

Version

4



Tenancies

Antisocial Behaviour

Scope:	This policy applies to Circle 33 Housing Trust, Circle Living, EPIC Trust, Invicta Telecare, Mercian Housing Association, Merton Priory Homes, Mole Valley Housing Association, Old Ford Housing Association, Roddons Housing Association, Russet Homes, South Anglia Housing, Wherry Housing Association
Effective Date:	February 2011
Review Date:	March 2012
Signed Off :	Group Policy Forum, February 2011
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Policy Owned by:	Group Policy
Legislation:	Housing Act 1985, 1988, 1996 and 2004, Antisocial Behaviour Act 2003, Protection from Harassment Act 1997, Crime and Disorder Act 1998, Public Order Act 1986, Police Reform Act 2002, Violent Crime Reduction Act 2006, Police and Justice Act 2006, Environmental Protection Act 1990, Noise and Statutory Nuisance Act 1993, Clean Neighbourhoods and Environments Act 2005, Noise Act 1996, Homelessness Act 2002, Data Protection Act 1996, Crime and Security Act 2010, The Equality Act 2010

Enhancing Life Chances

Antisocial Behaviour

1 Scope

- 1.1 This policy applies to all Circle Anglia Group partners.
- 1.2 Antisocial behaviour can have a devastating effect on communities and individuals. It is essential that we work in partnership with all residents regardless of tenure or landlord to tackle it.
- 1.3 Where managing agents manage properties on our behalf they will be required to meet the requirements of this policy and procedure.
- 1.4 Where residents are leaseholders or shared owners, much of this policy and procedure will still apply. We will take legal action in accordance with the terms of the lease, as these may differ from case to case.
- 1.5 There are separate policies and procedures covering [Harassment](#) and [Domestic Abuse](#). These three policies and procedures are closely linked.

2 Policy

- 2.1 Antisocial behaviour can include a range of activities and is a problem which has many causes. It requires a wide range of responses to tackle it effectively. We take antisocial behaviour seriously and aim to balance enforcement action and intervention, with programmes which aim to prevent antisocial behaviour.

Defining Antisocial Behaviour

- 2.2 The term antisocial behaviour covers a wide range of activities that have a negative effect on the quality of community life. We use the following definition of antisocial behaviour as stated in section 218A(8) of the Housing Act 1996 (inserted by the Antisocial Behaviour Act 2003):

Conduct which is capable of causing nuisance or annoyance to any person and which directly or indirectly relates to, or affects, the housing management functions of a relevant landlord or conduct which consists of or involves using or threatening to use housing accommodation owned or managed by a relevant landlord for an unlawful purpose.

Categories of Antisocial Behaviour

- 2.3 The categories and levels of antisocial behaviour may change during the course of a case if circumstances change or new information comes to light. Full examples for each category are listed in [Appendix 1](#).
- 2.4 **Level 1:** This covers the most serious or urgent types of antisocial behaviour. E.g. Physical violence, arson and hate crime

- 2.5 **Level 2:** This covers ASB where there is no immediate threat to the complainant or others. E.g. Vandalism and damage to property
- 2.6 **Level 3:** This covers ASB that is unlikely to cause harm in the short-term. E.g. Regular loud noise or garden misuse
- 2.7 **Level 4:** This level acknowledges one off complaints and incidences where there may be insufficient information. E.g. A one off noisy party

The Respect Standard

- 2.8 All Circle Anglia group partners are signed up to the Respect Standard. This standard was created in 2006 around the six core components (below) and is now run by the Chartered Institute of Housing:
- Accountability, leadership and commitment
 - Empowering and reassuring residents
 - Prevention and early intervention
 - Tailored services for residents and provision of support for victims and witnesses
 - Protecting communities through swift enforcement
 - Support to tackle the causes of antisocial behaviour
- 2.9 We are committed to the Respect Standard in how we manage antisocial behaviour.

3 Prevention

- 3.1 We are committed and will take a victim centred approach to tackling antisocial behaviour aiming to work in partnership with residents, partners and other groups to prevent antisocial behaviour by using a range of methods. Where appropriate we will do this in different ways based on a case by case situation.
- 3.2 These include but are not limited to; starter tenancies, good neighbour agreements, effective neighbourhood management, street and neighbourhood patrols, community led diversionary projects and mediation.
- 3.3 Registered Providers are responsible for establishing and maintaining links with relevant organisations to ensure a coordinated approach locally. ([Statement of Procedures](#))

Responsibilities

- 3.4 We encourage communities to take ownership of their neighbourhoods, and to play a part in preventing and responding to antisocial behaviour by behaving in a responsible way, respecting other residents in the area, ensuring any visitors do the same and reporting any incidents of antisocial behaviour to us.
- 3.5 A 'consortia' neighbourhood is a specified area where more than one landlord has properties. Most will have a consortia agreement which sets out the responsibilities of each landlord. We are committed to working other landlords and all households,

where possible to further prevent antisocial behaviour and taking action where appropriate against residents and any visitors committing antisocial behaviour.

4 Reporting and Responding to Antisocial Behaviour

- 4.1 Where antisocial behaviour is reported to us, we aim to respond promptly whilst working in partnership where appropriate. The response to any situation will vary from case to case depending on different factors.

Reporting

- 4.2 We are committed to making the reporting of antisocial behaviour as easy as possible. Antisocial behaviour can be reported by any reasonable means that will bring it to our attention.

Initial Response

- 4.3 Our response to reports of antisocial behaviour will be based upon what is considered to be appropriate in all the circumstances of the case. Action taken by staff will be specific to the each situation and we are committed to reacting sensitively and proportionately. This may involve using the options set out in this policy and procedure in any appropriate order as well as using any other the response options.
- 4.4 We aim to provide an initial response to the report within **24 hours** (during normal working hours);
- acknowledging its receipt
 - informing the complainant who will be dealing with the case
 - informing them when they will next be contacted.

Timescales for Response

- 4.5 **Level 1:** Our aim is to interview the person who made the complaint within **one working day** or less of receiving the complaint. With all serious complaints we aim to complete interviews as quickly as possible.
- 4.6 **Level 2:** Our aim is to interview the person who made the complaint within **five working days** of receiving the complaint.
- 4.7 **Level 3:** Our aim is to interview the person who made the complaint within **ten working days** of receiving the complaint.
- 4.8 **Level 4:** This level acknowledges and logs the complaint, and then closes the case due to insufficient information.
- 4.9 We will agree an action plan within **two weeks** or less of receiving a report and review this every month unless we are not able to agree an appropriate time with the complainant within that timescale.
- 4.10 We will review all open cases after **three months**

Under 18s

- 4.11 Where the alleged perpetrators are children or young people we will involve parents and guardians to help resolve the problem, and may also liaise with social services to ensure any necessary assessments are undertaken, schools, youth offending teams, and any other relevant bodies.
- 4.12 We will take appropriate action in cases involving vulnerable under 18s according to our [Safeguarding Children Policy](#) under the guidance of the designated Safeguarding Children Champion from the relevant Circle Anglia Registered Provider.

