



A guide for residents

ANTI-SOCIAL BEHAVIOUR



Contents

Introduction	3
Foreword from Norfolk's Chief Constable	3
Section 1 – What is anti-social behaviour?	4
1.1 Anti-Social Behaviour	4
1.2 Why does Wherry have a special policy to tackle and prevent anti-social behaviour?	4
1.3 I am suffering from anti-social behaviour – what can I do?	4
1.4 What kind of behaviour is covered by Wherry's Policy?	5
Section 2 – How Wherry deals with anti-social behaviour	12
2.1 Anti-social behaviour – our promises to you	12
2.2 Working in partnership to tackle anti-social behaviour	12
2.3 How can Wherry prevent anti-social behaviour?	13
2.4 What can I do if I am experiencing anti-social behaviour?	15
2.5 What will Wherry do to help me?	15
2.6 How do I report anti-social behaviour?	16
2.7 How will Wherry collect evidence of anti-social behaviour?	16
2.8 Will complaints be treated in confidence?	16
2.9 What records will be kept of my complaint?	17
2.10 Will Wherry share information about my case with other organisations?	17
2.11 When will Wherry close an anti-social behaviour case?	17
Section 3 – Action that can be taken to resolve anti-social behaviour	18
3.1 What action can Wherry take to tackle anti-social behaviour?	18
3.2 Who else can help?	23
3.3 Can Wherry help me if I am a Wherry resident and the person causing the nuisance is not a Wherry resident?	23
3.4 Can Wherry help me if I am not a Wherry resident and the person causing the nuisance is a Wherry resident?	23
3.5 What if the person causing the nuisance is vulnerable?	23
3.6 How can Wherry support me if I am a witness in an anti-social behaviour case?	23
3.7 How long will Wherry give someone to stop causing a nuisance?	24
3.8 What can I do if I am unhappy with the way Wherry is dealing with my case?	24
Useful Contacts	25–27
Blank incident reporting/diary sheet	28

Introduction



Welcome to our Anti-Social Behaviour Guide.

Inside, you will find information about the different types of anti-social behaviour and what action we will take against people that cause a nuisance in or around our homes, as well as details of the support that is available to complainants, witnesses and perpetrators. We have also given examples of behaviour that we will not treat as anti-social or a nuisance, even though this may on occasion cause a disturbance to people.

If you would like more information about anything mentioned in this Guide, please use one of the contact methods shown in the Useful Contacts section toward the back of this booklet. You can download a copy of our Anti-Social Behaviour Policy and associated leaflets from our website or just ask us if you would like to receive printed copies.

We hope you find this Guide useful and informative. We always welcome feedback from our customers, so please let us know if you have any comments to make about this booklet or our service to you.

A handwritten signature in black ink, appearing to read 'Sue Stavers'.

Sue Stavers

Assistant Director – Income and Neighbourhoods

Foreword from Norfolk's Chief Constable

Anti-social behaviour will not be tolerated in our community. A key focus for the Norfolk Constabulary is working with partners to ensure that people feel safe in their homes and have confidence in their service providers, such as the Police, Local Authority and Housing Association to work together to tackle identified problems. We do this by working alongside the community, listening to your concerns and taking appropriate action where necessary.

Anti-social behaviour can be relatively low level. However, what can seem a trivial matter to one person can have significant impact on the lives of others. Consideration and respect of others are key components in ensuring a society where people are proud of their local community. Anti-social behaviour shows a lack of respect for these values and must be tackled robustly in order that it does not become accepted as normal. Wherever you live you have the right to a peaceful life.

I would encourage all residents to read this guide and consider how anti-social behaviour affects you. If you need help there are a range of options available and I am confident that something can be done to improve the situation.

A handwritten signature in black ink, appearing to read 'Phil Gormley'.

Phil Gormley

Chief Constable – Norfolk Constabulary



1.1 Anti-social behaviour

Because we tend to live very close to our neighbours, there can be times when their behaviour impacts upon our lives and peaceful enjoyment of our home. As members of a community, we have to accept that this will be the case from time to time; for example, the noise of children playing, a dog occasionally barking, the odd party, parking difficulties or hearing a neighbour's TV or radio.

We do not treat this kind of behaviour as anti-social when it happens every now and then, as although we realise it can be annoying, we consider it to be part of day to day living. But, when sometimes becomes continual, or when a one off event is so serious it has caused a significant problem, the behaviour may be considered anti-social.

1.2 Why does Wherry have a special policy to tackle and prevent anti-social behaviour?

Even though Wherry manages around 6,900 tenancies, we are pleased to say that incidences of anti-social behaviour are quite rare.

This is because most people recognise that with the right to live in a safe and secure environment, there comes a responsibility to treat others with consideration and respect.

However, there are occasions where people do behave in an unreasonable and anti-social way without due regard to others, and it is not fair for people living in the neighbourhood to have to tolerate this over a period of time or to be exposed to violent or threatening behaviour.

This is why we have set out clear behavioural requirements in our tenancy agreements and developed our Anti-Social Behaviour Policy.

We take all anti-social behaviour seriously and are committed to working with our residents, the Police and other agencies to tackle and prevent the causes. However, we will also be clear to complainants where we do not feel it is appropriate to take action. For example, where allegations are unfounded or malicious

or relate to behaviour that is not unreasonable or where the event proves to be a minor or one off ill-considered incident. We will also give residents advice about what they can do to help themselves and improve relations with their neighbours.

1.3 I am suffering from anti-social behaviour – what can I do?

It depends on the seriousness of the situation. First, consider whether the behaviour really is a nuisance or if it's just part of normal day to day living in close proximity to neighbours who may have a different lifestyle to you.

