



## Antisocial behaviour policy

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### 1 Introduction

This policy outlines Alamo Housing Co-operative's approach to antisocial behaviour (commonly known as ASB), sets out what we can do, and describes the support we can give to members when they report antisocial behaviour to us.

The tenancy agreements issued by our landlords to our members prohibit all forms of ASB. We will consider any member who persistently causes ASB to be in breach of the conditions of tenancy. The co-operative has the power under the management agreements we have signed with our landlords to implement a range of sanctions, including legal action, particularly if the antisocial behaviour is serious or persistent. We may also consider that the tenancy agreement has been breached if family members or invited visitors cause ASB.

We expect our members to be considerate and reasonable to their neighbours. When minor disputes arise we will usually ask the members involved to attempt to resolve their differences by negotiation. If this is not feasible, we may offer mediation.

### 2 What do we mean by antisocial behaviour

Alamo Housing Co-operative recognises that people have differing levels of tolerance and that the same behaviour may have a greater or lesser impact dependent on the circumstances of the victim and perpetrator. When antisocial behaviour is reported to us, we will always consider the circumstances of the victim and the perpetrator before deciding on the appropriate course of action.

For the purposes of our antisocial behaviour policy, domestic abuse and harassment on the grounds of a *protected characteristic* will be considered a form of antisocial behaviour. However there are specific laws which give landlords and the police additional powers to tackle these offences, and we will use these powers when appropriate.

Less serious acts of ASB are commonly known as nuisance. It may not always be appropriate or feasible for us to take legal action over nuisance, particularly if it is short lived.

If there are allegations and counter allegations of nuisance from two members, we may consider that a *neighbour dispute* exists. Neighbour disputes are often more effectively resolved through mediation rather than enforcement action.

We will use the following definitions of antisocial behaviour as our starting point when assessing complaints from members and others:

The Antisocial Behaviour Act 2003 defines antisocial behaviour as – *'Conduct which is capable of causing nuisance or annoyance to any person and directly relates to or affects the housing management function of a relevant landlord'*

The Home Office defines antisocial behaviour as – *'Any aggressive behaviour, intimidating or destructive activity that damages or destroys another person's quality of life'*





### 3 Objectives of the antisocial behaviour policy

The objectives of the antisocial behaviour policy are:

- To make it easy for our members to report antisocial behaviour, nuisance, domestic abuse and harassment.
- To ensure that reports of ASB are dealt with in a courteous, sensitive and efficient manner, and are investigated promptly whilst maintaining appropriate discretion and confidentiality.
- To ensure that we keep adequate records of reports of ASB so that we can monitor cases effectively.

### 4 Members' obligations

Members are expected to abide by the terms and conditions of their tenancy agreement.

Under the conditions of the tenancy agreements issued to our members by our landlords, we are all required:

- Not to commit harassment. Harassment includes verbal abuse and also any other sort of behaviour which is intended to, and or can be expected to, cause distress.
- Not to commit domestic abuse. Domestic abuse includes physical and psychological violence
- Not to be involved in criminal activity. If a member commits a criminal offence in the vicinity of their home, the co-operative is entitled to treat this as antisocial behaviour.
- Not to cause a nuisance by playing loud music or otherwise making excessive noise.
- Not to cause damage to our own homes, to other people's homes or to the common areas, such as the hallways and gardens.
- To dispose of rubbish in the bins provided and not to dump rubbish.
- To abide by parking regulations and to ensure that vehicles are kept taxed and insured, or that a SORN is obtained.
- To keep pets under control, to prevent them from causing a nuisance, and to ensure that they do not foul or otherwise damage the member's home or the communal areas.

#### Pets

Some of our members' tenancy agreements may require that they obtain permission from their landlord before keeping a pet, especially a dog. Some tenancy agreements may even say that the member cannot keep a pet at all. Every member will be responsible for checking the terms of their tenancy agreement before acquiring a pet, and if necessary, should ask the co-operative to grant permission.

Members with dogs should be aware that if a dog barks to the extent that it disturbs people living in neighbouring properties, or if it behaves aggressively, we may treat this as nuisance or antisocial behaviour. If the problem persists, the member may be asked to re-home the dog.