5 Enforcement

Early interventions

- 5.1 We are committed, where possible, to intervening at an early stage in response to a reported complaint of antisocial behaviour.
- 5.2 Where appropriate we will consider but not limited to the use of multi agency referrals and support, written and verbal warnings, mediation, acceptable behaviour agreements (ABAs), parenting contracts and family intervention projects. ([Statement of Procedure](#))

Legal Action

- 5.3 We will decide what enforcement action is most appropriate on a case by case basis after taking appropriate legal advice. We reserve the right to take whatever action we consider to be most appropriate.
- 5.4 Some of the legal remedies we may use include (but are not limited to); Injunctions, Antisocial Behaviour Orders (ASBOs), Antisocial Behaviour Injunctions (ASBIs), Parenting Orders, Demoted Tenancies, Possession and Suspended Possession Orders. ([Statement of Procedure](#))
- 5.5 In severe cases, for example where physical violence has been experienced, we may consider whether a voluntary move [for anyone considered at high risk] on management grounds would be appropriate.

Antisocial Behaviour occurring outside our Neighbourhoods

- 5.6 We reserve the right to take action where appropriate against residents committing antisocial behaviour outside our neighbourhoods and will manage these situations on a case by case basis, unless we are unable to take such action due to statutory or other limitations.

6 Support for Victims, Witnesses and Alleged Perpetrators

Victims and Witnesses

- 6.1 We take the safety and perception of safety, of victims and witnesses seriously. Where appropriate we will work with partners to provide additional safety measures,

including but not limited to, regular patrols, visits by officers, provision of personal alarms, which may be through third parties.

- 6.2 We will consider the use of CCTV in line with our CCTV policy.
- 6.3 We will make every effort to protect and support witnesses during court proceedings including covering reasonable expenses.

Vulnerable Residents

- 6.4 We will consider whether victims, witnesses or perpetrators have any known support needs which may affect their case.
- 6.5 We recognise the need to support residents who may have difficulty in managing their tenancy because of mental health issues, learning difficulties, physical disabilities, special needs or because they are older people.
- 6.6 We will take appropriate action in these cases according to our [Safeguarding Adults Policy](#).

Alleged perpetrators of antisocial behaviour

- 6.7 Where we are considering legal action against an individual for antisocial behaviour, we will endeavour to make sure we are not discriminating against the perpetrator because of a disability that they have, in accordance with the Equality Act 2010.

7 Data Protection and Confidentiality

- 7.1 We will adhere to the Data Protection Act and comply with the best practice guidance set out in the [Framework Code of Practice for Sharing Personal Information](#) published by the Information Commissioner to ensure that we maintain confidentiality. [Data Protection Policy](#)
- 7.2 We reserve the right to make a referral to social services or to the police without the permission of the complainant, where the situation and the provisions of the Data Protection Act 1998 (and any other relevant legislation) justify it.

8 Equality and Diversity

- 8.1 Circle Anglia will treat all customers with fairness and respect. We recognise that we have an ethical and a legal duty to advance equality of opportunity and prevent discrimination on the grounds of age, sex and sexual orientation, disability, race, religion or belief, gender reassignment, pregnancy and maternity, marriage and civil partnership.
- 8.2 All customers will have access to this document either through the customer website www.circleanglia.org/customers or on request to their local Provider.

Procedure (“Statement of Procedures”)

- 8.3 Antisocial behaviour can have a devastating effect on communities and individuals. It is essential that we work in partnership with all residents regardless of tenure or landlord to tackle it. We encourage communities to take ownership of their neighbourhoods, and to play a part in preventing and responding to antisocial behaviour.
- 8.4 The very nature of antisocial behaviour means there can be no fixed way of dealing with it. It is essential that each case is dealt with on an individual basis and the responses are tailored to the individual situation.

9 Categories of Antisocial Behaviour

- 9.1 The categories and levels of antisocial behaviour may change during the course of a case if circumstances change or new information comes to light.
- 9.2 Factors which may influence how we categorise antisocial behaviour include;
- The type of behaviour
 - Its impact on others
 - The evidence available to support a case
 - The age of the perpetrator
 - Any vulnerability suffered by the victim, complainant or perpetrator,
 - Whether the victim or perpetrator is a resident or non-resident
- 9.3 They are categorised in four levels: 4 (low level antisocial behaviour) to level 1 (high level antisocial behaviour)

Level 1

- 9.4 This covers the most serious or urgent types of ASB.
- Racial harassment
 - Domestic violence
 - Other hate crime
 - Arson or attempted arson
 - Behaviour resulting in danger to the complainant or others
 - Using the home for unlawful purpose
 - Physical violence

Level 2

- 9.5 This covers ASB where there is no immediate threat to the complainant or others.
- Problems associated with groups of youths
 - Criminal behaviour
 - Vandalism and damage to property
 - Using the home for an unlawful purpose

Level 3

- 9.6 This covers relatively low-level ASB that is unlikely to cause harm in the short-term.
- Garden misuse
 - Neighbour disputes arising from misuse of communal areas and public spaces
 - Neighbour disputes arising from nuisance from vehicles and car repairs
 - Regular loud noise
 - Animals

Level 4

- 9.7 This level acknowledges one off complaints and incidences where there may be insufficient information.
- This level acknowledges and logs the complaint and then closes the case due to insufficient information.

10 Prevention

- 10.1 We aim to take a victim centred approach to tackling antisocial behaviour working in partnership with residents, partners and other groups to prevent antisocial behaviour by using a range of methods.

Partnership working

- 10.2 We will work in partnership to offer surgeries in local areas, where possible, with representatives from relevant organisations where concerns can be raised at an early stage.
- 10.3 These may include but are not limited to;
- Local housing and education authorities
 - Police
 - Social services, support providers Crime and Disorder Reduction Partnerships (CDRPs) or Community Safety Partnerships (CSPs)
 - Multi Agency Risk Assessment Committees (MARACs)
 - Drugs and Alcohol Action Teams

- Youth offending, probation services
- Mediation services
- Voluntary sector organisations

10.4 Registered Providers are responsible to establish links with organisations locally, and make details of the arrangements available to staff for use in antisocial behaviour cases

Beginning on the right note

- 10.5 One way of preventing antisocial behaviour is through the effective management of tenancies by;
- using starter tenancies as a tool to manage any antisocial behaviour which occurs at the beginning of a tenancy
 - setting out our expectations of behaviour at the beginning of the tenancy
 - identifying any support needs before and at the beginning of a tenancy, and make appropriate referrals to support providers

Starter Tenancies

- 10.6 We will use starter tenancies in some Local Authority areas in line with our [Starter Tenancy policy](#) to enable us to deal more effectively with tenants causing antisocial behaviour early in their tenancies.
- 10.7 We will monitor tenancies during their probationary period to assist our residents where possible to understand and comply with their rights and responsibilities.
- 10.8 We aim to deal promptly with any problems as they arise.
- 10.9 We will communicate clearly with all residents before and at the beginning of their tenancies about our expectations around antisocial behaviour.
- 10.10 We will respond appropriately to any concerns around support needs identified before the beginning of the tenancy, during sign up interviews and early tenancy visits (see [Support](#) section below).

Good Neighbourhood Agreements

- 10.11 These voluntary agreements involve the community in setting standards and expectations for behaviour in their area.
- 10.12 They may be useful:
- on new developments or after major refurbishments, where residents are moving together into new or newly refurbished environments
 - as a voluntary commitment made by individuals to the community they live in.
- 10.13 Breaching these agreements can provide evidence which supports further action.

