward as witnesses. We will also:

- Identify the causes of ASB using information collected to target hot spots
- Encourage tenants and residents to report incidents of ASB.

- Introduce changes to the physical environment of estates that will ‘design out’ crime, including redesigning open spaces in a manner that reduces crime and the fear of crime and ASB.

Housing Services is committed to tackling ASB by working closely with our partners, especially the Police, Drug and Alcohol Team and Community Mental Health Team. We encourage a multi-agency approach to dealing with casework, including appropriate information sharing protocols.

(Appendix 1 provides examples of the partners we work with in respect of ASB).

**Enforcement**

Our normal approach is to ensure that troublesome families or individuals receive support to assist them in modifying their behaviour, and then we will act against those who continue to cause a nuisance. We will:

- Use all the new legal powers available in the Anti-social Behaviour, Crime and Policing Act 2014 and work closely with partners to access non Local Authority / Registered Landlord powers to tackle ASB
• Prevent further ASB from occurring through enforcement processes

Rehabilitation
We will work closely work with partners to modify the behaviour of perpetrators.

We will be **professional and transparent** in all our handling of ASB reports, including:

• Adopt a victim orientated approach and ensure that reports of ASB are taken seriously, taking full account of the risk to the victim and the level of harm to the wider community
• Ensure reports of ASB are recorded, acknowledged and addressed by trained staff
• Ensure complainant confidentiality is maintained unless the complainant gives us permission otherwise
• Investigate complaints quickly through the given set timescales
• Ensure reports are investigated thoroughly and fairly
• Measure satisfaction of people using our ASB service to review our effectiveness
• Publicise performance and successes

Our Service Standards
• We will contact victims within one working day of them reporting racial harassment, hate crime and domestic violence to us. These are known as Priority One incidents
• We will visit contact victims of other ASB within five working days of receiving their report.
• We will work with the victim to agree an Action Plan during this visit, and write to them with a copy of the Plan within five working days of the visit.
• We will keep victims informed of the progress of their complaint at least every 10 working days but in some cases weekly.
• We will make safe any damage caused to a tenant’s home by ASB, within 24 hours (provided the necessary repairs falls within our normal repair responsibility).
• Once an ASB case has been closed, we will contact victims to carry out a satisfaction questionnaire to find out what they thought of the service we provided. This will be carried out within a month after we have closed a case.
• Where the victim is dissatisfied with our handling of their ASB report, we will review their case and re-open it, where appropriate.

Vulnerable Groups
Our aim in dealing with vulnerable people who have caused ASB is to secure support at the earliest possible stage which will have a positive impact and be effective. We will ensure staff are clear about how they should deal with
perpetrators of ASB that would be considered to be vulnerable like residents with mental health problems, a physical disability, and drug or alcohol dependency. We include procedures to ensure that:

• Vulnerable tenants or leaseholders likely to cause ASB are identified before their tenancy starts, using a risk based assessment process.

• Our staff are robust in dealing with these types of cases and the perpetrator’s vulnerability does not deter them from resolving ASB.

• Support services are requested of the relevant agency at the outset of the case. They can provide appropriate housing related support. This will be to provide support to challenge and change unacceptable behaviour and to support tenancy sustainment. Sometimes alternative supported housing is provided.

• Intended action against a vulnerable person is discussed and agreed with the Council’s Vulnerable Persons Panel.

We will comply with legislation when taking any action against a perpetrator or when dealing with a victim of ASB. We will not treat any disabled person less favourably than we would treat others and will always aim to ensure that any action is justified and necessary. Every case will be dealt with fairly and take into consideration the health and safety of both the victim and perpetrator.

Protection of Housing Services Staff and its Contractors

We are committed to ensuring that our staff and contractors are able to carry out their lawful duties in a safe environment and free from any harassment and intimidation. In serious incidents we will take legal action which could result in an injunction, demotion of tenancy or loss of a home. If an order is made against a perpetrator they may be ordered to pay the Council’s court costs.

We have an Unacceptable Behaviour Policy which sets out how we deal with staff intimidation by residents. This is available on the Council’s website or on request.

7. Preventing ASB

We work in various ways to prevent and minimise ASB:

• As part of a multi-agency group, to share information and plan joint action to respond to ASB problems at a local level.

