

Key Housing Association

Policy Register

Item B15



**Policy:** Anti-Social Behaviour & Neighbour Nuisance Policy  
(Incorporating Harassment Policy)

**First Approved:** February 2006

This policy is reviewed annually at the January meeting of Management Committee.

## **1. Introduction**

All Key's tenants should expect to peacefully enjoy living in their homes. This policy sets out how we will deal with any occurrence of anti-social behaviour or neighbour nuisance which can disturb the enjoyment of your home. It sets out the definition of anti-social behaviour, our approach to dealing with any incident reported to us and our target timescales for both responding to and resolving any issues.

There is an accompanying summary version "Being a Good Neighbour" which will be available on our website alongside a copy of the full policy. This policy has been revised and developed in consultation with the "My Home Group" and through a variety of tenant consultation events throughout Scotland. Our approach, our target timescales and how we will respond to any report of anti-social behaviour has been discussed and agreed at these consultation events.

## **2. What does the Scottish Social Housing Charter say about Anti-Social Behaviour?**

The Scottish Housing Charter sets out the standards and outcomes which we should achieve when we deliver housing services to our tenants and other customers.

The outcome which includes how we respond to reports of anti-social behaviour states that we must work in partnership with other agencies to make sure our tenants live in well maintained neighbourhoods where they feel safe.

As part of the Annual Return on the Charter (ARC) we have to report on the number of anti-social behaviour reported and resolved each year. In addition, these target timescales have to be agreed with our tenants. Our performance in dealing with anti social behaviour issues is reported in our Annual Charter Performance Report (published yearly in early October).

## **3. Working with others to resolve Anti-Social Behaviour**

Key owns 712 houses within 15 local authority areas and also leases approx 80 houses from other Registered Social Landlords and then lets these properties to tenants. Often our tenants' neighbours are owner occupiers or tenants of other landlords. As a consequence we will and have to work with a large variety of people to reach a resolution to reported incidents of anti social behaviour. The majority of our tenants receive support either from Key, Community Lifestyles or other support agencies and our properties are often scattered within larger communities and neighbourhoods.

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We therefore have to work with many different partner organisations and statutory agencies when investigating and dealing with anti-social behaviour.

We work with:

- Support staff both from Key and Community Lifestyles and where our tenants are supported by other support organisations
- Family members, advocates, guardians
- Social Work care managers, Adult Support and Protection
- Statutory agencies : NHS, Police , Local Authority Environmental Health , Community Safety, Mediation services
- Advocacy projects to help with mediation

#### **4. Anti-Social Behaviour: A definition**

The tenancy agreement you signed with us before you moved into your home is very clear about your responsibility as a tenant “not to harass or act in an anti social manner to any person in the neighbourhood. Such people include residents, visitors, our employees, agents or contractors and those in your home”.

The tenancy agreement defines anti-social behaviour as:

- Acting in a manner that is causing, or is likely to cause, alarm or distress, nuisance or annoyance or causing damage to anyone’s property
- Doing several things over a period of time that cause, or are likely to cause, alarm or distress to at least one person living in another household
- Harassment of a person includes causing the person alarm or distress.

We define harassment as a deliberate and persistent act by one person or a group of people which may be verbal or physical and includes attacks on property as well as on the person. It may be suffered by individuals or groups because of their colour, nationality or ethnic or national origins, gender, disability, age or sexual orientation.

We are aware that a lot of incidents are small scale occurrences which have the potential to escalate into anti social behaviour issues and therefore have called them “neighbour nuisance”. We will take the same approach to these as we do to more serious reports of anti-social behaviour.

Your tenancy agreement also states that we will deal with any reports of anti-social behaviour and our approach to dealing with this is detailed below.

## **5. Our approach to dealing with Anti-Social Behaviour**

We will deal with all reports of anti-social behaviour made to our Housing Officers in an open minded, sensitive, proportionate and confidential manner. This means that we will thoroughly investigate an allegation to establish the factual position, drawing on information from all parties, before making a decision as to action. If the incident involves a tenant who receives support we will gather information from support staff, family or advocates as necessary.

