



# Antisocial Behaviour Procedure

(Summary Statement)

February 2017

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## 1. Statement of Intent

We firmly believe that everyone has the right to live peacefully in their home without suffering disturbance or nuisance from other persons. All tenants, their household members and visitors, must respect the privacy and quiet enjoyment needs of all others. This principle applies both to the area around people's homes and to the communities where they live.

## 2. Aims and objectives

The purpose of this document is to summarise our procedure for the management of nuisance and antisocial behaviour (ASB) reports and to provide clear guidelines in relation to:

- the range of measures available for dealing with different types of behaviour;
- the timescales in which it is expected that action will be taken;
- the level of support which victims and witnesses may require; and
- the way in which different agencies may inform and assist the planning of action in respect of ASB cases.

## 3. Definition

The range of behaviours which fall within the term ASB are numerous. Some behaviour is of a serious criminal nature while other activities may not be criminal, but can still have an adverse affect upon the quality of life within a community.

ASB is likely to affect more than one individual, household or group. On occasion it may not be carried out with the intention of causing harm, but none the less, has the effect of unreasonably interfering with other peoples right to the use and enjoyment of their homes and community.

We define ASB in line with The Anti-social Behaviour Crime and Policing Act 2014 which is.

- 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; and
- conduct capable of causing housing-related nuisance or annoyance to any person.

## 4. Examples of ASB

Examples of ASB include but are not limited to the following.

- Actual or threatened violence against people or property.
- Domestic violence.
- Sexual abuse.
- Foul language.
- Hate behaviour, which is intended to target a member or members of a specific identified group because of their perceived difference.
- Loud music.
- Use of insulting, threatening or aggressive words or behaviour.
- Uncontrolled pets and animals.
- Intimidating gatherings of young people in public places.
- Using and selling drugs.
- Prostitution.
- Damage to property (including graffiti and vandalism).
- Nuisance from vehicles including parking and abandonment.
- Rubbish dumping and misuse of communal areas.

While not meant to be exhaustive, this list highlights a number of the most commonly experienced and reported types of behaviour which are deemed to be antisocial.

## 5. Receiving a complaint

We always encourage people to discuss complaints with the person they allege is responsible before contacting us, where it is felt safe to do so. Sometimes people are unaware they are causing a nuisance especially when the problem relates to noise and so a neighbour may just need reminding that their behaviour is upsetting you.

You do not have to be our tenant to make a complaint and any individual who is witness to, or affected by nuisance or ASB within our neighbourhoods is encouraged to make a report.

As a registered provider of social housing we are empowered to tackle ASB caused by any person whose behaviour impacts upon the communities that we serve. Therefore, we will work closely with partner agencies to resolve issues in the most effective way.

We will also take anonymous complaints. However, we will not be able to advise of the progress or check certain facts with the complainant. The lack of a complainant may also limit the scope of any legal action that we may wish to take.

## 6. How to report ASB

We can take reports of ASB in the following ways.

- By contacting WDH OneCALL on 0345 8 507 507.
- By visiting a local service access point (SAP).
- By letter or written statement.
- By reporting online through our website ([www.wdh.co.uk](http://www.wdh.co.uk))
- On behalf of the complainant by a third party, other agency or community representative.

## 7. When you report ASB

We will undertake an assessment of your case and consider factors such as any specific vulnerability of yourself or your family members, whether the complaint includes violence or threats of violence and whether the complaint is motivated by hate behaviour.

We will record your complaint and begin considering the case within 24 hours. You will receive a letter within two working days informing you of the name of the senior officer of the team who will be dealing with the complaint.

We will arrange to contact you within the following timescales.

- One working day for cases deemed to be serious or high risk following the assessment;
- Five working days for all other cases.

Most cases of nuisance behaviour will be dealt with by your local Estate Officer, or Homesearch Team if the matter relates to new WDH tenancies.

However, if we have to introduce a new officer to deal with your case then we will notify you of this change.