• Influence the Youth Teams’ priorities through the joint identification of areas needing outreach work

• Act as key contributors to the Council’s and Police forums/panels such as anti-social behaviour and Youth Inclusion Support Panel.

• Our tenancy “Welcome Pack” sets out the obligations and the consequences if the tenancy conditions are broken.

Pre-tenancy Workshop

All new introductory tenants will be invited to attend a Pre-tenancy Workshop. As part of the workshop new tenants are informed about how to be a good neighbour, how to report ASB and what action can be taken against perpetrators of ASB, including the absolute grounds for possession contained
in the 2014 Act. It is therefore made clear right from the beginning of their tenancy that ASB will not be tolerated.

Settling in Visits

All new tenants will be visited within 6 weeks and again at 6 months to ensure they have settled in to their new home and monitor the conduct of their tenancy which includes ASB.

8. Tenancy Obligations

Introductory Tenancy

All new council tenants are given a one year Introductory Tenancy (with exception of secure tenants transferring). Once the one year probation period has been completed satisfactory tenants will automatically be granted a secure or fixed term tenancy.

Should the tenant fail to complete the probation period satisfactorily, for example not paying rent or water charges, causing ASB, Housing Services have the authority to either extend the probation period for a further 6 months or take legal action which may result in the tenant losing their home.

Fixed-Term Tenancies

Due to changes in Legislation in April 2013, the Council has introduced fixed term tenancies as permitted by the Localism Act 2011. All new tenants (except those living in accommodation designated for those aged 60 or over) are offered a secure tenancy for a period of three or five years, instead of a lifetime tenancy. These tenancies will be reviewed and the granting of a further tenancy considered, towards the end of the tenancy. We believe this type of tenancy will help deter ASB.

All tenants are provided with a copy of a Welcome Pack that contains their Tenancy Agreement. These sets out their tenancy obligations and the most important clauses relating to ASB are explained in them. The Welcome Pack is also available on our website.

The Tenancy Agreement details the rights and responsibilities of the Council and its tenants. Tenants are responsible for:

- The behaviour of anyone including children, family, relatives and friends, who live or lodge at or visit the premises
- Ensuring that they do not act in breach of any relevant clauses; nor must the tenant allow or permit them to act in such a way. This applies in the premises and anywhere in the local area
- Tenants and Council leaseholders will be in breach of their Tenancy Agreement / Lease Agreement if they engage in any form of ASB, threats or harassment as described in Section 7 of this Policy

Tenant perpetrators and their family will risk losing their home and future social housing applications if they cause ASB. They may also be ordered to pay Housing Services court costs.

Action against leasehold perpetrators will involve Injunctions (set out in the 2014 ASB legislation) or Criminal Behaviour Orders, but in extremely serious cases of ASB, leaseholders risk losing their home through the forfeiture of the lease.
9. Remedies We Will Use to Resolve ASB

Informal Interventions
Verbal or written warnings can be used to stop ASB before it escalates, particularly in relation young people. Any warning should be based on clear evidence, explaining to the individual the details of the ASB, the impact on the victim/wider community, plus the likely consequences if the behaviour does not stop. Accurate records must be kept of any verbal or written warning so that it can be relied upon in court, if required. The Council will notify relevant partner agencies where a written warning is issued. Informal support and counselling may also be effective in tackling the underlying causes of ASB, including the role of the Troubled Families team in relation to supporting young people address issues that could trigger offending behaviours.

Acceptable Behaviour Contract (ABC)
An ABC is a non-binding agreement between a perpetrator of ASB and either the Local Authority and/or the Police. The agreement usually contains a list of prohibitive and/or positive measures in relation to the identifiable anti-social actions or acts of harassment. Within Havering it is designed for those aged 10 years and older and lasts for 6 months. Persistent breach of an ABC could lead to more robust ASB tools being implemented.

Parenting Contract
These are voluntary agreements made between local agencies and a parent(s). They set out what parents will do to address the behaviour of children for whom they are responsible.

Parenting Order
This is a court order is designed to encourage parents to take responsibility for and to help improve a young person’s behaviour. It may be imposed where a child is made subject to a Criminal Behaviour Order, or convicted of an offence.