If you feel the behaviour is unreasonable, it is often best to try to speak to the person causing the problem because they may not realise the affect their behaviour is having on you or your family. If you do approach someone about their behaviour, you will get a better response if you:

- Stay calm and be polite
- Clearly explain what the problem is and how this is affecting you
- Give the person a chance to respond
- End the conversation if the perpetrator becomes irate or if the discussion is not going anywhere. Don't be tempted to be abusive or personal, even if the other person chooses to be so – this will only make things worse.



However, talking to the person causing a problem may not be appropriate in some instances. If you are experiencing harassment, intimidation or actual or threatened violence you should contact the Police straight away. We also ask that you speak to your neighbourhood officer, as he or she can work in partnership with the Police to help resolve your particular case.

If you have tried speaking to the person causing the problem and this has made no difference, then you can contact us to discuss how to deal with the situation.

1.4 What kind of behaviour is covered by Wherry's Policy?

There are many different behaviours or activities that may be considered anti-social:

Noise

Noise is the most common cause of problems between neighbours. Often, this is because properties are joined to, or close by, each other so some amount of noise transference is unavoidable. It is also often the case that people are living in very mixed communities – the members of which have different expectations and tolerance of noise levels.

We will always consider whether it is reasonable for your neighbour to be making the noise if you report a problem to us, so it is a good idea to think about this first.



Is it reasonable for your neighbour to be making the noise?

Yes

Domestic noise such as a baby crying, water running in a bath or a TV or radio on at a reasonable volume is part of everyday life, even if you can hear it in your home.

A door banging, the odd car repair or someone shouting once in a while is something that we should tolerate as neighbours.

No

Loud music at unsociable hours can be easily avoided, as can having the TV on at exceptionally high volume.

Doors repeatedly banging, frequent shouting or regular car repairs could be seen as a nuisance.

If the noise you are experiencing falls into the "No" box above, please contact your neighbourhood officer who will be pleased to investigate your complaint. You can also contact your local council's environmental health team if you prefer.



Section 1 – What is anti-social behaviour?

Children at play

Children are members of the community too and should have a safe place to meet and play. Playing games is usually good fun and is not anti-social behaviour. We encourage children on our estates to participate in activities, as exercise is crucial to their development and wellbeing.

Wherry receives a number of complaints about children playing ball games on its estates. Most complaints, however, relate not to the games themselves but to the way in which they are played.

Often ball games in particular cause a problem or disturbance when they are played in close proximity to people's homes. Whilst some open spaces are suitable for game-play, playing ball games near even quiet roads can be unsafe and the noise of games like football being played against walls and fences can be very annoying to nearby residents and it can cause damage to property.

We need to reach a compromise to make sure that children are able to play safely near their homes, but without undue disturbance to other residents.



Sometimes, doing something as simple as replacing hard leather balls with soft air-filled versions is sufficient to stop play becoming a nuisance.

Where can children play?

Kids playing sport is great, but some areas around your home are unsuitable or unsafe for children's play. It is your responsibility to check that your children are playing in a safe area and are properly supervised. Where children are playing in unsuitable areas, we will always try to speak with the parent/guardian first, but we may also involve our partner agencies.

Unsafe/unsuitable areas for children to play

- Roads
- Lifts
- Stairways
- Areas likely to cause a nuisance to neighbours
- Bin areas

We expect all parents/guardians to ensure that children are appropriately supervised and show consideration to other members of the community, but we also expect residents to be tolerant of normal childhood play – it is easy to forget that we were all children once!

You can contact us if there are problems in your area and we will work with you, your children and local residents to find a suitable space for children to play. This could mean identifying a local area for play or in some cases even helping you to apply for funding from Wherry or other agencies to upgrade existing play areas or provide new play spaces.

We can also support activities for youngsters such as football and sport coaching, film making, arts, music and drama through our Y.E.L.L. project. We will be happy to talk to you about setting up a local scheme.

For more information, please contact our Resident Involvement Team by telephoning **01603 595140** or e-mailing wherryinvolvement@circleanglia.org

Abandoned or non-domestic vehicles

Leaving abandoned and non-domestic vehicles on our land is considered anti-social because these can be a danger to children and spoil the look of an area.

Where an abandoned or non-domestic vehicle, such as a van, trailer, boat or caravan, is left on our land and can be traced to a tenant or member of their household, the tenant will be required to have the vehicle removed. We may take action, such as seeking a court injunction, if they do not do so in the timescales given or if they repeatedly leave these types of vehicle on our land. We will recharge the cost of any action we take to the owner of the vehicle or the tenant.

Please speak to your neighbourhood officer if you suspect a vehicle has been abandoned or should not be parked on our land.

Pets not kept under control

Providing your pet is domestic and not of a banned breed, you can usually keep it at your home so long as he/she does not cause a nuisance.

Is the pet a nuisance?

Yes

- Fouling that is not cleared
- Continuous barking or noise
- Roaming free, not under proper control & supervision, getting into neighbours' gardens etc
- Status dogs used to intimidate and harass

No

- Keeping a well behaved pet
- Occasional barking



You can speak to a member of the Wherry Neighbourhood Team or your council's environmental health team if a pet is causing a nuisance. If the pet is being mistreated, you can also speak to the RSPCA.

Our community wardens can also help with pet behavioural issues by providing advice and sometimes free equipment, such as barking control collars and dog waste bags. We are not able to deal with stray cats or control cat fouling.





Graffiti and vandalism

Causing damage and drawing/painting graffiti is a criminal act and affects people's perception of an area. Wherry will arrange for the removal of offensive or obscene graffiti from its properties within 24 hours (or the next working day) of being reported. Where the perpetrator can be identified, we will take appropriate action against them. This could lead to a criminal prosecution.

If you see any graffiti or vandalism, please report it to our Neighbourhood Team as soon as possible.

Untidy Gardens

Having an untidy or unkempt garden spoils the look of where we live and affects those that live around us.