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### 5 Our response to antisocial behaviour

We know that everybody is different and that people are not always affected to the same extent when subjected to antisocial behaviour and our aim is to take every report of ASB seriously. Our committee, staff or agents) will respond sensitively and appropriately to the specific circumstances of the victim and the perpetrator.

We want to make it easy for our members to tell us if they are affected by antisocial behaviour, and to trust us to respond effectively. Members can report ASB by telephone, in writing, in person or by email. If we establish that the victim or alleged perpetrator cannot speak or understand English, we will arrange for an interpreter to attend interviews.

When we receive a report of antisocial behaviour we will aim to respond within the timescales set out below. However members should be aware that the co-operative has only a small staff, and whilst we always do our best to respond promptly, there will be occasions when this is not possible.

Any member experiencing violence, or the threat of violence should report the matter to the police in the first instance. Similarly the co-op has limited capacity to respond to disturbances which happen at night, including loud parties and drunken and abusive behaviour.

Stage	Action	Target time
1	Carry out an assessment to establish the nature and urgency of the situation.	3 working days
2	In cases involving harassment of any kind; violence or threat of violence (including domestic violence); or threat to a person's safety or property we will always interview the victim in person.	3 working days
	In all other cases we will contact the victim to take a statement and to discuss their concerns.	5 working days
3	Contact the perpetrator to discuss the allegations made against them.	10 working days
4	Advise the victim of the action we intend to take.	As quickly as possible

Once we have conducted an investigation, we will decide what action, if any, is appropriate. We will advise the victim how long it will take us to complete the action and how we will keep them informed.

If there is no evidence of antisocial behaviour or we decide that we cannot take formal action, we will talk to the alleged perpetrator and inform the victim. We may also offer to arrange mediation.

Records relating to cases of antisocial behaviour will always be kept on the tenancy file. File notes will be made of interviews, and copies of correspondence will be retained for future reference.

### 6 Preventing antisocial behaviour

We will tell every new member about the obligation in their tenancy agreement not to cause nuisance, antisocial behaviour, domestic violence or harassment when they sign up. Our staff and committee members will also explain to members that they are responsible for the actions of other household members and invited visitors.



We will use a range of early intervention and prevention strategies including, but not limited, to:

- Structured interviews and mediation
- Formal warnings and acceptable behaviour contracts
- Speedy removal of offensive graffiti
- Multi agency approaches – working with police, social services, environmental health departments, local authorities and local community organisations

### 7 Legal action

Alamo Housing Co-operative aims to resolve most cases of antisocial behaviour without resorting to legal action. However, if the behaviour is serious or persistent, and particularly if it involves harassment or domestic violence, we may consider that legal action is necessary.

Legal action may include:

- Obtaining an *Anti-Social Behaviour Injunction (ASBI)*.
- Serving a *Notice of Seeking Possession, Notice to Quit* or other notice on the grounds that the tenancy agreement or license has been breached.
- Applying to the county court for a *Possession Order*.
- Evicting the member from their home. Eviction will always be a last resort.

All forms of legal action against a member must always be approved by the management committee. Depending on the terms of the management agreement we have with the landlord, it may also be necessary for the co-op manager to inform or seek approval from the landlord.

### 8 Vulnerable members

Although Alamo Housing Co-operative manages general needs accommodation, we recognise that some of our members may be vulnerable because of their age, their health or due to disability.

If we know that a victim or perpetrator of antisocial behaviour is vulnerable, we will do everything we can to make personal contact at an early stage and will take their vulnerability into account when deciding what action we should take.

Before we take legal action that might result in the eviction of a vulnerable person, we will endeavour to find a suitable agency to support them. We will also advise social services before we evict anyone from their home

### 9 Monitoring and reporting

The management committee will be made aware of any significant cases of antisocial behaviour at the the next management committee meeting. This will include all cases of harassment and domestic violence. The committee may choose to receive this information in an anonymous format.

### 10 Policy review

This policy will be reviewed annually. It will also be reviewed if there are changes to relevant legislation or to the regulatory framework.