Yellow and Red Cards
This scheme was introduced by the Council’s Anti-social Behaviour Co-ordinator for Community Police to issue warning cards to youths causing low-level nuisance in the community. Housing Services works in partnership with the Safer Neighbourhood Teams on this scheme.

Injunctions
An injunction is a court order that is preventative e.g. ordering a person not to behave in a certain way. They can be used to:

• Protect staff
• Curtail behaviour
• Stop someone entering premises
• Remove obstructions or building work that have not received landlord’s permission
• Exclude perpetrators from specified areas.
The Anti-social Behaviour, Crime and Policing Act 2014 established a new civil injunction which specifically tackles housing related ASB. Key features include:

1. It is a civil injunction, which, unlike the ASBO, is obtained on the balance of probabilities standard. Adult breaches are treated as contempt of court, with unlimited fine and up to 2 years’ in prison (using the criminal standard of beyond reasonable doubt)

2. The Council must meet the housing-related test under Part 1 of the 2014 Act that the conduct involved is capable of causing nuisance or annoyance that is directly linked to housing.

3. Under 18s applications are handled through youth courts and the Council must consult the Youth Offending Team and take their views into account. There is also an expectation that appropriate agencies will be informed in the case of an adult application.

4. Penalties on breach for under 18s include a supervision order, or, in extreme cases, a 3 month civil detention order

5. Injunctions can include both prohibitive and positive measures as a means to control Anti-Social Behaviour (power of arrest can be attached to prohibitions, but not requirements).

**Criminal Behaviour Order (CBO)**

The CBO replaces the ASBO-on-conviction (CRASBO) and can be made against someone convicted of a criminal offence, provided two conditions are met:

- The court is satisfied beyond reasonable doubt that their behaviour has caused or is likely to cause “harassment, alarm or distress” to person(s) not of the same household.

- The court considers that making a CBO will help to prevent the offender engaging in such behaviour.

A CBO prohibits the perpetrator from specific ASB and may also impose restrictions preventing them from going to places where they have caused problems. The court can impose positive requirements intended to address the underlying causes of the individual’s ASB. (The Crown Prosecution Service is the lead agency is the case of CBOs, acting either on its own initiative, or at the request of the Council or the Police).

Breach of a CBO is a criminal offence punishable imprisonment for periods of 6 months to 2 years. CBOs can be issued to adults and children aged over 10 years and can apply to anyone regardless of what type of tenure they occupy. However, as with the Injunction, the Council must consult with and take account of the views of the Youth Offending Team for applications for under 18s
Demotion of Tenancy

A Demotion Order can be used to reduce the rights (such as the Right to Buy and to a mutual exchange) of a tenant who causes ASB. It also places the tenant’s security Tenure on a “probation” period for 12 months (extendable to 18 if poor behaviour persists). If within this time possession is sought, it will be on Mandatory Grounds.

Eviction

We will seek to evict a tenant as a last resort in cases of severe or persistent ASB, where support has been refused or behaviour has not changed. In addition to existing grounds for possession, the Anti-social Behaviour, Crime and Policing Act 2014 introduced a new mandatory ground for possession, where the court is satisfied that one of the following triggers applies:

- Convicted of a violent or sexual offence, offence against property, supplying drugs or production with intention to supply where the offence is indictable and committed in the locality in the previous 12 months
- Proven breach of an injunction or CBO in the previous 12 months.
- Property closed as a result of a court granting a closure order for more than 48 hours.
- Conviction for breach of a noise abatement notice under the statutory nuisance regime.

The intention of the Act is to expedite the eviction of the most anti-social resident and bring faster relief to victims and communities. However, Council tenants have a statutory right under the 2014 Act to request a review of our decision to seek possession. They may also invoke the Human Rights Act during a possession hearing, to test whether our action is proportionate. It is therefore important that, according to the Guidance to the 2014 Act, we use this ground “selectively, for the most serious cases of ASB.” The discretionary grounds for possession in the Housing Acts of 1985 and 1988 can still be used, where the above triggers are not met.

Provided the triggers are met and the evidence meets the criminal standards, the Court has to grant possession, provided we can demonstrate the correct Notice has been served on the tenant. This new ground has implications not only for dealing with ASB in Council housing, but also in the management of private sector housing. This is because, as it can be used within the fixed term of an assured shorthold tenancy to address serious ASB.