All Wherry residents are expected to keep their gardens well maintained. This means, for example, keeping grassed and shrubbed areas trimmed and tidy and free from rubbish and not burning plastic, rubber or painted materials that could release poisonous fumes. Not keeping your garden maintained and free from rubbish could lead to an injunction or possession action being taken against you.

An untidy garden can also be a sign that a property is unoccupied or that the resident is ill or needs help. If you notice an unkempt garden, please report this to our Neighbourhood Team so we can check this out.

Wherry's Low Cost Gardening Scheme

If nobody in your home is able to manage your garden, you may be able to sign up to our low cost gardening scheme. For a small weekly payment, you will receive at least 6 visits from our gardening service each year. We may also be able to offer a one off clearance if your garden has got beyond the point that you can manage it. Please speak to your neighbourhood officer for more information about this scheme.



Rubbish, litter and discarded goods

Having an untidy or unkempt garden spoils the look of where we live and affects those that live around us.

Rubbish, litter and discarded household goods should be disposed of properly – if not, they are potentially dangerous and can cause a considerable nuisance. If left on our land, their removal often has to be paid for out of our residents' rent and service charges.

Don't

- Put bags out before collection day, as these can attract vermin
- Overfill your bins
- Leave discarded items outside your home
- Drop rubbish or cigarette ends
- Leave your bin out too far in advance of collections or so that it causes an obstruction

Do

- Recycle
- Wrap food waste
- Arrange with your local authority to collect large items or take them to your local waste centre

Where the person dumping the rubbish can be identified, Wherry will take action against them. This will likely include re-charging the cost of removing the rubbish and providing advice on options for ongoing refuse management. In more serious cases, the local council's environmental health team may consider prosecution.

Could you set up a recycling club or a resident composting area?

Does your bin area need sorting out?

Contact your neighbourhood officer or community warden who will be happy to discuss options with you.

Have you spoken to your local patch panel or resident representative about bidding for funds from our NICE (Neighbourhood Improvements for the Community and Environment) scheme?

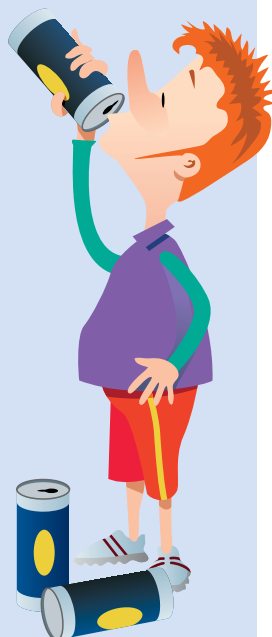


Crime, drugs and prostitution

There are many forms of criminal behaviour, but all are capable of causing considerable distress and nuisance to other residents. Consequently, we take this type of anti-social behaviour very seriously. Drug crime, burglary and violence are some of the more distressing examples of criminal behaviour.

You should report all criminal behaviour to the local Police and your neighbourhood officer. All complaints will be treated in confidence unless agreed otherwise with the complainant; however, it is important to remember that legal action is unlikely to be successful unless we have evidence to present to the court. Sometimes a criminal conviction will be enough for us to take legal or possession action against a tenant, but we may also require residents to act as witnesses (see *“How can Wherry support me if I am a witness?”* later in this booklet).

Where a tenant (or member of their household) has a criminal conviction for anti-social or drug related behaviour, Wherry will consider what action, if any, will be taken. Ultimately, this could lead to the resident losing their home, even if the conviction was not against them personally.



Abuse and domestic abuse

Abuse can be an actual or threatened act of harassment, violence or assault carried out against a person and can range from the seemingly trivial to serious acts of punishment or harm. Abuse is a violation of a person’s human and civil rights.

Abuse and domestic abuse can take many forms, such as physical, sexual, financial, emotional, psychological, neglect and discrimination.

Domestic abuse is specifically abuse caused to a person by a current or former member of their household. Domestic abuse is a criminal offence and we will take all allegations seriously, whether from a victim or witness.

We work in partnership with a number of agencies to ensure that victims and witnesses of abuse are protected and supported. In some cases, this may include arranging a temporary or permanent move through the local authority’s homelessness service, securing temporary accommodation at a refuge, improving security at the victim’s home or arranging for specialist support or witness protection to be put in place. We will take action against perpetrators where possible, but we will always respect the victim’s wishes.

Please speak to our Neighbourhood Team or call our ASB Hotline or the Police to talk to someone in confidence. We will respond to calls about domestic abuse within 24 hours.



Harassment, violence and hate crime

Harassment is unwanted conduct, deliberate or otherwise, that has the purpose of intimidating, degrading, violating, harming or humiliating another person, or group of people, for any reason. People may be victims of harassment or violence because of their age, gender, religion, ethnicity, the way they look, their sexual orientation or for having a mental or physical disability or illness. Harassment and violence are criminal offences as well as a breach of your tenancy conditions.

Wherry condemns all forms of harassment and takes reports very seriously. We have a separate policy and have agreed a Hate Crime Protocol with our partners specifically to address issues relating to harassment. For more information and advice please talk to your neighbourhood officer, ask for our leaflet on harassment or go to our website at www.wherryhousing.org



I am experiencing harassment or have witnessed someone being harassed – what should I do?

Your safety is a priority, so **DO NOT** try to deal with the situation yourself. Instead, inform the Police straight away.

You can also talk to your neighbourhood officer about how to deal with the situation.

Violence or abuse toward staff

Our staff carry out a difficult job and we will not tolerate abusive behaviour or violence towards them. Where staff are subjected to such behaviour, we will take appropriate legal action against the perpetrator.

Malicious complaints

Where a complaint is found to be malicious or false and we decide that it has been made with the deliberate intent of getting another person into trouble, we may consider the complainant to be guilty of anti-social behaviour or harassment and take action against them accordingly.

