

# Reporting Anti Social Behaviour



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This summary leaflet sets out the ways in which we will seek to deliver on our commitment to tackling Anti-Social Behaviour

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# Introduction

This summary leaflet sets out the ways in which we will seek to deliver on our commitment to tackling Anti-Social Behaviour (ASB) on our estates by working with our partners and by our own procedures, attitudes and general approach.

## Policy Statement

SLH believes tenants have the right to peaceful enjoyment of their homes. We believe everybody has a right to live in their home and enjoy life in their own way, providing they do not upset or annoy people living near them. A good neighbour will not cause a nuisance and will also be tolerant and understanding of the different lifestyles each person chooses.

Our approach to tackling anti social behaviour is to try to change behaviour using a variety of approaches and interventions. However, we will take a tough stance when perpetrators refuse to mend their ways. We have no hesitation in using all the powers available to us to take action against troublemakers.

SLH is a member of the South Lakeland Crime & Disorder Reduction Partnership (SLCDRP) and is committed to taking positive action in conjunction with our partners to deal with all forms of ASB.

South Lakes Housing is a signatory to the Government's Respect Standard for Housing Management and is committed to ensuring our services for tackling ASB exceed those with the Standard.

South Lakes Housing does not operate in isolation and this Policy has been written to take account of obligations imposed by national legislation and other relevant local strategies and policies.

# ASB Definitions

## **We define ASB as:**

“any act which caused or was likely to cause harassment, alarm or distress to one or more persons not of the same household as the perpetrator”  
**Crime and Disorder Act 1998.**

## **South Lakeland Tenancy Agreement states that tenants:**

“must not cause a nuisance, annoyance or disturbance to any other person”.

“Conduct which is capable of causing nuisance or annoyance to any person; and directly or indirectly relate to or affects the housing management function of a relevant landlords; or consists of or involves using of threatening to use housing accommodation owned or managed by a relevant landlaord for an unlawful purpose”.

## **We define a racist incident as:**

“any incident which is perceived as racist by the victim or any other person”

**Recommendation 12 of Stephen Lawrence enquiry McPherson report 1999**

## **We define a hate related incident as:**

“any type of behaviour of action that is carried out against another person on the grounds of race, religion, gender, sexual orientation, disability, social class or age”.

Any reports of racial harassment and hate related behaviour received by South Lakes Housing are sensitively investigated. We treat all racist or other hate incidents very seriously and will take prompt and effective action wherever possible.

**We define domestic violence as:**

“any violence between family members, current or former partners in an intimate relationship, whenever or wherever the violence occurs. It may include sexual, emotional or financial abuse”.

South Lakes Housing will consider the use of enforcement action to protect individuals suffering domestic violence/abuse.

# ASB Types

South Lakes Housing expects its tenants to be good neighbours and understand and tolerate people's different lifestyles.

Examples of ASB include, **but are not limited to:**

- Racist behaviour or language;
- Harassment or intimidation;
- Using or threatening to use violence;
- Drug abuse;
- Noise/loud music;
- Rowdy drunken behaviour;
- Arguing and door slamming;
- Using abusive or insulting words;
- Damaging or threatening to damage other people's property;
- Dog barking or fouling;
- Graffiti and vandalism;
- Rubbish dumping/fly tipping;
- Nuisance vehicles; and
- The conditions of the property (including gardens).

# Our Approach

Every South Lakes Housing tenant signs a tenancy agreement which sets out the rights and responsibilities of South Lakes Housing and its tenants.

We expect all our tenants to fully comply with all the conditions of their tenancy, in particular those that relate to ASB, nuisance and harassment. We also expect that a tenant's family members, relatives, pets or visitors and lodgers at the property also comply with tenancy conditions. Failure to do so may result in legal action being taken against them and/or the tenant.

As a responsible landlord, South Lakes Housing is committed to taking positive action, in conjunction with our partners to deal with all forms of anti-social behaviour ASB.

The rights and obligations contained within the tenancy agreement will be emphasized during the sign up interview for each new tenancy.

All new tenancies on Introduction Tenancies for 1 year. Our policy in relation to ASB will be explained in detail.

The standards of behaviour expected from tenants will be clearly outlined.

# How to make a Complaint

If our tenant and residents are suffering from any kind of anti-social behaviour we request that they report the problem as soon as possible to their local Housing Office.

Complaints can also be made:

- in person,
- by telephone,
- by e-mail
- in writing
- through a third party(e.g. a Councillor, a friend or relative, etc).

Complaints can also be made anonymously. However, this may restrict the amount of investigation and action we can undertake and will not allow us to provide the complainants with information and support. We would recommend therefore, that complainants give us their name and address.

N.B. This will not be revealed to any other party without the consent of the complainant.