10.14 We may use Good Neighbourhood Agreements in conjunction with a range of other enforcement and preventative measures.

Neighbourhood Management

10.15 We recognise that the physical environment of a neighbourhood can affect the likelihood of antisocial behaviour occurring, as well increasing resident safety and perception of safety in the area.

10.16 We will, in line with our [Neighbourhood Management Policy](#);

- carry out regular neighbourhood inspections
- manage maintenance contracts
- carry out estate improvements and planned property upgrade programmes,

10.17 Where appropriate we may use crime deterrents such as;

- Improved lighting arrangements
- Changing the layout of vegetation or landscaping, or carrying out alterations to walls, passageways, hedges and entranceways etc. to remove troublespots
- Installation of signage
- Installation of CCTV cameras where there is a clear benefit to be gained and there is an arrangement to monitor the tapes, or installation of dummy CCTV cameras
- Installation or improvement of controlled door entry systems, particularly in blocks with communal entries, or other security systems
- Installation of 'mosquitos', pink tube lighting, classical music outlets or other creative approaches to tackling antisocial behaviour

10.18 On new developments and when we carry out major works we will work to "Secured by Design" principles wherever possible.

Other antisocial behaviour reduction initiatives

10.19 Individual Group partners may work in any number of locally appropriate ways to help prevent antisocial behaviour occurring using a range of locally appropriate methods.

11 Reporting and Responding to Antisocial Behaviour

11.1 Antisocial behaviour can be reported by an individual tenant or leaseholder, a group of residents, an official group such as a residents' association, a police officer or PCSO, a private tenant or owner, neighbourhood staff, wardens, or anyone that notices or is the victim of any form of antisocial behaviour.

11.2 Antisocial behaviour can be reported by any reasonable means that will bring it to our attention including online, in person, by telephone, in writing, by email or

anonymously.

Initial Response

- 11.3 We aim to provide an initial response to the report within 24 hours;
- acknowledging its receipt
 - informing the complainant who will be dealing with the case
 - informing them when they will next be contacted.
- 11.4 We aim to contact the complainant within five working days of the initial report.
- 11.5 Where appropriate an interview with the complainant will be carried out either in person or over the phone within ten days of the report, unless we are not able to agree an appropriate time with the complainant within that timescale.
- 11.6 Where appropriate we will interview the alleged perpetrator.

Level 1

- 11.7 This covers the most serious or urgent types of ASB - Our aim is to interview the person who made the complaint within one working day of receiving the complaint.
- 11.8 Where there are emergency repairs or discriminatory graffiti we aim to rectify within 24 hours of the report.

Level 2

- 11.9 This covers ASB where there is no immediate threat to the complainant or others –
- 11.10 Our aim is to interview the person who made the complaint within five working days of receiving the complaint.

Level 3

- 11.11 This covers relatively low-level ASB that is unlikely to cause harm in the short-term
- 11.12 Our aim is to interview the person who made the complaint within ten working days of receiving the complaint.

Level 4

- 11.13 This level acknowledges one off complaints and incidences where there may be insufficient information
- 11.14 This level acknowledges and logs the complaint and then closes the case due to insufficient information.

Under 18s

- 11.15 We will report any concerns about the safety or wellbeing of any children to social services.

11.16 Where the alleged perpetrators are children or young people we will ensure that social services carry out an assessment to s17 of the Children Act 1989 to identify whether the perpetrator is a 'child in need'. This assessment will normally be carried out before any specified enforcement action is taken against the young person, except where of the alleged antisocial behaviour require immediate or prompt enforcement action.

Vulnerable Tenants

11.17 We aim to be aware of complainant's and perpetrator's vulnerabilities and tailor our response, where possible, to meet their needs.

Police

11.18 We will report any criminal behaviour to the police.

Complaints which are not Antisocial Behaviour

11.19 Complaints which do not fall under the category of antisocial behaviour (for example complaints about a staff member's conduct) may be referred through the Complaints process instead of following the antisocial behaviour procedure. Please see the [Complaints policy and procedure](#) for more details.

11.20 Staff members will be aware of the possibility of unfounded or libellous reports being made, as well as racist or other discriminatory motivations behind accusations.

11.21 All such reports will be investigated, but it may be decided to close the case at an early date. Where it is considered that the complainant is in fact perpetrating harassment, we will take action in line with our [Harassment](#) policy and procedure. We will be sensitive about allegations against those that already feel stigmatised or victimised.

11.22 In all cases the security of staff is paramount. Staff health and safety is covered by the [Health and Safety policy](#) and the [Lone Working policy](#).

Evidence gathering

11.23 We will use a range of methods to gather evidence.

11.24 We will interview;

- the complainant(s)
- any witnesses
- and where appropriate the perpetrator.

11.25 Where appropriate we will also use professional witnesses, and specialist investigations.

Diary Sheets

11.26 We may ask complainant(s) to complete diary sheets of their experience.

- 11.27 This may be particularly useful when dealing with noise nuisance and other environmental antisocial behaviour.
- 11.28 We will agree timescales with the complainant for completing the evidence collection, and when we will have reviewed the feedback by which will be detailed in the action plan.
- 11.29 We will consider the use of monitoring equipment such as CCTV where appropriate to gather evidence of antisocial behaviour and crime subject to the principles set out in the Regulation of Investigatory Powers Act 2000, the Data Protection Act 1998 and the Code of Guidance prepared by the Information Commissioner.

12 Action Plan

- 12.1 Where it is clear that antisocial behaviour has occurred on a regular basis then we will agree an action plan for dealing with the problem within 14 days of the initial report.
- 12.2 An action plan will set out:
- what the complainant will do
 - what the landlord will do including agreeing timescales for communication with the tenant in relation to updates on the case.
- 12.3 We will give the complainant a copy of the action plan within three working days of its creation.
- 12.4 We reserve the right to respond to individual cases as we consider appropriate using the response options set out in this policy and procedure in any order.
- 12.5 We also reserve the right not to use any of the response options if we do not think they are appropriate.
- 12.6 We will be vigilant throughout to consider any support needs of the complainant or victims.

When will we not use an Action Plan

- 12.7 Where there is no evidence that any antisocial behaviour has taken place (taking into consideration the definitions of antisocial behaviour set out at the beginning of the policy and in the [appendices](#)), we may take the decision to close the case without creating an action plan.

13 Early interventions used within an Action Plan

- 13.1 At this early stage we will discuss the complainant's expectations with them, explaining what we are able to do, what we need to work in partnership to do, and what we can't do. We will explain to them how long we would expect any of the response options we are using to take.
- 13.2 We are committed to intervening at an early stage in antisocial behaviour cases in order to resolve problems and prevent their escalation.

13.3 We can use these early interventions with tenants and non-tenants. We will work with other agencies to coordinate action, agreeing a lead agency according to which is most appropriate. Where the perpetrator is our tenant and the behaviour affects a housing management function, it is likely that we will take the lead.

Mediation

13.4 Mediation may be appropriate for use between two Circle Anglia residents, or between a Circle Anglia resident and a neighbour who is not a Circle Anglia resident.