Anti-social behaviour - our promises to you

2.1 We will

- Provide a 24/7 reporting hotline for anti-social behaviour
- Respond to allegations of harassment and domestic violence within 24 hours
- Remove offensive or discriminatory graffiti within 24 hours of it being reported
- Complete emergency repairs within 24 hours
- Investigate all complaints of behaviour that is anti-social and provide clear advice and support
- Agree an action plan within 2 weeks of an incident being reported and be clear about what action we can and will take, and what we cannot
- Keep in regular contact with you throughout the case
- Provide mediation services where it is appropriate and beneficial to do so
- Providing support through your neighbourhood officer, family intervention worker, community warden or an external support provider by, for example
 - making a referral to Victim Support
 - providing support through your neighbourhood officer or an external support provider
 - re-assurance visits by our community wardens
 - working closely with other agencies
 - agreeing action plans to ensure support is in place prior to any action being taken
 - providing help and assistance when you attend court
 - installing additional security
- Use a range of legal and non-legal remedies to resolve anti-social behaviour, taking an approach that is appropriate to the case
- Support and help perpetrators to moderate and improve their behaviour
- Take action to reduce crime and the fear of crime

- Arrange for your case to be reviewed by a manager every 30 days
- Inform you when we close a case and ask you your views on how we dealt with your complaint, so we can improve our service

2.2 Working in partnership to tackle anti-social behaviour

Because anti-social behaviour can take many different forms, it is important that all of the different agencies work together to tackle its cause and effect.

We work with organisations such as the Police, social services, Victim Support, youth offending teams, community safety teams, the NHS, local councils, schools, drug action teams, the probation service and other anti-social behaviour action groups and teams. Where the perpetrator is a child or young person, we will involve parents and guardians, as well as statutory service providers.

As part of our partnership approach, Wherry has been accredited through the Police's Community Safety Accreditation Scheme. This means that our staff have additional powers, such as being able to require a person involved in criminal or anti-social behaviour to give their name and address, issue fixed penalty fines for some offences and confiscate alcohol and tobacco products from young people.

Some of our partner agencies also have powers to deal with anti-social behaviour, and you can contact them directly if you prefer.



Who to contact	Problem
The environmental health department at your local council	Dog nuisance or fouling Stray dogs Noise Abandoned vehicles (not on private or Wherry property) Fly tipping
The Police	Racial harassment Violence

You can also speak to your local Citizens Advice Bureau, law centre or a solicitor if you would like independent advice.

2.3 How can Wherry prevent anti-social behaviour?

New residents

We work with local councils to ensure that we make the most appropriate lettings to properties wherever possible. Before giving a new tenancy to an applicant, we set out our expectations of behaviour clearly in writing and at interview. We also make sure that the right support is in place from before the tenancy starts until it is no longer needed.

Most new residents are given a starter tenancy. This essentially means that they are on probation for the first 12 months of their tenancy and must demonstrate that they are a good tenant before being offered a fully assured tenancy.

Instead of a starter tenancy, we may issue a family intervention tenancy if the applicant has been guilty of serious anti-social behaviour at a previous address. Family intervention tenancies are a less secure form of tenancy and usually last between 6 and 12 months, during which time family intervention support is provided to the household. If the tenant successfully completes the support program, they may be offered a new starter or assured tenancy. If the tenant does not comply with the terms of the tenancy agreement and support plan, the tenancy can be ended very easily.

Tenancy agreements

A tenancy agreement is a legal contract between the tenant(s) and landlord that sets out the rights and responsibilities of both.

All Wherry tenancy agreements clearly and specifically set out the type of behaviour that is not acceptable. These clauses are there to provide clarity to residents and also to assist us if we need to take action against a tenant in court. Breaking the conditions of a tenancy agreement can lead to eviction.

Community warden service

Wherry employs a team of community wardens who, along with our neighbourhood officers, act as our eyes and ears to help reduce the fear of crime and support residents in building strong communities.

Our wardens work with young people to provide diversionary activities and develop good citizenship skills, such as the Kickz football skills and coaching project and Broadland District Council's Tots 2 Teens activity sessions. Please contact our Resident Involvement Team for details of current schemes.

Our wardens can also help with pet behavioural issues by providing advice and sometimes free equipment such as barking control collars and dog waste bags and bins.

Y.E.L.L. –

Youths Engaging in Learning & Lives

Our Resident Involvement Team also works closely with young people and is keen to support local youth groups and help to organise activities.

Our Y.E.L.L. group meets around 5 times a year during half term and is open to all Wherry residents aged 19 & under. Activities include estate inspections, clean up days and much more, with participants receiving points for each activity they're involved with; these points will lead to rewards. Please contact our Resident Involvement Team if you would like more information about joining Y.E.L.L.

Estate improvements and inspections

We work to eliminate anti-social behaviour through estate improvements to deter or design out crime, like adding extra street lighting and signage or installing security measures such as spy-hole viewers and door entry systems. Occasionally, we will install CCTV cameras, but only where there is a clear benefit to be gained and there is an arrangement in place to monitor the recording.

We carry out regular inspections of our estates to check maintenance standards and to note any repairs needed in communal areas. If you would like to be involved in these inspections, please contact your neighbourhood officer who will be happy to arrange a joint visit. Details of our estate inspection programme can also be found on our website.

Swift response to environmental problems

We have agreed tough timescales for addressing environmental problems, such as litter and graffiti, as if left unchecked this can lead to a deterioration of estates.

Neighbourhood Watch

Through partnership working, we can help you set up a Neighbourhood Watch scheme. Please speak to your neighbourhood officer for more information.

Good Neighbour Agreements (GNAs)

Good Neighbour Agreements are voluntary agreements that set out the expected conduct of all members of the community. They can help prevent anti-social behaviour because they make it clear what type of behaviour is likely to cause a nuisance and what makes a good neighbour. We would be happy to work with your neighbourhood to develop a GNA – please contact our Neighbourhood Team if you would like to discuss this in more detail.