It is important that problems are reported promptly. There are several reasons for this:

- We can take prompt action in dealing with issues
- It may be possible to 'nip the problem in the bud'
- Very serious incidents can be dealt with swiftly, therefore protecting our residents.

Any criminal behaviour, including violence or threats of violence should be reported to the Police immediately. It is also important to report such incidents to the local Housing Office as they may be dealing with the problem.

In cases of neighbour disputes or where an incident might be a 'one off' (e.g. a party), we would expect that the complainants would first try to resolve the problem themselves by approaching their neighbour.

Tenants and residents must not at any time, make false or malicious complaints about another person. Upon investigation, any complaints about another person found to be false or malicious will be treated as an act of harassment.

## **What happens next?**

Wherever possible the Senior Housing Officer/Housing Officer will interview the complainant at the time that the complaint is made. At the interview we will obtain more information about the problem, explain our procedure, answer any queries the complainant may have and draw up an action plan for dealing with the complaint.

It is important that the complainant carries out any action they have agreed. Consideration will be given as to whether or not mediation is appropriate and may be offered accordingly. If mediation is considered inappropriate or is refused, the action plan will usually involve assisting us by gathering evidence of any further incidents or ongoing problems.

This is likely to involve them keeping a diary of further incidents (diary sheets will be supplied). It is important that these are completed as soon as possible after an incident has occurred and give us as much detail as possible. This will enable us to:

- Assess the level of the problem
- Assess the success of any action we take
- Build a case for further action
- Take further action.

If for any reason, the complainant is unable to complete the diary sheets, alternative methods of collecting information can be used. For example:

- Video tapes/audio tapes
- Dictaphones
- Verbal reporting
- Interpreters.

However upset and angered the complainant may be by the behaviour of the other person, it is important that they do not try to retaliate in any way. Any such action could jeopardise a case and may even result in us needing to take action against them.

All information supplied to us will be treated as confidential and the identity of the complainant will not be revealed without their permission. However, there may be instances where we cannot take any further action without revealing the identity of the complainant. This will be fully discussed with the complainant and their permission gained before we will proceed. It is important that the complainant gives due consideration to this as it may become impossible for us to take any action to address the problem if permission is not given.

Details of the complaint and the agreed action plan will be recorded on a Case File.

Once the interview has taken place the Housing Officer will carry out an investigation in order to establish the full facts of the case. This will usually involve other potential witnesses. In some cases it may be necessary to write to other residents of the street/block/surrounding area in order to establish if there are any other witnesses and/or victims.

Except in extreme circumstances it will also be necessary to interview the alleged perpetrator at an early stage. This will enable the Senior Housing Officer/Housing Officer to establish the full facts and will give the alleged perpetrator the opportunity to address the behaviour.

In some cases making the alleged perpetrator aware of the problem they are causing will be enough to resolve the problem.

All such interviews and investigations must take place within 24 hours for urgent/serious cases and up to 10 working days in all other cases. The case will then be assessed and an appropriate course of action taken. This may include:

- No action required because there is no case to answer.
- No action required because the case is a dispute that had been resolved or referred to mediation.
- No action to be taken at this time but the case is to be monitored.
- Further investigations need to be made. These will be carried out as quickly as possible and the case should be reviewed and re-assessed within 24 hours for urgent cases or 5 working days for all others.
- Issue of an appropriate warning letter to the perpetrator.

Whatever the outcome of the assessment, an appropriate letter will be sent to all parties involved. Contact will be maintained with complainants and witnesses throughout this process.

If no further complaints are received within 8 weeks of the initial action, the case will be deemed to be resolved and will be closed. (It may be reopened at a later date if subsequent complaints are received).

However, if further complaints are received, despite the initial action, the case will then be considered for further action.

Cases requiring full action will be discussed with the Housing Manager. The actions which include fast track responses in serious cases, are incremental in nature, with emphasis on bringing about real changes and improvement in the behaviour of those who commit ASB.

Actions that may be considered include, but are not limited to, the following:

- Approaching the perpetrator and discussing the problem behaviour.
- Warning letters/formal cautions.
- Acceptable Behaviour Contracts (ABCs).
- Parental Control Agreements (PCAs).
- Referral to another agency.
- Parenting Orders.
- Environmental Health Action for Statutory Nuisance.
- Injunctions (if the case involves violence or threats of violence it may be possible to obtain an emergency injunction).
- Undertaking.
- Anti-social behaviour orders (ASBOs).
- Demoted tenancies.
- Possession Proceedings.
- Use of Professional witnesses/surveillance.
- Dispersal orders via the Police.

## **Your privacy**

The identity of complainants, witnesses or victims will not, under and circumstances, be revealed to any other person (including other agencies) without their prior permission.

Where appropriate, it will be necessary to share information with our partners (e.g. the Police) for the purpose of prevention and detection of Crime and Disorder (C&D Act 1988).