13.5 We will promote mediation to resolve minor disputes between two neighbours around issues such as car parking, boundary disputes, dogs barking, and noise nuisance. We will not use mediation if:

- One party seeks the punishment of the other
- There is a fear or threat of violence, or racial or sexual abuse or harassment

13.6 Many neighbour disputes could be addressed early on if the victim were to speak with the person causing the nuisance and raise the issue with them. We will encourage complainants to talk to the other person / people involved to find a solution to the problem.

13.7 In line with resident feedback, we will work with residents to hold coffee mornings or informal meetings to discuss issues in a community in a neutral space. These sessions can be effective in solving low level neighbour disputes.

13.8 If informal discussions between neighbours fail to resolve problems, referral to a mediation service may be appropriate. It is less damaging, stressful and expensive than legal action and often quicker to reach a solution. As well as resolving disputes it may actually strengthen relationships between parties involved.

13.9 It is difficult, however not impossible for mediation to be undertaken with just one party if others are unable or unwilling to negotiate or communicate.

13.10 We will decide on a local basis whether to use a local authority mediation service or one provided by a different public or private organisation, as well as whether to buy into a service annually or on a one-off basis. In general we won't provide mediation services ourselves. Any mediators we use will be appropriately trained and experienced.

13.11 In some situations mediation services may use restorative justice, in order to give those directly affected by antisocial behaviour an opportunity to try and put things right and heal relationships. Restorative justice may be used as an early intervention as well as after enforcement action has been taken, and it may be used in conjunction with other action such as Acceptable Behaviour Contracts.

Support and multi-agency referrals

- 13.12 We acknowledge that antisocial behaviour may be caused or exacerbated by the perpetrator's vulnerabilities or disabilities. Where we know about this then we will take this into account.
- 13.13 We will still take action to deal with antisocial behaviour perpetrated by someone with vulnerabilities or disabilities
- 13.14 In other instances we may refer individuals to appropriate other agencies such as social services, or private and voluntary sector organisations that provide support. As well as supporting victims, these agencies have the expertise to deal with the wider problems that often fuel antisocial behaviour such as social exclusion, unemployment, family breakdown, truancy, exclusion from school, and drug and alcohol dependency.
- 13.15 Perpetrators may also be able to be referred to structures such as youth offending teams or family intervention projects to provide specific targeted support.
- 13.16 Support offered will be done in consultation with our partners, to ensure that a holistic and effective approach is taken, avoiding duplication of effort.

Written and verbal warnings

- 13.17 We will use a verbal and written warning system to deal with complaints about substantive breaches of tenancy or antisocial behaviour at an early stage.
- 13.18 After a report of antisocial behaviour has been substantiated and a perpetrator identified we will usually give the perpetrator a verbal warning, followed up by a written warning.
- 13.19 The verbal warning can be a good opportunity to talk to the perpetrator about the situation and perhaps identify early solutions. However, a warning may not always be appropriate, and other response options should also be considered.
- 13.20 Where we are unable to contact the perpetrator in person or on the phone, we will just send the written warning.
- 13.21 The warning will include details of the antisocial behaviour in question, who to contact with any enquiries, and what further action will be taken should the behaviour continue. We will include with the warning our antisocial behaviour leaflet, as well as any relevant documents such as Good Neighbourhood Agreements.
- 13.22 We will take into account action being taken to refer an individual to support services, and any other action already underway.
- 13.23 Written and verbal warnings can be made to any perpetrator of antisocial behaviour, regardless of whether they are a Circle Anglia resident or not.

Acceptable Behaviour Agreements (ABAs)

- 13.24 An Acceptable Behaviour Agreement is a voluntary agreement made between an alleged perpetrator of antisocial behaviour and partnering agencies (e.g. ourselves, local police, schools etc). It is mainly used for under 18s but can be used for any

age groups.

- 13.25 The flexible nature of ABAs means that they can be used incrementally to tackle issues from minor misdemeanours to more serious problems. Where behaviour is persistent or serious support to address the underlying causes of the behaviour will be offered in parallel to the contract. This may include diversionary activities (such as attendance at a youth project), counselling or support for the family.
- 13.26 The agreement should be drawn up with the perpetrator, taking into account their views. It should identify specific antisocial acts in which the person can be shown to have been involved, and which they agree not to continue. The contract can also include positives, i.e. activities that will help prevent recurrence, such as attending school.
- 13.27 The agreements usually last for a period of six months, and should be monitored on at least a monthly basis during that time.
- 13.28 Where there are breaches the contract may be extended or amended. Breaches will be followed up on appropriately, and where necessary further enforcement action may be taken, including using legal action.
- 13.29 Acceptable Behaviour Agreements can be an effective tool for dealing with antisocial behaviour. If breached, these agreements provide support for further action, for example through the courts.
- 13.30 Where we use ABAs with children under the age of 18 we will involve parents and guardians as much as possible, and we will notify social services. We will notify and work with any relevant youth offending team or other agencies. We will consider whether a parenting contract would be more appropriate, particularly for children under the age of ten.
- 13.31 ABAs can be used by different agencies. Where appropriate we will act as the lead agency for the agreement where it is with one of our residents, but we will also support other agencies such as local authorities or youth offending teams using agreements with perpetrators, where our residents are affected.

Parenting Agreements

- 13.32 Parenting agreements are a two-sided arrangement where both the parent and the agency play a part in improving the child's behaviour. Parenting agreements offer a method for agencies to work with parents on a voluntary basis, in a structured and balanced way.
- 13.33 The Police and Justice Act 2006 amended the Antisocial Behaviour Act 2003 to allow Registered Providers to enter into Parenting Agreements with a parent of a child to prevent that child engaging in antisocial behaviour.
- 13.34 They can consist of two elements.
- A parenting programme designed to meet parents' individual needs to help them address their child or children's misbehaviour. This is not a punishment but a positive way of bolstering parental responsibility and

helping parents develop their skills so they can respond more effectively to their children's needs

- A second element specifies ways in which parents are required to exercise control over their children's behaviour to address particular factors associated with their behaviour or offending. Examples might be escorting their children to and from school every day to ensure attendance, or ensuring that a child is at home during certain hours.

13.35 It is not an offence for parent(s) or carer(s) to refuse to enter into a parenting contract or fail to comply with its terms but both of these actions may be used by agencies to support an application for a parenting order which will make the requirements of the parenting contract compulsory, or by way of evidence in support of legal action taken against parent(s) or carer(s).

14 Ongoing Contact with the Complainant

14.1 Regular review of the case and communication with the victim(s) and/or witness(es) is key to managing satisfaction levels and achieving a positive result.

- We will carry out an initial review of the action plan within 15 calendar days of its creation to check the approach is still appropriate in light of any new evidence.
- We will contact those involved every 15 calendar days, unless the case action plan states otherwise and review the action plan on a monthly (30 calendar days) basis.
- After the action plan is reviewed we will issue the updated version to the complainant within three days.