2.4 What can I do if I am experiencing anti-social behaviour?

If you are experiencing problems with a neighbour, you may wish to approach them yourself in the first instance. This gives you the opportunity to explain how their behaviour is disturbing you and how this is affecting you and your family. Your neighbour may be unaware you are affected and this gives them an opportunity to stop or reach a compromise with you.

What should I say to my neighbour?

- Try not to shout or lose your temper as this could make the situation worse
- Give details of the problem, with times and dates
- Explain how it affects you
- Be willing to reach a compromise – for example, agreeing music practise at set times
- Think how you would like to be approached if someone had a problem with something you were doing

Do not approach your neighbour or attempt to deal with matters yourself if you are suffering from violence or harassment. Instead speak to the Police or your neighbourhood officer.



This approach may help resolve the situation and lead to a better relationship with your neighbour. However, if you do not feel confident speaking to your neighbour, or if speaking to them does not stop the nuisance or reduce it to a satisfactory level, please contact us so we can investigate your complaint and work with you and your neighbour to resolve the problem.

2.5 What will Wherry do to help me?

Our response to any situation will vary from case to case and can depend upon

- The type of behaviour and its impact on others
- The evidence available to support the complaint
- The age of the perpetrator
- Any vulnerability – be this of the complainant, victim or perpetrator
- Whether the victim or perpetrator resides in a Wherry property or not

Usually, a neighbourhood officer will work with the complainant, victim and perpetrator to solve problems. Where possible, we will use peace-making measures, education and support to resolve the complaint. Any action agreed will be detailed in the case action plan.

Whilst Wherry aims to resolve nuisance without resorting to legal remedies, if further anti-social behaviour can not be prevented or the situation is particularly serious, we will take any necessary action.

If legal action is required, we will need to prove the case in court. This may mean that we require evidence from witnesses, such as you, your family or other neighbours. We will also use professional witnesses where it is appropriate to do so.

2.6 How do I report anti-social behaviour?

Complaints can be reported on our 24 hour ASB & Domestic Abuse hotline or, if preferred, by phone, letter, e-mail, text or via our website. Complaints will be logged and allocated to a neighbourhood officer or community warden, who will contact the complainant within 5 working days to discuss the complaint and/or arrange an interview.

If the complaint involves violence, threats of violence or harassment, we will do our best to call the complainant right back or, if not, on the next working day.

If you experience violent behaviour or harassment from your neighbour or feel threatened by them, we recommend you contact the Police as well.

All complaints are logged and an acknowledgement letter is sent out the next day giving the contact details of the person dealing with the case.

Wherry will remain impartial in any complaint. We will be honest and realistic with the complainant about how we can help and what is required. This may include keeping diaries of nuisance, speaking to neighbours and other witnesses and contacting the alleged perpetrator.

Our neighbourhood officer will discuss the options available to resolve the complaint and advise if there is sufficient evidence to prove the nuisance. We will keep those involved informed of progress during the investigation and let them know what action will be taken.

Usually, our first action is to contact the person causing the nuisance about their behaviour and give them the

opportunity to respond to the allegation. The neighbourhood officer will then agree an action plan to monitor the complaint, working with the complainant(s) until the problem has been resolved.

2.7 How will Wherry collect evidence of the anti-social behaviour?

We use a range of methods to gather evidence. We will interview the complainant, any witnesses and the perpetrator and may ask that diary sheets be maintained over an agreed period of time. A blank diary sheet can be found at the end of this booklet.

Our staff may carry out scheduled and unscheduled visits to an area to collate evidence, as well as go door knocking. We may occasionally use professional witnesses and special investigators and will consider the use of CCTV where appropriate. We will also work in partnership with agencies such as the Police and environmental health to secure evidence.

2.8 Will complaints be treated in confidence?

Yes. Wherry takes confidentiality very seriously. All information supplied by you or others when making a complaint will be treated in confidence. We will not pass on the identity of the person making the complaint without their agreement. However, it may be possible for the perpetrator to work out who has made the complaint.

If court action is taken, the name and evidence of the complainant may be revealed. If the identity of a witness does need to be revealed to pursue the complaint, this will be discussed with them and we will take steps to ensure that they are safe and supported.



2.9 What records will be kept of my complaint?

We keep comprehensive records of all complaints. This includes notes about conversations with witnesses, perpetrators, and other agencies. These records may be used if further action, including court action, is necessary.

2.10 Will Wherry share information about my case with other organisations?

Wherry is signed up to an information sharing protocol with other agencies in Norfolk, Suffolk and Cambridgeshire. This includes the Police, local authorities, education, probation and health authorities. This means we can share information where it is directly relevant to stopping or preventing anti-social behaviour, but only where it is appropriate to do so. However, our partners are required to keep the information we share with them confidential.

2.11 When will Wherry close an anti-social behaviour case?

We will close an anti-social behaviour case if:

- The complaint has been resolved
- After investigation, the complaint can not be substantiated
- The complainant will not participate in mediation
- There has been no further incidents or diary sheets have not been maintained
- The complainant agrees to the case being closed or withdraws their complaint

Tell us what you think

When a case is closed, we will ask the complainant(s) how satisfied they were with the way we dealt with their complaint. This feedback is very important to us as we can use it to learn how to improve our services in the future.



3.1 What action can Wherry take to tackle anti-social behaviour?

Wherry has a range of “tools” to help tackle, prevent and stop anti-social behaviour. Each case is different and will be dealt with on an individual basis.

A neighbourhood officer will discuss each report with the complainant and agree the best way to resolve their particular problem, including any support that might be beneficial to either party. He or she will not take sides and will remain impartial throughout the investigation.