## 8. Dealing with your complaint

When you make a complaint of nuisance or ASB we will:

- deal with your complaint as quickly as possible;
- aim to resolve the complaint wherever possible by discussing the matter with you and the person you allege to be responsible;
- work with other agencies such as the Police and Wakefield Council to try and resolve the complaint ;
- maintain regular contact with you until your complaint has been resolved; and
- consider the use enforcement action where this is appropriate.

## **9. Referral to other agencies**

In certain circumstances the investigating officer may consider it appropriate to refer individuals or families to other agencies, such as Wakefield Council Environmental Protection or Family Service Teams, Health, or the Police where specialist support services are required.

Before this happens we will request your consent to do so.

## **10. Diary records**

In most cases we will provide you with diary record sheets and ask you to record any incidents that relate to your complaint. The investigating officer will explain these further and make sure you know how to complete them and for what purpose they are intended.

## **11. Action plans**

The investigating officer will agree a plan with you as to the actions that we will take. This action plan will include the method and frequency of contact, referrals to other agencies and what we expect from you such as the recording of any further incidents.

You will also be advised on how to report matters to us or other agencies such as the Police depending on the circumstances of further incidents.

## **12. Additional evidence**

We will endeavor to gather evidence in a number of ways to support the case which may include:

- interviewing victims, witnesses and perpetrators;
- witness statements;
- information from other agencies such as Wakefield Council, West Yorkshire Police or Victim Support.
- diary sheets;
- CCTV; and
- noise recording equipment.

## 13. Supporting victims and witnesses

We fully understand the huge impact that nuisance or ASB can have on those who are subject to actions of others. Therefore, we will look to make sure that victims and witnesses of ASB feel supported throughout their complaint by:

- working with partners including the Police and Wakefield Council to make sure that there is a joined up approach;
- contacting them regularly to update them on the progress of their complaint;
- carrying out work to improve the security of their home where necessary;
- considering using CCTV to gather evidence where appropriate;
- considering using noise monitoring equipment where appropriate;
- using the tools and powers available to WDH in order to enforce against perpetrators and provide respite for victims, for example Acceptable Behaviour Contracts or Injunctions; and
- providing our OneCALL contact centre where reports of ASB can be made and specialist advice obtained, 24 hours a day, every day of the week.

## 14. Confidentiality

All information that people give to us will be treated in strict confidence. We will not advise the perpetrator that you have made the complaint unless you say we can.

Where legal action is being taken we will need to disclose information to the defendant or their solicitor. We will only do this with your permission and will advise you of the process at all stages.

## 15. Non-legal remedies

Where possible we will try to resolve complaints without the need for legal action. The range of non-legal remedies we will consider include the following:

- verbal and written warnings;
- mediation services;
- Acceptable Behaviour Contracts; and
- referral to support services.

## 16. Legal remedies

In certain instances and despite efforts to resolve complaints by other means, it will be necessary for WDH to consider legal proceedings against a tenant or other individual(s) responsible for ASB. The legal options available to us include the following.

- Injunctions.
- Demotion Orders.
- Possession Proceedings.

## 17. Closing the case

If we resolve your complaint or, after further investigation find that we can take no further action we will:

- confirm with you that the case has been closed;
- give a full explanation of our reasons for closing the case;
- provide you with advice about what to do next; and
- at a later date, ask you to comment on how satisfied you have been with the service we provided for dealing with your complaint.

## 18. How to complain

If you are unhappy with any aspect of the way in which your nuisance complaint has been handled you can challenge this through our complaints procedure. Further details can be obtained through our website [www.wdh.co.uk](http://www.wdh.co.uk) or by contacting OneCALL on 0345 8 507 507.

## 19. Monitoring our performance

We will monitor our performance by:

- setting targets and measuring the level of satisfaction with our service;
- publishing details of our performance in our annual report and other media;
- reviewing our policies and procedures on an annual basis and update them in line with changes in legislation or developments in good practice; and
- measuring the standard of our service against that of other housing organisations.

## 20. Contact information

WDH OneCALL	0345 8 507 507
West Yorkshire Police Non-Emergency	101
Wakefield Council	0345 8 506 506
Yorkshire Mediation	01132 424110
Victim Support	0845 3030900
Crimestoppers	0800 555 111