15 Closing Cases

15.1 Cases will be closed when the complainant is satisfied with the outcome.

15.2 Cases may also be closed:

- If the complainant withdraws their complaint
- If there is no further action that can be taken, and the problem is not considered serious enough to follow through to possession
- Where new evidence changes the case, for example where it becomes apparent that antisocial behaviour has not taken place
- If the stops engaging or co-operating with us in investigating the complaint and there that co-operation or engagement is necessary for the continuing investigation.

15.3 When closing a case we will offer the resident opportunity to present new or further evidence that would justify the case remaining open.

15.4 We reserve the right to close cases where there is no further action that we can reasonably take, even if the resident is not satisfied with the outcome.

- 15.5 We will aim to resolve 80% of cases within three months of the initial report. However where we take legal action it is likely that cases will take longer than three months to resolve. Cases which have not been resolved after three months will be taken to an appropriate review panel at the relevant Registered Provider for their direction.
- 15.6 We aim to provide an excellent service in responding to reports of antisocial behaviour. We aim to achieve satisfaction levels of 80%. However if complainants are not satisfied they can raise a complaint through our [Complaints policy and procedure](#).

16 Data Protection

- 16.1 We will comply with the best practice guidance set out in the [Framework Code of Practice for Sharing Personal Information](#) published by the Information Commissioner to ensure that we maintain confidentiality, and do not give details of cases they are involved in or aware of to any person inappropriately. [Data Protection Policy](#)
- 16.2 Under section 35 of the Data Protection Act personal information disclosed as a requirement of law or in connection to legal proceedings or obtaining legal advice is exempt from the non-disclosure provisions.
- 16.3 Any information shared:
- will be necessary, relevant and not excessive
 - will be shared fairly and transparently
 - will be accurate and up-to-date
 - won't be kept any longer than is necessary
 - will be kept secure
 - will be able to be accessed by the individual that it relates to on request
- 16.4 Information sharing agreements will be created with guidance from a solicitor or ASB Specialist, including as a minimum details of the type of information that will be shared, identified and stored and the circumstances under which information will be shared with a third party.
- 16.5 We will be sensitive to the effect that disclosure of identity to a perpetrator or any other party could have on a complainant. We will only disclose the complainant's identity or other sensitive personal information to the perpetrator and any other parties including doctors and teachers with their explicit written permission.

17 Legal Action

- 17.1 There are a range of legal options we may use to deal with cases of antisocial behaviour.
- 17.2 We will decide what enforcement action is most appropriate on a case by case basis. We reserve the right to take whatever action we consider to be most appropriate in each circumstance.

Injunctions

- 17.3 Our preferred legal action is a housing injunction against a perpetrator under Section 153 of the Housing Act 1996, as amended by the Antisocial Behaviour Act 2003. This allows us to apply for an injunction to prohibit antisocial behaviour that affects the management of our housing stock.
- 17.4 An injunction can only be sought against a perpetrator over the age of 18.
- 17.5 Injunctions are civil orders obtained from the County Court, prohibiting the person concerned from engaging in the behaviour detailed in the injunction. We will use them to prevent a range of antisocial behaviour relating to housing such as playing loud music at night, barking dogs, verbal abuse and vandalism.
- 17.6 In serious cases we may apply for an injunction in conjunction with applying for possession or a demotion order. The combination may succeed in stopping the nuisance behaviour, in which case we would not proceed to possession.
- 17.7 The standard of proof in relation to evidence required to obtain an injunction is the civil standard (on balance of probabilities) which can mean they are easier to obtain than an ASBO (beyond reasonable doubt).
- 17.8 Section 153 A allows landlords to apply for an injunction to prohibit anti-social behaviour that affects their management of their housing stock. In considering whether to grant the injunction under Section 153 A, the Court must be satisfied that the alleged anti-social behaviour meets the following 'Conduct Test'
- is capable of causing nuisance or annoyance to any person (who need not be a particular identified person)
 - directly or indirectly relates to or affects the housing management functions of the landlord (in general this is any activity that the landlord would undertake in the day to day, and strategic management of the stock)
- 17.9 In addition to the need for the Court to be satisfied that the alleged anti-social behaviour meets the 'Conduct Test' outlined above, the Court must also be satisfied that the following two conditions are met:
- That the defendant has engaged, is engaging or is threatening to engage in conduct that meets the conduct test outlined above.
 - That the conduct of the person against whom the injunction is sought is capable of causing nuisance or annoyance to any of the following:
 - a person with a right (of whatever description) to reside in or occupy housing accommodation owned or managed by the landlord
 - a person with a right (of whatever description) to reside in or occupy other housing accommodation in the neighbourhood of the above housing accommodation
 - a person engaged in lawful activity in or in the neighbourhood of the above housing accommodation

- a person employed (whether or not by the relevant landlord) in connection with the exercise of the relevant landlord's housing management functions.

- 17.10 These injunctions are a quick and flexible tool that can be used against perpetrators that are residents of Circle Anglia as well as those that are not (as long as their behaviour affects our housing management functions). They are aimed at stopping the antisocial behaviour rather than punishing the perpetrator. They are targeted directly to the problem, listing specific behaviour that is prohibited or required, and generally apply for a limited or specified period of time.
- 17.11 Where properties are being used illegally (for example drug dealing, running a brothel, handling stolen goods) we may use a Section 153B injunction instead to prohibit any illegal conduct. The 'Conduct Test' and the two conditions which apply under Section 153 A do not apply to Injunctions under Section 153 B. The Court must only be satisfied that the person has used or threatened to use their property for an unlawful purpose.
- 17.12 Section 153 C refers specifically to an Exclusion Order and/or Power of Arrest. This can be attached to 153 A, 153 B and 153 D of the Act. The Court may decide to attach a power of arrest to one or more provisions of the Injunction or to exclude the defendant from any premises or area specified within the terms of the Injunction, including his or her own place of residence, where there is either:
- a use or threat of violence or
 - a significant risk of harm to any of the classes of person specified under Section 153A of the Housing Act 1996
- 17.13 Where there isn't a direct link to the housing management function, we may use Section 153 D to obtain an injunction to deal with specific breaches (or anticipated breaches) of clauses in the tenancy agreement. They can only be applied to a tenant, and must relate to a clause in the tenancy agreement. If we proceeded to possession, this type of injunction would cease to be in force at the point of eviction. The Conduct Test for Section 153 D is on the grounds that the tenant is:
- engaging or threatening to engage in conduct that is capable of causing nuisance or annoyance to any person, or
 - allowing, inciting or encouraging any other person to engage or threaten to engage in such conduct
- 17.14 In cases involving the use or threat of violence, we will consider applying for an urgent injunction without giving the individual prior notice. In all other cases Section 153 injunctions require prior notice to the individual involved, and the notice must be personally served on the individual.
- 17.15 A defendant may ask the court to accept an "undertaking" instead of giving an injunction. In theory this will have the same effect as the injunction, but it doesn't establish a "finding of fact"/acceptance of guilt by the Defendant.
- 17.16 A breach of an injunction is considered to be a contempt of court and is punishable by up to two years' imprisonment and/or a fine. We can also apply for the injunction together with a power of arrest or an Exclusion Order (including to their own

residence) where there has been use or threatened use of violence, and/or there is a significant risk of harm (including emotional or psychological harm) to a person mentioned in the injunction.