There are a number of legal and non-legal remedies available to us and the type of action we take will depend upon the specific details of the case. We always consider the most appropriate response to each individual case and this may involve using any or none of the options detailed in this Guide.

Non-legal remedies

Additional security measures or estate improvements

It may be that some nuisance can be resolved by improvements to our estates or to individual properties. We will look at whether we are able to carry out works to resolve problems or maybe work in partnership with other agencies to make people and their property more secure or less susceptible to nuisance.

Tenancy support

Where residents are struggling to cope, we can provide free support to help them get back on track. This service is particularly useful for households who do not realise that their behaviour is causing a problem to their neighbours or who need help and advice about how to change their behaviour. We can also offer support to victims and witnesses of anti-social behaviour.

We work with a number of specialist independent agencies that can help residents manage their tenancy and day-to-day life better. Talk to us if you think you would benefit from this free impartial service.

Family intervention

Family intervention can help break the cycle of anti-social and criminal behaviour within families and also improve the health, education and employment opportunities for children and young people.

This service offers intensive whole family support through voluntary engagement to households that have at least one child under 18 living permanently at home.

Each family is provided with an individually tailored support plan, enabling them to regain control of their day-to-day lives. We will work alongside the household to promote their physical, social and emotional well being and address any issues related to anti-social behaviour.

Very occasionally, part of the support plan may also involve moving the family into another home with a family intervention tenancy, although this would be entirely voluntary. See the “new residents” section earlier in this booklet for more information about family intervention tenancies.

Mediation

Many neighbour disputes could be sorted out early on if the complainant were to speak to the person causing the nuisance and raise the issue with them.

Where neighbours are not getting on and cannot sort problems out between themselves, we will often recommend mediation.

The mediators we use are totally independent and can visit residents in their own homes to discuss the mediation process and the problems they have been experiencing. They are not there to judge or to advise, but to help both parties find some middle ground that they can agree on long term. This is important

in neighbour disputes, as those involved will usually need to continue to live in close proximity to each other.

We have found that mediation often resolves problems at a much earlier stage, without the stress of more formal action. It is successful because actions and behaviours are voluntarily agreed by the people involved in, and affected by, the nuisance.

It is not always necessary to meet with your neighbour as part of the mediation process, as the trained mediator can meet each person separately and pass agreed information to and from them to gain agreement. You can be assured that all mediation is confidential and unbiased.

We will talk to you about mediation if you have a problem with your neighbour. If you think you would benefit from a referral, then please let your neighbourhood officer know. You do not necessarily need to make a formal complaint to access this service.

Refusal to consent to a mutual exchange

We can refuse to allow tenants to exchange tenancies if we have or are taking action against them for anti-social behaviour.

Rehousing

We are able to offer advice on re-housing. Please see our separate Moving Home Guide for more information. A copy can be downloaded from our website or posted to you on request.

Written and verbal warnings

We may issue a written or verbal warning, giving the perpetrator an opportunity to correct their behaviour without enforcement action being taken. Any warning will explain exactly what is unacceptable about the person's behaviour, what they need to do to put this right and give a deadline for doing so.

Parenting Contracts

A Parenting Contract is a voluntary arrangement between the parent(s) of a child up to the age of 17 committing anti-social acts and Wherry. Parenting Contracts can be sought or agreed in partnership with other agencies.

Under the Parenting Contract, the parents will take responsibility for the actions of their child and for their supervision and in return the family will receive support and help to reduce the likelihood of further unacceptable behaviour, such as criminal or anti-social behaviour or non attendance at school. The parent(s) may also be required to attend parenting classes.

Anti-Social Behaviour Contracts (ABCs)

An Anti-Social Behaviour Contract, sometimes known as an Acceptable Behaviour Agreement (ABA), is a voluntary agreement between Wherry and an individual who is behaving in an anti-social manner. ABCs are usually associated with young people (between the ages of 10 and 18), but they can also be used successfully with adults in some circumstances.

The terms of the ABC will be developed and agreed in an interview with the person who has committed the anti-social behaviour, normally in the presence of their parent or guardian. Under the terms of the Contract, the young person will agree not to be involved in specific acts of anti-social behaviour and Wherry will put in place the support necessary to enable the young person to moderate their behaviour and comply with the terms of the ABC; for example, utilising diversionary activities or family intervention support. We will always seek to involve all relevant agencies when

Section 3 – Action that can be taken to resolve anti-social behaviour

considering or drafting the terms of an ABC. This will likely include the Police, the local council and the Youth Offending Team (where appropriate).

An ABC normally lasts for 6 months, reviewable on a monthly basis. It is not legally binding, but may be used as evidence if the young person's behaviour does not improve and we decide to take further action, such as applying for an Anti-Social Behaviour Order (ASBO) or serving a Notice of Seeking Possession.

Exclusion from social housing

Where an applicant for social housing has a history of serious anti-social behaviour, they may be excluded from the housing waiting list. In such instances, we work closely with our partner landlords and councils to ensure we only re-house these people once there is evidence that they have improved their behaviour. There are specific types of tenancy that we can offer in these circumstances – for more information, please see the “new residents” section earlier in this Guide.

Legal remedies

Restorative Justice

Restorative Justice provides an opportunity for victims to explain to perpetrators of crime or nuisance the impact that their behaviour has had on them. It is an opportunity for the victim to get answers to their questions and receive an apology for the behaviour. It also provides the offender with a chance to explain why they behaved in the way that they did and to put things right.

Restorative Justice is usually used as part of criminal proceedings and can take place before or after sentencing and in some cases as an alternative to prosecution. However, it can also be used successfully outside of the criminal system.

Restorative justice is popular with victims and has been shown to be successful at preventing re-offending. This is because the victim gets to

see the perpetrator be held accountable for their behaviour and the perpetrator gets to see and acknowledge the impact that their behaviour has had upon the victim.