Community Protection Notice

This notice can be used by the Police and Local Authority where the unreasonable and persistent conduct of an individual (over 16) or body has a detrimental effect on the quality of life in a locality. It can be served once an informal warning is ignored and requires the recipient to stop, do or take steps to achieve a defined result. It is a very versatile tool, in that it can also be used against residential issues, such as loitering and environmental issues such as fly tipping. It can be issued by either the Police or designated Council Officer.

Closure Notice/Order

Local authorities or the police can service Closure Notices where there is, or a threat of, serious disorderly conduct, nuisance or criminal behaviour. Before
issuing a closure notice the Act requires that anybody or individual we consider appropriate has been consulted. Initially restricting access for 48 hours to those habitually resident, notices can be converted into orders lasting for 6 months by applying to the magistrates’ court. A Closure Order can ban all access and a breach is a criminal offence.

**Court Undertaking**

This is a promise to the court signed by an individual and can be used to address ASB. It is not an admission of guilt, but a promise about future conduct.

**Extension of Introductory Tenancies**

Where a tenant has an introductory tenancy and there is concern about the tenant’s (or household member/visitor’s) conduct during the 12 month probationary tenancy period, serving a notice of extension can extend the probationary period of the tenancy for a further 6 months without the need for a court order. Should the ASB persist at the end of the 6 months, possession action can then be taken.

**Withdrawing an Offer of Accommodation**

The Council’s Allocations Scheme makes it clear that an offer of accommodation may be withdrawn if the applicant (or others on the application) are or have been responsible for committing serious and persistent ASB. This would have to be of a type or severity that would have entitled the Council to obtain a possession order, had we been the landlord.

**Fixed Penalty Notices**

Fixed penalty notices are one-off fines for ASB designed to deal with environmental offences like litter, graffiti or dog fouling. They can be issued by the Council or the Police to any person over 10 years old.

**Noise Abatement Notice**

The Council’s Environmental Health can detect statutory noise nuisance by installing a noise monitor into a neighbouring property. A Noise Abatement Notice is served and if the nuisance persists, they have the power to seize noise making equipment.

**Mediation**

To resolve neighbour disputes we will offer mediation by a specialist external agency. The aim of mediation is for one or more neighbours to come to a mutually acceptable agreement with each other, through working out differences that are often at the root of ASB or nuisance behaviour.

**Community Remedy**

The Community Remedy is a list of actions and punishments decided at a local level by the Council and the Police. It gives victims a say in the out of court punishments for perpetrators of low level crime and ASB. It is on the proviso that the perpetrator has admitted their actions, seeks to make amends and such a course of action is sought by the victim. The victim will be presented with the Borough’s list of remedial punishments whereupon they may choose their preferred remedy that the perpetrator will be required to undertake.
Community Trigger/ ASB Case Review
Where victims of ASB are dissatisfied with our response in handling their report, they may be able to invoke the “Community Trigger”, depending on the frequency of the incidents. This means an inter-agency ASB Case Review is held, and gives victims and/or communities the right to prompt a re-examination of their case. (More details are available in the Havering Multi-Agency ASB Policy).

10. Promoting the Housing Services ASB Policy

Publicity
We recognise that publicity is fundamental to build confidence in the ASB service we provide. We aim to enhance our reputation by publishing good news stories, successful legal cases, ASB advice and partnership working in our tenant and leaseholder news magazine “At The Heart”, in local newspapers (and national where appropriate) and on our website.

Customer Satisfaction
It is important that reporters of ASB incidents are allowed the opportunity to comment on the ASB process and the service they experienced. Victims will be either telephoned or visited and asked to complete a customer satisfaction survey. We review the results on a monthly basis. All replies expressing dissatisfaction are followed up by the case officer’s manager.

Staff Training
We are committed to training our staff and will ensure that all staff dealing with ASB are aware of this policy and procedures.

We will provide refresher training and updates, particularly where legislation changes.

Where our response to any incident shows the need for further staff training, this will be provided.

We will ensure Resident Groups and Tenant Management Organisations are offered an appropriate level of training on policy, procedures and on any legislative changes.