- 17.17 Where a power of arrest is attached to an injunction the role of the police in enforcing it is vital. We must ensure that the police are aware of the injunction and the power of arrest, and that we require their support. The injunction order and power of arrest must therefore be served on the Police as soon as possible.
- 17.18 Injunctions can only be used to control the behaviour of those with the mental capacity to understand what they are doing and how to modify their behaviour.
- 17.19 Residents can also seek their own injunctions, for example where there are two or more incidents of harassment by a perpetrator, under the provisions of the Protection from Harassment Act 1997.
- 17.20 Where residents seek their own injunctions, we may provide practical and financial support to such legal action if we consider it appropriate to do so in all the circumstances.
- 17.21 Other organisations can also seek injunctions, including different types of injunction. For example, local authorities can serve an injunction under the Local Government Act 1972. Police can serve injunctions to deal with gang related violence, in line with the Criminal Justice and Police Act 2001.

Antisocial Behaviour Orders (ASBOs)

- 17.22 ASBOs can be used for anyone aged 10 or over as a punishment for harassing, or causing alarm or distress to a person or people not part of their own household.
- 17.23 ASBOs may be used to tackle a wide range of antisocial behaviour, tailoring the terms of the order to each specific case. They are tenure-neutral and can be used against perpetrators living in any type of housing (not just social housing). An ASBO will remain in force even after an eviction.
- 17.24 ASBOs apply for a minimum of two years from the date of service in a named location of any size.
- 17.25 They are most useful when there is clear evidence available, and serious issues to tackle such as criminal or sub-criminal behaviour.
- 17.26 A breach of an ASBO is a criminal offence, and the standard of evidence required is criminal (beyond reasonable doubt), higher than for an injunction.
- 17.27 ASBOs can be applied for by a range of agencies. We will work in partnership with other agencies when considering and applying for an ASBO, including as a minimum (as required by the Crime and Disorder Act 1998 as amended) consulting with the police and Local Authority.
- 17.28 Where drugs offences are involved we may apply for a Drug Intervention Order alongside the ASBO to require the root causes of the behaviour to be tackled.

- 17.29 In some situations we may apply for an interim ASBO (where necessary without notice), which has the same prohibitions and penalties for breach as the full order. A without notice interim order must be served on the defendant within seven days, and will only take effect after it has been served.
- 17.30 Where groups of people are engaged in antisocial behaviour, a case needs to be made against each individual against whom an order is sought. However, the cases can be heard together by the court.
- 17.31 Where legal action is already underway against an individual or group of individuals in the county court, where relevant we may apply to add an Antisocial Behaviour Order under the Crime and Disorder Act 1998 as amended. For example, if we are taking possession action against a tenant we might apply for an ASBO to prevent them or a relevant party engaging in antisocial behaviour in the area after their eviction.
- 17.32 We can also apply for an order in conviction if criminal proceedings are underway. The order on conviction is considered at a civil hearing after the verdict. It is not part of the sentence the offender receives for the criminal offence, and after its issue operates in the same way as an ASBO obtained through the standard route.
- 17.33 When we obtain an ASBO we will make sure that the defendant fully understands its requirements as soon as possible after the order is given, preferably before they leave the court.
- 17.34 Should the ASBO be breached the Crown Prosecution Service should carry out the prosecution. The maximum penalty on conviction in the magistrates' court is six months in prison or a fine not exceeding £5,000 or both; at the Crown Court the maximum penalty is five years in prison or a fine or both. Community penalties are available but a conditional discharge is not.
- 17.35 An ASBO can be varied on application to the court, but it can't be discharged without the consent of both parties.

ASBOs for Under 18s

- 17.36 Where the defendant is under 18 we will work with the Youth Offending Team, including requesting an assessment of the young person's needs. Where relevant we will apply for an Individual Support Order (ISO) to be attached to the ASBO (only when making a standalone application). ISOs can last up to six months and require a young person to comply with certain requirements designed to tackle the causes of the antisocial behaviour, such as participation in certain activities (up to two days a week). The Youth Offending Team is responsible for co-ordinating delivery of the ISO and also has a role in ensuring that the terms and conditions of both the ASBO and ISO are understood by the defendant.
- 17.37 We will monitor ASBOs carefully and take swift action to deal with any breaches, in order to ensure they are an effective tool for tackling antisocial behaviour. ASBOs issued to under 18s will be reviewed annually.
- 17.38 Breach proceedings for children and young people will be dealt with in the youth court.

Parenting Orders

- 17.39 A Parenting Order is a court order which usually means a parent or carer must attend parenting classes. Parents may also be ordered to meet other conditions, like making sure their child stays at home at certain times, or attend meetings with their child's teachers.
- 17.40 Parenting orders can be made for children and young people up to 17 years old. They last up to a maximum of 1 year and any course or programme specified in the order can last up to 3 months.
- 17.41 Parenting orders can be applied to court for where a parenting agreement is repeatedly breached, or parents are unwilling to voluntarily agree to the agreement and support that is offered.
- 17.42 We can apply for a parenting order;
- if we have reason to believe that child or young person is engaged in anti-social behaviour and;
 - where that child or young person's behaviour affects our housing management functions
- 17.43 We must first consult with the local authority in the area to ensure that any action is consistent with existing or other planned interventions, including any existing parenting contracts or orders by a school or a youth offending team (YOT).
- 17.44 The court will specify the responsible officer at the Registered Provider, or a person nominated by them who has agreed to their role.
- 17.45 Breach of a parenting order can be punishable by:
- In the first instance parent(s) or carer(s) will be given a written warning if they fail to comply with the terms of the order.
 - If they still fail to comply with the conditions of the order a meeting will be called to review the situation.
 - If after these procedures, the parent(s) or carer(s) do not comply with the order and cannot give a genuine reason for doing so, they will be in breach of the order and may be fined up to £1,000.

Demoted Tenancies

- 17.46 We may apply to court to reduce the security of tenure on an assured or secure tenancy to a demoted assured shorthold tenancy.
- 17.47 The period of demotion will initially be for 12 months but may be extended if we serve notice to seek possession of the property during this period.
- 17.48 A demoted assured shorthold tenancy means;
- We may evict a tenant using any normal assured shorthold tenancy possession grounds.

- There is no restriction on us obtaining a Possession Order during the first six months of the tenancy, unless the perpetrator alleges we have acted disproportionately in seeking the possession order on this basis, in which case the Court will consider all factors and decided whether to order possession on this basis
- The tenant also temporarily loses a number of tenancy rights such as Right to Buy and the Right to Exchange.

17.49 At the end of the 12 month period (if not extended or if other action has not been taken) then a demoted tenancy (previously assured) will return to an assured tenancy.

17.50 A demoted secure tenancy will become an assured tenancy and cannot return to a secure tenancy.

17.51 Demoted tenancies or possession action may be used as standalone remedies or in conjunction with applying for enforcement action such as an injunction or an antisocial behaviour order.

17.52 Where appropriate we may use demoted tenancies instead of possession. E.g. If it is appropriate to work with the perpetrator to resolve the issue for a longer period of time.

17.53 In some cases we may apply for a demotion and possession order at the same time and allow the court to decide which remedy is most appropriate.