Injunctions

An injunction is an order made by the court for a person to do or not do something. For example, it may order a person to stay away from a particular area, to remove a car from Wherry's land or not to play music between certain hours. Some injunctions carry the “power of arrest”, which allows the Police to arrest the person and present them in court within 24 hours should they not comply with its terms. Breaching an injunction is contempt of court and can result in an unlimited fine and/or up to two years' imprisonment.

Wherry can ask the County Court to order an injunction against any person whose behaviour is causing a nuisance or annoyance to any Wherry resident, contractor or staff member. Sometimes, where urgent action is necessary to stop actual or threats of violence or serious damage to property, we will apply for an emergency “without notice” or ex-parte injunction. These injunctions are usually heard by the court in a matter of hours or days, without the knowledge of the perpetrator.

Injunctions are often used as a temporary measure whilst we wait or prepare for a case to be heard in court, as they are flexible and can be obtained quickly. They can only be sought against a person aged 18 or over.

Residents are also able to independently seek their own injunctions.

Possession proceedings and eviction

The first step toward Wherry gaining possession of a property is normally the service of a Notice of Seeking Possession (NoSP). The NoSP is a legal document that gives a tenant notice of our intention to apply to the court for possession of their Wherry home. The notice period is usually 4 weeks, but in some circumstances it can be less. The NoSP sets out the reasons why Wherry wants to take possession and clearly explains how the tenancy agreement has been breached. The Notice is usually served personally by the neighbourhood officer, as this gives us the opportunity to talk to the tenant and explain what needs to be done to stop further action being taken.

Wherry can serve a NoSP on a tenant where there is nuisance, even if the person causing the nuisance is not them but a member of their household or visitor, or if they have been involved in illegal activity in the area rather than at their actual home.

A Notice of Seeking Possession is usually served when all other options, such as informal solutions, have been exhausted. However in very serious cases where illegal activities have taken place (such as using a property for dealing drugs, violence or hate crimes) we can work with our partners to take immediate action to repossess the property.

If the anti-social behaviour stops, we will continue to monitor the situation and in most cases will not proceed to court. However, the NoSP is valid for 12 months, so if there is further anti-social behaviour, or if the nuisance was so significant we believe that taking back possession of the property is the only way to deal with the issue, we can proceed to court without further notice. At court we will need to explain to the judge why we are asking for possession – this will probably include asking neighbours or professionals to act as witnesses

or to provide written statements to support our application. Based on the evidence, the judge will then decide whether or not a possession order should be made.

If the tenancy held is not an assured or secure tenancy, then a different notice will be served that may give more or less warning of our intention to regain possession of the property. Normally, though, if you do not hold an assured or secure tenancy, it is much simpler for Wherry to end your tenancy, as often we do not have to prove the anti-social behaviour to the court.

If we evict a person for anti-social behaviour, the local council may find them intentionally homeless and, therefore, not be obliged to rehouse them.

Demotion Order

Residents who have been found guilty of anti-social behaviour can have their tenancy brought to an end by a Demotion Order. When making a Demotion Order, the court will replace the assured or secure tenancy with a demoted tenancy. The demoted tenancy would normally last for 12 months and, if there are no further acts of anti-social behaviour during this time, the tenancy will revert back to an assured or secure tenancy. However, if the anti-social behaviour continues during the 12 month period, the demoted tenancy can be brought to an end without the need for us to prove the anti-social behaviour to the court.

Suspension of the Right to Buy or Right to Acquire

We can deny residents that have been engaged in anti-social behaviour the Right to Buy or Right to Acquire their home by obtaining a Suspension Order from the court.

Parenting Orders

The terms of a Parenting Contract can be made compulsory by a Parenting Order where there has either been a successful prosecution for a criminal or school attendance offence or an Anti-Social Behaviour Order, Sex Offender Order or Child Protection Order has been granted. Orders are obtained through the Magistrates Court and last for up to 12 months. Breaching the terms of a Parenting Order can lead to a fine of up to £1,000.

Anti-Social Behaviour Orders (ASBO)

An Anti-Social Behaviour Order (ASBO) is an order made by the court against an individual who has been found guilty of causing anti-social behaviour. An ASBO can be made against any individual over the age of 10 years and is effective for a minimum of 2 years. The ASBO will set out specific terms and conditions that prohibit an individual from anti-social behaviour or related activities.

ASBOs are often applied for jointly by Wherry, the local council and the Police and can be requested against the will of the individual. An ASBO is a community based order that bans specific behaviour and/or stops an individual from entering a specified area. People living in the locality will be informed if an ASBO is granted against a person living in their neighbourhood.

We can also apply for an ASBO if criminal proceedings are already underway. The ASBO would be considered after the verdict is given on the criminal charge and would be additional to any sentence given for the criminal act.

Breaching the terms of an ASBO is a criminal offence and can result in a prison sentence of up to 5 years or a fine of up to £5,000 for an adult or up to a 2 year Detention and Training Order for a juvenile. Children aged 10 and 11 will be given a Community Order. ASBOs will only be awarded where sufficient evidence is presented to the court, so it is likely that we would require local residents to act as witnesses in ASBO proceedings.

Closure Orders

The Magistrates Court may order that a property be closed for up to three months where the premises are associated with persistent or significant nuisance related to drug use, production or supply. The Closure Order will prohibit any person from entering the property for its duration.

Where premises are being used for significant and persistent anti-social behaviour, a Premises Closure Order may be granted by the Magistrates Court. Premises Closure Orders can last for a maximum of six months and, like a Closure Order, prohibit any person for accessing the property.

We will work in partnership with the Police and other agencies to decide whether it is appropriate to seek a Closure Order or Premises Closure Order.



