

Anti-Social Behaviour and Harassment Policy



Crown Simmons Housing recognises that anti-social behaviour (ASB) is an important issue that affects the quiet enjoyment of our residents. The Association, in conjunction with the Police, local residents and other local agencies are committed to developing ways of tackling anti-social behaviour for all of our residents.

Definition of Anti-Social Behaviour

The Crime and Disorder Act 1998 defines ASB as:

“conduct including speech which has caused, or is likely to cause alarm or distress to one or more individuals who do not reside at the same household as the offender”

ASB can take many forms, which includes incidents such as:

- noise nuisance
- drug dealing
- intimidation and harassment
- fouling of public areas
- aggressive and threatening language and behaviour
- actual violence against people and property
- hate behaviour that targets members of identified groups because of their perceived differences
- use of the home for illegal or immoral purposes
- nuisance from vehicles
- dumping of rubbish
- uncontrolled pets or animals

The Association and Trust will not tolerate ASB from or to our residents. We aim to investigate and deal fairly with any reported incidents of ASB which may involve or affect our residents.

Our strategy aims to tackle problem behaviour and reduce nuisance and harassment in the communities in which we work.

ASB is not just a housing management issue. To tackle it effectively we need to adopt a holistic approach. We are active members of community safety partnerships (for example, Surrey Community Incident Action Group, known as CIAG) and are constantly striving to develop ways of working with other agencies in the areas in which we work. We are committed to information sharing protocols with the Police and local agencies.

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Policy

Our ASB policy works in conjunction with our other policies, in particular on Racial Harassment, detailed below, and our Corporate Commitment to Equality and Diversity, and with our formal complaints procedure.

Obligations of Tenants

Our Tenancy Agreements and Leases set out what is required of our tenants. We also issue all new tenants with a tenant's handbook which states what action we will take if anyone causes a nuisance or harassment.

Support of Complainants

We will investigate every report of ASB and keep the complainant informed of progress/action taken during the course of the investigation. If we proceed to Court action we will provide ongoing support for all complainants whilst action is being taken.

Prevention

Preventative action is key to an effective strategy. We will endeavour to design out crime on all new development schemes, by working in partnership with the local Crime Prevention officer, tenants and relevant staff. Tenants are consulted in decisions concerning security improvements.

Dealing with lower levels of ASB at the outset of the problem can prevent problems escalating. We will always try to take early intervention to tackle problems before they become more serious.

When we sign up new tenants we explain the conditions on of the tenancy in detail. The consequences of ASB and harassment are explained to new tenants.

We offer mediation as a way of resolving disputes between neighbours where both parties are willing to attend. This is a voluntary process that provides independent people to talk to those involved in a dispute.

Training

Staff are given training on how to investigate and tackle nuisance effectively and are kept up to date on the latest initiatives and legislation.

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Enforcement

Despite measures in place to prevent ASB and find early resolutions to situations, as a last resort, we will take enforcement action where appropriate.

We encourage the reporting of incidents and offer witness support.

We will assess each situation and where appropriate seek legal advice to agree the most suitable legal remedy to tackle the situation, and where necessary repossess the property in cases of serious or ongoing ASB.

Crown Simmons Housing Procedures for Dealing with Anti-Social Behaviour

In tackling ASB we will:

- Investigate all reports of ASB, obtain all relevant facts about the incident, time, date, place, identities of individuals involved, etc.
- Record the information about the incident and keep a copy on the tenants file.
- Acknowledge quickly and formally any report of ASB
- Where feasible encourage complainants to resolve difficulties themselves
- Start investigations at the earliest possible time after receipt of the complaint and conduct it at a reasonable speed.
- Seek to identify and interview all interested parties
- Initial action taken will depend on the outcome of the interview with the alleged perpetrator.
- If the alleged perpetrator admits the ASB and he/she is our tenant they should be issued with a written warning to be held on their tenant's file, depending on the nature and seriousness of the incident.
- If there is still no improvement, we will consider eviction action. A decision to evict under these circumstances must be subject to a Court order and must be approved by the Board of Management.
- If the alleged perpetrator denies responsibility a file note will be kept of the meeting held and the situation should be monitored to see if there are any further incidents involving the tenant.
- The complainant must be kept informed of any interviews held and action taken, whether further action is being taken or not. In some circumstances it may not be possible to take any further action if we are unable to prove the ASB and the complainant must be advised of this.

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- The complainant should be advised to keep a record of any further incidents and to report them to the office or a member of staff.
- If an incident of a serious or illegal nature is reported, e.g. drug dealing or actual violence, the complainant must be encouraged to report the matter to the Police.
- We will work closely in partnership with the Police to tackle ASB from or to our tenants.
- Where appropriate we will consider offering the services of a professional mediation service to help overcome neighbour nuisance problems
- Where we have evidence of ongoing ASB by our tenants we will take appropriate legal action. This may include seeking an injunction and/or seeking possession of the property.
- We will keep the complainant informed of any action that we are taking and provide support whilst taking any action against the perpetrator.
- Where our tenants are experiencing ASB from someone who is not a tenant of either the Association or Trust, we will work with other organisations and the Police to try and resolve the problem as quickly and effectively as possible.

Definition of Harassment

We define harassment as a deliberate act committed against someone because of their race, gender, religion or sexual orientation. We condemn all forms of harassment whether carried out by tenants, employees or agents.

Under the tenancy agreement harassment is considered a serious breach of the tenancy conditions.

We will take appropriate action to support any tenants who are harassed or victimised on racial grounds. These principles apply to harassment on other grounds.

We will remove racist graffiti within 48 hours of notification.

The Board has formally accepted the Race Relations Code of Practice in rented housing for the elimination of racial discrimination and the promotion of equal opportunities. A summary of this code is displayed in each scheme and copies of the Code of Practice are held in the Association and Trust's office library and may be borrowed on request.

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For more information or to report a complaint about anti social behaviour please contact any member of staff at Crown Simmons Housing.

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