17.54 The Court may only make the order if the tenant, another resident of or visitor to the tenant's home has behaved or threatened to behave in a way which is capable of causing nuisance or annoyance or includes using the premises for unlawful purposes. In addition the Court must be satisfied that it is reasonable to make the order.

Possession (Eviction)

17.55 We will only take possession action as a last option in cases of serious antisocial behaviour, and where we have a real intention of seeking possession.

17.56 We reserve the right to not always follow through when we apply for possession.

17.57 Permission to evict a general needs tenant will be authorised by the relevant team manager acting in tandem with an additional relevant manager.

17.58 Permission to evict a Supported Housing tenant will be authorised by the relevant team manager, then referred to the Assistant Director of Supported Housing for checking. It will pass for final authorisation to the Director of Supported Housing.

17.59 Every eviction will be reported to the group member's board who will receive an outline report based on the number of evictions in that period and the type of antisocial behaviour in each case.

17.60 We will only carry out an eviction where a county court bailiff is present and we will work with the bailiff to ensure that it is done as sensitively as possible under the

circumstances. Goods belonging to a tenant that have been left in the property will be dealt with according to the terms of the tenancy agreement.

17.61 The nuisance grounds for possession are discretionary, and the court will only award possession if the Court considers in all the circumstances that it is reasonable to do so.

Secure Tenants

17.62 Schedule 2 of the Housing Act 1985 includes the following discretionary grounds for possession (Ground 2):

The tenant or a person residing in or visiting the dwelling-house—

- has been guilty of conduct causing or likely to cause a nuisance or annoyance to a person residing, visiting or otherwise engaging in a lawful activity in the locality, or
- has been convicted of using the dwelling-house or allowing it to be used for immoral or illegal purposes, or an indictable offence committed in, or in the locality of, the dwelling-house.

17.63 We may rely on any of the grounds available and as set out in Schedule 2 of the Housing Act 1985 to seek possession of a property as a means of tackling antisocial behaviour.

Assured Tenants

17.64 Schedule 2 of the Housing Act 1988 includes the following discretionary grounds for possession relating to assured tenancies (Ground 14):

- The tenant or any other person residing in the dwelling-house has been guilty of conduct which is a nuisance or annoyance to adjoining occupiers, or
- convicted of using the dwelling-house or allowing the dwelling-house to be used for immoral or illegal purposes.

17.65 We may rely on any grounds available to us and as set out in Schedule 2 of the Housing Act 1988 to seek possession of a property as a means of tackling antisocial behaviour.

18 Other authority powers

18.1 We will work closely with local police, environmental health and housing authorities.

Police

18.2 At an early stage we will work with police to ensure that appropriate warnings are issued to perpetrators of antisocial behaviour. This may include:

- Juvenile reprimands and final warnings

- Police cautions and conditional cautions
- Prostitutes cautions
- Fixed Penalty Notices (FPNs)
- Penalty Notices for Disorder (PNDs)

- 18.3 Police may also arrest people who engage in disorderly, threatening or insulting behaviour under the Public Order Act 1986, after they have been warned about the behaviour.
- 18.4 Where antisocial behaviour is criminal and is taken to court, the court may give a prison sentence; apply a fine, a conditional discharge, a suspended prison sentence, a probation order, or a community service order.
- 18.5 Where there are specific problems around antisocial behaviour associated with a particular locality, we will work proactively with the police and/or local authority to put into place:
- Dispersal orders
 - Designated Public Places Orders
 - Premise closure notices
 - Crack house closure orders
- 18.6 Constables in uniform can also issue a direction to an individual aged 16 years or more to leave a public locality, where they believe the individual's presence is likely to contribute to alcohol related crime and disorder. These directions to leave can be used alongside a Public Notice for Disorder.

Local Authority

- 18.7 There are specific powers particularly available to the Local Authority to tackle environmental antisocial behaviour. We will proactively work with Local Authorities to use these powers where appropriate.

19 Support for victims, witnesses and perpetrators

Victims and Witnesses

- 19.1 Staff dealing with reports initially and on an ongoing basis will be considerate and sensitive to the potential distress of the victims and witnesses.
- 19.2 We will work with local agencies to help provide appropriate support for victims and witnesses of antisocial behaviour.
- 19.3 We may refer victims and witnesses to specialist agencies, where relevant, to provide specialist help and support.
- 19.4 We aim to make counselling services available to those who would find it helpful.
- 19.5 We will make the reporting process, interviewing, creation of an action plan and evidence collection mechanisms as straightforward as possible to minimise the

burden on complainants.

- 19.6 We will consider the safety and perception of safety of victims and witnesses, and where appropriate we will work with partners to provide additional safety measures such as regular patrols, visits by officers, provision of personal alarms and CCTV systems. We will liaise with Crime Prevention services where necessary to protect witnesses.
- 19.7 Where appropriate we will carry out a risk assessment of victim and witness homes and install any necessary alarms, new locks or panic buttons.
- 19.8 Where possible we will use mentor schemes to put the witness in touch with other residents who might be available to offer support.
- 19.9 In severe cases, for example where physical violence has been experienced, or there is irresolvable damaging conflict between two parties, we may consider whether a management move would be appropriate.

Support during court proceedings

- 19.10 The role of witnesses and victims in court proceedings is invaluable.
- 19.11 We aim to provide full explanations of the court procedures We will liaise with court services to minimise the stresses of a hearing and pre-visits will be offered to court to witnesses in advance.
- 19.12 We will make every effort to protect and support witnesses and victims during court proceedings including covering reasonable expenses.
- 19.13 Where witnesses or victims have a disability we will ensure that appropriate adjustments are made in order for them to participate as fully as possible in line with our [Equality and Diversity Policy](#). This includes the provision of a support worker during the court session if needed.

Support for perpetrators

- 19.14 We will consider whether perpetrators have any support needs from the beginning of any case and where appropriate make a referral to the relevant local authority. Local authorities have a duty under the NHS and Community Care Act 1990 to assess any person who may be in need of community care services.
- 19.15 Where we are considering legal we will make sure we are not discriminating against the perpetrator because of a disability that they have, or for any other reason, in accordance with the Equality Act 2010.
- 19.16 If there is any evidence to suggest that the person against whom legal action is being taken may be suffering from drug, alcohol or mental health problems or an autistic spectrum disorder, the necessary support should be provided by social services or other support agencies. Such support should run parallel with the collection of evidence and application for legal action. This ensures that the court can balance the needs of the community with the needs of any alleged perpetrator.

Glossary

Term	Definition
Crime and Disorder Reduction Partnerships (CDRPs) or Community Safety Partnerships (CSPs)	These partnerships were formed as result of the Crime and Disorder Act (1998) and there is one in every local government area, a total of 376 in England and Wales. They are accountable to the Crime Reduction Director in the relevant regional government office.
Multi Agency Risk Assessment Committees (MARACs)	A forum where multiple agencies get together to provide a co-ordinated response
Drugs and Alcohol Action Teams (DAATs)	The partnerships responsible for delivering drug and alcohol strategies at a local level
Youth Offending Teams	A statutory, multi-agency team that was set up following the 1998 Crime and Disorder Act with the intention of reducing the risk of young people offending and re-offending, and to provide counsel and rehabilitation to those who do offend.
Family Intervention Projects	Family intervention projects work to turn around the behaviour of families and reduce their impact on their community. In the past year the Government has worked with local authorities to establish over 50 family intervention projects across the country.
Information Commissioner	The Information Commissioner's Office is the UK's independent authority set up to promote access to official information and to protect personal information
Secured by Design	Secured by Design focuses on crime prevention at the design, layout and construction stages of homes and commercial premises and promotes the use of security standards for a wide range of applications and products.
Family Intervention Tenancies	These tenancies were introduced in the Housing and Regeneration Act 2008. They are designed to be used where intensive support is being delivered to households in a different property to their original home. They are used in conjunction with Family Intervention Projects.