Confidentiality
Any information given to us will be treated in confidence. In accordance with the Data Protection Act and the Crime and Disorder Act 1998, it will not be passed to the person who is named in the information without the permission of the person who gave the information. With the victim’s permission we will also share information with other agencies to provide support for them and their family.

Some people give information anonymously. While we will investigate this information as far as we are able to, but we cannot advise the informant of the outcome of our investigations, nor can we check any facts or responses from the perpetrator with them.
Malicious Reporting

We investigate all reports of ASB sensitively and fairly. It is not unusual to receive counter allegations; both reports are investigated equally and impartially. We will use appropriate action against residents if reports have been made falsely to cause someone distress and waste officers time.

11. Supporting the Victim / Witness

Our trained staff will respond in a timely and sensitive way to all victims and witnesses of ASB.

We will, in conjunction with the Council’s Community Safety Unit, consider providing the victim with a mobile phone in serious cases, extra security to the letterbox, windows and doors. We can also arrange for a personal alarm and the following support measures:

Police Community Safety Unit

We work closely with the Police to assist with their investigations of ASB, domestic violence and hate crime. We provide them with information under the Sharing of Information Protocol to pursue arrest and prosecute people who commit such crimes. We also take a multi-agency approach of sharing information to protect and support the victim and their family.

Use of professional witnesses

We will consider the use of professional witnesses to help residents who are afraid or unable to provide us with evidence, such as when there have been several incidents affecting members of the community where we are unable to obtain enough eye-witness evidence or to obtain an independent assessment of conflicting reports.

Translation and Interpreting Service

Translation services and interpreting are available in line with the corporate Translation and Interpreting Policy. Translating witness statements, complainants’ incident diary sheets and letters to complainants, as well as interpreting during interviews and at court, will be considered on a case by case basis. Translation into Braille, large print and sign interpreters can also be arranged where necessary.

Dictaphones

We will provide Dictaphones if victims have writing difficulties and would not be able to easily manage keeping a diary of ASB events. We also use Dictaphones to help us collect evidence for reports of noise nuisance.

Alarm Services

The Havering Helpline Service is a community service primarily for elderly and disabled people living in the borough. The alarm system links individual homes, via a telephone line, to an emergency control centre where trained staff will respond to the call. We will consider extending this service to victims of ASB who have suffered threats or actual physical assaults, their property has been targeted and damaged through ASB or the complainant is fearful of attacks. We will also consider using the service for victims of Domestic Violence, Hate Crime and serious ASB where appropriate.
Repairs & Security of Premises

Where a tenant has had their home damaged through harassment we will carry out repairs as a matter of emergency. We will also consider carrying out any additional security works where there is serious risk of harm to the victim or others living in the property.

Witness Support

We recognise that giving evidence in court can be an emotional and stressful time; it is also a very important role in the success of court cases. Building witness confidence and trust is an essential part of our role.

Our Team will support witnesses in a variety of ways, depending on the circumstances and their needs. This could include providing a direct point of contact for the witness, supporting them in completing witness statements or explaining how the court process works.

Rehousing (Special Transfer)

The main objective of the ASB Policy is to provide adequate support to the victim so they may continue to live in their home in safety and without the fear of further harassment and intimidation.

In some cases, the harassment may be life threatening or so severe or persistent that the complainant and their household are no longer safe in their home and need to be re-housed either temporarily or permanently away from the area in which they are living. This will be offered if the tenant has no other options, such as temporarily staying with relatives or friends.

Re-housing through the process of a special transfer will be offered after considering comments made by the Police (at Inspector level), other relevant agencies like Social Services, the Domestic Violence Forum, Community Mental Health Team and/or other informed sources. Recommendations will be considered, but the decision will be made by the appropriate Housing Services panel.

If agreed, the applicant will receive one direct offer of alternative accommodation on a like-for-like basis under the Council’s choice-based letstings scheme.

We aim to re-house tenants in a different part of the Borough. In extreme cases we will seek to secure an out of the Borough move with other landlords.

Re-housing under the special transfer process is not for the purpose of moving to a larger property or different area.