## **6. Our Response Times : Our level of service**

We will respond to your concern within 10 working days

If you contact us by telephone, letter or through your support worker we will respond to your concern within 10 working days. Normally we will start investigating the same day an issue is raised. We will send you an acknowledgement letter within these 10 days which will state the concern you have raised and that we are investigating it. If the concern requires no further investigation we will also tell you the actions we have taken and that we consider the matter resolved (the outcome).

If your own Housing Officer is on holiday we will ask you or your representative if you wish someone to deal with it in their absence or to wait until their return. This will be known as an agreed extension to the timescales.

We will take action by making telephone calls, investigating the facts, organising home visits to discuss the matter with all parties, meeting with support staff/family members or advocates. We will give advice on being a good neighbour and remind tenants of their obligations within the tenancy agreement that they signed. Any visit or meeting will be followed by a letter reminding all visited of the advice given and actions discussed. In many cases we will emphasis the necessity for tolerance and compromise and give advice on avoiding similar incidents. Where it will be beneficial we will use mediation agencies or utilise good neighbour agreements. Any actions taken will be in agreement with other partner agencies included at the time.

We will consider environment changes to help alleviate the effects of anti-social behaviour. For example adaptations which can be made to the property to help with any issues such as excessive sound transfer. Other examples include measures to provide reassurance to neighbours and support staff e.g. additional external lighting, CCTV cameras (in discussion with neighbours) or anti vandal paint.

We will consider other housing options if appropriate but this is would be after all other practical and appropriate action had been considered.

We will consider legal remedies such as ASBOs (Anti-Social Behaviour Orders) and eviction but only in conjunction with other agencies input and in exceptional circumstances.

## **7. Resolving Anti-Social Behaviour**

Dealing with and providing a resolution to anti-social behaviour incidents is not easy since there are usually many different views of the same incident. Often this is as a result of a clash of lifestyles, differing expectations of behaviour and levels of toleration we have of those who live around us. We will discuss realistic expectations of behaviour with all parties at the time we are dealing with a concern. We may also have to discuss the difference between normal domestic noise and what would be considered as anti social noise by Environmental Health. In addition there will be emphasised a realistic expectations of what we as a landlord can do.

We will consider an anti-social behaviour incident to have been resolved when we have taken all reasonable steps detailed above to investigate and take action.

We have divided anti-social behaviour into three different categories which reflect the increasing seriousness of the incidents reported. In the first column are the most serious and almost always will include police involvement. Most of Key's incidents of anti-social behaviour will be in the last column and are generally termed "nuisance". However, if these are not dealt with and are reoccurring they are anti-social. We therefore have the same target date for dealing with and investigating a concern raised to us.

Following investigation and monitoring Key/ Housing Officers will write to the person reporting the incident, detailing the actions taken, where appropriate to do so, and will advise if we consider the matter resolved or whether there will be ongoing monitoring.

<b>Very Serious</b>	<b>Serious</b>	<b>Nuisance</b>
Drug dealing from house	Vandalism	Infrequent disturbance
Harassment and racial harassment	Verbal harassment (severe and frequent)	Noise
Violence towards neighbours or staff	Frequent disturbances	Control of pets
Unprovoked Assault	Excessive noise as a result of alcohol or drug abuse, clashes of lifestyles	Behaviour of visitors or children
		Vandalism
		Verbal harassment – one off
<b>Resolve within 5 calendar months</b>	<b>Resolve within 3 calendar months</b>	<b>Resolve within 1 calendar month</b>

A procedural checklist will be filled in for each incident which will draw together the key dates and signpost where the information about the incident is kept as well as noting the variety of agencies and individuals involved.

## **8. Monitoring and reporting of anti social behaviour incidents**

A summary report on anti-social behaviour incidents will be made to the Housing and Development Review Group. This will detail the number of incidents, response times and how many are resolved within target timescales. Some of this information is currently required by the Scottish Housing Regulator as part of the Annual Return on the Charter.

Statistical information on anti-social behaviour will also be reported at regular intervals in our newsletter and will be made available on our website.