Appendix One

Categories of Antisocial Behaviour

Level	Examples
<p>Level 1</p> <p>This covers the most serious or urgent types of ASB. Examples might include:</p>	<p>Racial harassment</p> <p>Domestic violence</p> <p>Other hate crime</p> <p>Arson or attempted arson</p> <p>Behaviour resulting in danger to the complainant or others</p> <p>Using the home for unlawful purpose</p> <p>Physical violence</p>
<p>Level 2</p> <p>This covers ASB where there is no immediate threat to the complainant or others. Examples might include:</p>	<p>Problems associated with groups</p> <p>Criminal behaviour</p> <p>Vandalism and damage to property</p> <p>Using the home for an unlawful purpose</p>
<p>Level 3</p> <p>This covers relatively low-level ASB that is unlikely to cause harm in the short-term. Examples might include:</p>	<p>Garden misuse</p> <p>Neighbour disputes arising from misuse of communal areas and public spaces</p> <p>Neighbour disputes arising from nuisance from vehicles and car repairs</p> <p>Regular loud noise</p> <p>Animals</p>
<p>Level 4</p> <p>This level acknowledges one off complaints and incidences where there may be insufficient information.</p>	<p>A one off party</p>

Appendix Two

Legislation Summary

Legislation	Summary
Housing Act 1985, 1988, 1996 and 2004	This sets out tenancy rights and responsibilities, and provide remedies to deal with problems of antisocial behaviour
Antisocial Behaviour Act 2003	This requires us to prepare and publish statements of our policies and procedures on antisocial behaviour as well as injunctions, demoted tenancies and seeking possession on antisocial behaviour grounds
Family Law Act 1996, Protection from Harassment Act 1997, and Domestic Violence, Crime and Victims Act 2004	This legislate specifically around harassment and domestic abuse (as detailed further in our Harassment and Domestic Abuse policies)
Public Order Act 1986, Crime and Disorder Act 1998, Criminal Justice and Police Act 2001, Police Reform Act 2002, Violent Crime Reduction Act 2006, and the Police and Justice Act 2006,	They set out provisions for combating crime and disorder, including penalties that can be applied, parenting orders and ASBOs
Environmental Protection Act 1990, Noise and Statutory Nuisance Act 1993, Noise Act 1996, and the Clean Neighbourhoods and Environments Act 2005	They cover action that can be taken to deal with noise nuisance, littering and fly tipping, and control of dogs
Homelessness Act 2002	This governs the conditions under which possession may or may not be sought
Data Protection Act 1996	which sets out principles about use and sharing of personal information covered by the Act

Appendix Three

Partners include but are not limited to:

Name
Police
Local housing and education authorities
Social services, support providers
Crime and Disorder Reduction Partnerships (CDRPs) or Community Safety Partnerships (CSPs)
Multi Agency Risk Assessment Committees (MARACs)
Drugs and Alcohol Action Teams
Youth offending, probation services
Mediation services
Voluntary sector organisations
All other relevant partners

Appendix Four

Acts of nuisance listed within tenancy agreements include but are not limited to:

Not to cause, or allow members of the household or invited visitors to cause a nuisance or annoyance to or act in such a way that is likely to cause nuisance or annoyance to any person residing, visiting or otherwise engaging in a lawful activity in the locality of the Premises.

Drug dealing or illegal use of drugs;

Actual or threatened violence or abuse towards any person;

Behaving in an anti-social manner (including, but not limited to, shouting, screaming, swearing, making indecent or offensive gestures or banging on walls or ceilings);

Dumping rubbish outside designated areas or not in accordance with the directions for dumping rubbish within designated areas, or the dumping without the Landlord's permission of non day-to-day domestic waste (e.g. furniture or white goods);

Carrying out repairs to any car, motorcycle or other motor vehicle on the Premises or on any other land owned by the Landlord, or in the vicinity of the Premises, which cause a disturbance or nuisance to neighbours;

Parking other than in authorised parking spaces;

Blocking roadways or communal areas;

Leaving untaxed, unlicensed or unroadworthy vehicles on the Premises, the public highway in the locality of the Premises or on land owned by the

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Related Documents

Document	Link
<p>Connected Policies:</p>	<p>CCTV Complaints Domestic Abuse Harassment Health and Safety Lone Working Neighbourhood Management Smokefree Starter Tenancy</p>
<p>Forms and Letters:</p>	<p>Forms and letters are linked to the antisocial behaviour are saved on CIRANO.</p>
<p>Key information sheet:</p>	<p>Antisocial Behaviour</p>
<p>Other:</p>	

Version History

Version no.	1	Date effective:	October 2006
Full / partial review?	n/a		
Brief summary of changes:	n/a		
Staff consultation (teams):	SMPRG, Staff		
Other consultation	HQN		
Resident consultation:	Have Your Say, OF HS, OF TML		
Signed off by:	Group Policy Forum 15 th September 2006		
Author:	Jason Christensen, Policy Officer		
Version no.	2	Date effective:	August 2007
Full / partial review?	Partial		
Brief summary of changes:	Included Respect Standard and DDA 1995 / 2005 implications		
Staff consultation (teams):	Housing Management teams at the Registered Providers		
Resident consultation:	None		
Signed off by:	Group Policy Forum 27 th September 2007		
Author:	Abi Patience, Policy Officer		
Version no.	3	Date effective:	July 2009
Full / partial review?	Full		
Brief summary of changes:	Incorporation of resident feedback, increased staff guidance, updates in line with legislation		
Staff consultation (teams):	Housing Management teams at all Registered Providers Continuous Improvement leads at all Registered Providers		
Resident consultation:	<p>Wherry resident policy review day: 11th May 2009 Mole Valley resident's group set up specifically for this purpose: 29th April 2009 Russet resident consultation by email sent on 30th March 2009</p> <p>Resident input included:</p> <ul style="list-style-type: none"> ▪ Use of the term 'complainant' to refer to the person reporting the problem ▪ Emphasis on acting faster than target timescales where required ▪ Suggestions about creative solutions included ▪ Regular contact with complainant every two weeks ▪ Adjustment of three month case closure target 		
Signed off by:	Group Policy Forum, 25 th June 2009		
Author:	Abi Patience, Policy Officer		

Version no.	4	Date effective	February 2011
Full / partial review?		Full	
Brief summary of changes:		Streamlining, categories of asb, inclusion of asb outside our neighbourhoods	
Staff consultation (teams):		Housing Management teams at all Registered Providers Continuous Improvement leads at all Registered Providers	
Resident consultation:		None	
Signed off by:			
Author:		Beth Wagstaff, Policy Officer	