We will monitor our performance in tackling ASB through a range of performance indicators (see Appendix 3)

We carry out regular quality checks on ASB cases managed by our staff. We will also analyse management information such as highlighting hotspots of ASB.
Appendix 1 Our Partners

Listed below are some examples of our partners:

• Community Housing Groups
• Safer Neighbourhood Police
• Council’s Community Safety Team
• Council’s letting and homelessness teams
• Community Mental Health Team
• Women’s Aid
• Police Community Safety Unit
• Victim Support
• Drug and Alcohol Agencies
• Children in Need Team
• Learning Disability Team
• Adult Social Care
• Youth Offending Team
• Youth Services
• Education (including welfare officers and (head) teachers)
• TMOs

We also recognise the specialist skills of the voluntary sector and will continue to work with organisations such as Havering Association for Disabilities, Havering MIND, HUBB and the Albert Kennedy Trust.

Appendix 2 – Teams working together on ASB

Housing Services has adopted an organisational structure with departments and processes dedicated to preventing and tackling ASB.

Community Wardens

The Community Warden Service was introduced to:

• Be a highly visible mobile team across the borough (Housing Services properties)
• Report ASB including fly tipping, graffiti, criminal damage and abandoned vehicles
• Identify those responsible for ASB and work closely with Neighbourhood Officers, Estates Officers, and Caretakers, CCTV staff, Street care, Environmental Health and other appropriate agencies such as Youth Services, Resident Groups and Police Safer Neighbourhood Teams
• Build relationships and respect within neighbourhoods
• Use mobile CCTV to collect information and evidence and share with the ASB Team and Police
Give evidence in court, as professional witnesses for ASB
Patrol known “hotspot” areas of ASB
Visit victims of serious ASB to re-ensure safety
Attend community events

CCTV Team
The CCTV service is a specialist team which maintains and monitors over 500 cameras on our estates and sheltered units.

The team collects information and evidence about perpetrators of ASB and share this with Community Wardens, Neighbourhood Officers, and Police so that enforcement action or criminal proceedings can be taken against the perpetrators

The CCTV team acts as the eyes and ears of the Neighbourhood Officers by taking out of hour’s ASB reports and calls each month. These calls are relayed immediately to the police or neighbourhood wardens or passed on to a data base for next day action.

The cameras used by Housing Services are a mixture of Pan Tilt and Zoom (PTZ) Internet Protocol (IP) domes, and static door entry lift and lobby cameras. The CCTV system is extremely flexible as to the deployment of cameras.

Neighbourhood Services Team
All reports of ASB are managed by the Neighbourhood Services Team. Neighbourhood Officers manage a patch of properties which includes dealing with ASB reports.

The purpose of this team is to:

Take all possible enforcement action against identified perpetrators within the quickest possible time

Work with the Council’s Community Safety Team, CCTV officers, Caretakers, Community Wardens, Housing Services Resident Engagement Officers, Police, Youth Offending Service and voluntary groups to tackle ASB

Issue and negotiate Parental Contract Agreements and Acceptable Behaviour Contracts (ABCs) with perpetrators, (especially young people) and their parents

Provide staff and TMOs with training on all aspects of ASB

Provide support to victims and witnesses of ASB.

Ensure that victims are treated sympathetically and in total confidence.

Keep victims informed of the progress of their complaint and monitor satisfaction levels

Take all possible enforcement action to protect staff and contractors against perpetrators who cause intimidation and harassment

Attend community meetings, and community events to encourage reporting of ASB and publicise access to the service and successes and encourage resident involvement
Community Engagement Team

Our officers provide help to community housing groups to access grants to implement a wide range of activities for young people, families and older people in our neighbourhoods. The main purpose of this team is to:

- Establish diversionary activities on estates which includes taking advantage of community development grants to fund appropriate activities
- Build community cohesion

The team has a number of youth schemes such as a youth forum one football team and additional football coaching across the borough, as well as arts and crafts projects throughout school holidays. It also co-ordinates dance and drama activities and estate based film projects.

Appendix 3 Our Performance Measures

- Percentage of racial harassment, hate crime and domestic violence reports we respond to within one working day;
- Number of ASB reports received and closed per month
- How satisfied residents were with the way they were kept up to date on the progress of their ASB complaint;
- How satisfied residents were with the way we handled their ASB complaint;
- How satisfied residents were with the outcome of their ASB complaint.