When information is supplied by a known individual, that person's consent will be sought before the information is disclosed to any other party.

# Witness Support

Support will be provided to our witnesses throughout the whole process of dealing with a problem. The level of support given will need to be tailored to meet the needs of the particular individual and the circumstances of the case. As a minimum, standard regular contact with witnesses will be maintained, keeping them as fully informed as possible throughout the process. Other support may include:

- Providing additional security measures to their home.
- An interpreter for people when English is not their first language.
- Explaining each stage of the process in detail to witnesses.
- Providing support before, during and after court action. This may include arranging pre-hearing court visits, arranging transport to and from court, maintaining contact after a court hearing, etc.
- Using professional witnesses and/or surveillance to gather additional evidence to support a case.
- Using professional witnesses to provide evidence to support cases.
- Liaising with Victim Support and other relevant agencies to provide additional support and/or counseling.
- In extreme circumstances moving witnesses, either temporarily or permanently for their protection.

## Useful Contacts

We are always keen to hear your views on how opportunities for crime and anti social behaviour can be reduced.

Domestic Violence Police (Domestic Violence Unit)	Tel: 0845 33 00 247
Independent Domestic Violence Advisors	Tel: 01229 834532
Safe Domestic Abuse Team	Tel: 01229 838746
Victim Support & Witness service	Tel: 01524 62907
National Victims Support Helpline	Tel: 0845 3030 900
Environmental Protection SLDC (Noise, dogs, empty properties)	Tel: 0845 050 4434
Police <b>(always dial 999 in emergencies)</b>	Tel: 0845 33 00 247
Crimestoppers	Tel: 0800 555 111
Citizens Advice Bureau (Kendal)	Tel: 0870 1264 061
Citizens Advice Bureau (Ulverston)	Tel: 01229 585585
Youth Offending Team	Tel: 01228 607090
Shelter	Tel: 0844 515 1945
Drug & Alcohol Services (Barrow)	Tel: 01229811111
Drug & Alcohol Services (Ulverston)	Tel: 01539 724772

# Reporting Anti Social Behaviour

All complaints and enquiries will be logged. You can contact us in a number of ways:-

Visit, telephone or write to:-

South Lakes Housing  
Little Aynam House  
Little Aynam  
Kendal  
Cumbria LA9 7AH

South Lakes Housing  
Town Hall  
Queen Street  
Ulverston  
Cumbria LA12 7AR

Tel: 0845 057 0080 or 01539 717717

Tel: 01229 584424

or email us at: [info@southlakeshousing.co.uk](mailto:info@southlakeshousing.co.uk)

Complaints can be received from neighbours, neighbours' friends and family, local Councillors, Members of Parliament, Citizens Advice Bureau or other agencies working in the community.

## Further information

If you require further information please contact a housing officer at one of our offices - details at the bottom of this page.

You can get a copy of this document in different formats such as large print, Braille, audio, or in a different language by calling **0845 057 0080**.

Pode obter uma cópia deste documento em vários formatos, como por exemplo em Braille, áudio, ou numa outra língua. Para tal ligue para o 0845 057 0080.

如果您想获取该文件的不同版本，如：大字体印刷、盲文、音频或不同语言版本，请致电：**0845 057 0080**。

Paskambinę telefonu **0845 057 0080**, galite užsisakyti šio dokumento kopiją įvairiais formatais, pavyzdžiui, atspausdintą dideliu šriftu, Brailio raštu, užsisakyti garso įrašą arba gauti dokumentą, išverstą į norimą kalbą.

Aby otrzymać kopię tego dokumentu w innych formatach, takich jak duży druk, druk Braille'm, audio, lub w innym języku proszę dzwonić pod numer **0845 057 0080**.

**0845 057 0080**'u arayarak, bu dokümanın bir kopyasını büyük puntolu, körler için kabartmalı, ses dosyası gibi değişik formatlarda veya farklı bir dilde edinebilirsiniz.

আপনি **0845 057 0080** -এই নম্বর ফোন করে, বিভিন্ন ফরম্যাট যেমন বড় প্রিন্ট, ব্রেইল, অডিও বা একটি ভিন্ন ভাষাতে এই নথিটির একটি কপি পেতে পারেন।

### Registered office address:

Little Aynam House  
Little Aynam  
KENDAL

Cumbria LA9 7AH

Tel: (01539) 717 717

Fax: (01539) 717 716

Email: [info@southlakeshousing.co.uk](mailto:info@southlakeshousing.co.uk)

### Area office address:

Town Hall  
Queen Street  
ULVERSTON

Cumbria LA12 7AR

Tel: (01229) 584424

### Central Tel:

**0845 057 0080**



INVESTOR IN PEOPLE

[www.southlakeshousing.co.uk](http://www.southlakeshousing.co.uk)



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