3.2 Who else can help?

In addition to the remedies available to us, we will work with other agencies that also have powers to deal with anti-social behaviour so that we achieve the best results for our residents and the communities in which they live. This may result in:

- Juvenile reprimands and final warnings
- Cautions and conditional cautions
- Fixed Penalty Notices (some of Wherry's staff also have the power to issue Fixed Penalty Notices for certain offences)
- Penalty Notices for Disorder
- Arrest for disorderly, threatening or insulting behaviour
- Criminal prosecution, which could lead to imprisonment, a fine, a conditional discharge, a suspended prison sentence, a probation order or a community service order.
- A Dispersal Order
- A Noise Abatement Order
- A Dog Control Order
- A Litter Clearing Notice
- Seizure of property

3.3 Can Wherry help me if I am a Wherry resident and the person causing the nuisance is not a Wherry resident?

Yes. We will support our residents if they are being affected by anti-social behaviour, even if this is caused by someone not living in a Wherry home. Because we do not have the same options open to us if the person causing the nuisance doesn't live in one of our properties, resolving the problem will often mean that we have to work in partnership with other agencies. There are, however, some circumstances in which we can take action against a non-Wherry resident. Please contact your neighbourhood officer for further information, as the action we can take is highly dependant upon the exact circumstances of the case.

3.4 Can Wherry help me if I am a not a Wherry resident and the person causing the nuisance is a Wherry resident?

Yes. We will treat complaints of anti-social behaviour the same, regardless of whether or not the complainant is a Wherry resident.

3.5 What if the person causing a nuisance is vulnerable?

In any community there will always be people who are more vulnerable than others and we realise that a person's anti-social behaviour may be caused or exacerbated by a vulnerability or disability.

We expect all of our residents to comply with their conditions of tenancy, but in recognising that we live in diverse communities, we realise that some people will find this harder to do than others. Because of this, we offer a range of support services to safeguard and help our residents maintain their tenancies and to be good neighbours. For more information about the support available, please download a copy of our leaflet "*SAIL along with Wherry – Support services to help you in your tenancy*" from our website or ask us for a printed copy.

Where the perpetrator of the anti-social behaviour is a young person or child, we will work with the parent or guardian to resolve the problem. We will also involve schools, social services, youth offending teams and any other relevant agency if we consider this to be appropriate.

3.6 How can Wherry support me if I am a witness in an anti-social behaviour case?

Dealing with a serious anti-social behaviour case often takes time and we rely heavily upon our residents to help us collect enough evidence to take

enforcement action where this is the only way we can resolve the problem. If we are to stand the best chance of being successful, this will often mean that neighbours and witnesses will need to give evidence at court.

We do understand that being a witness in an anti-social behaviour case can be a worrying experience for many people, so we ensure that witnesses and victims are encouraged, supported and protected throughout the process, including after the court case if appropriate, and that our processes are as straightforward as possible.

We will discuss each stage of the legal process with witnesses, maintain contact with them and provide an emergency out of hours contact. Working with the Police, Victim Support, mentors and other agencies, we tailor support to the individual needs of the witness or victim and, where necessary, can arrange for additional security and surveillance equipment and supply phones and emergency alarms. Should the need arise, we will ensure witnesses are fully supported in preparing for court and given advice about what will happen when they are there. We can also arrange a visit to a court room prior to the case if desired. In cases of serious risk to the victim, we can assist with temporary and sometimes permanent re-housing.

If a witness needs to attend court, we will reimburse any out of pocket expenses and arrange transport to and from the court. We will also ensure they are accompanied by an appropriate person.

3.7 How long will Wherry give someone to stop causing a nuisance?

Once anti-social behaviour has been confirmed, we will set timescales for the perpetrator to sort out the problem. The

time allowed will depend upon the effect the nuisance is having on others and how quickly the perpetrator can reasonably be expected to put things right. Generally, this will be:

Stop immediately

Harassment, hate crime, domestic abuse or threatening behaviour

Criminal damage or activity

Noise nuisance

Remove obstructions or illegally parked cars from communal areas

Preventing access to authorised people

Up to 28 days to rectify

Remove garden rubbish or clear untidy gardens

Re-home troublesome pets

Improve the condition of the property

Remove unauthorised vehicles that are not parked illegally or causing a major nuisance

Running an unauthorised business from your home

3.8 What can I do if I am unhappy with the way Wherry is dealing with my case?

We strive to get things right first time, but we realise that occasionally we don't always achieve this. If you are unhappy with the way we are handling your case, please speak to us so we can put things right. If you do not wish to talk this through with the person dealing with your case, you can speak to another member of our team or use our Complaints Procedure. You can report a complaint by telephone, in writing, in person or via our website. A copy of our complaints leaflet "*Putting things right*" can be downloaded from our website or sent to you upon request.

Useful contacts

Wherry Housing Association
6 Central Avenue
St Andrew's Business Park
Norwich NR7 0HR

Tel: 0800 694 0165 or 01603 703500
24 Hour ASB and Domestic Violence Hotline:
0800 013 2328 or 0845 0451 280

Report ASB online at:
www.wherryhousing.org/ASB
Email: wherry.info@circleanglia.org
Fax: 01603 700404
Minicom: 01603 703599
Digitv: lookinglocal.gov.uk/wherry

Neighbourhood and Community Warden
Team – Norfolk and Suffolk

Tel: 01603 703581
E-mail: wnt@circleanglia.org
Text: 07624804178

Neighbourhood and Community Warden
Team – Cambridgeshire

Tel: 0845 766 0344 or 01223 202700
E-mail: teamforeastanglia@circleanglia.org
Text: 07624804178

Sheltered and Supported Housing Team –
all areas

Tel: 01603 703539 or 01603 703555
Email:
specialisthousingnorwich@circleanglia.org

Resident Involvement Team – all areas

Tel: 01603 595140
E-mail: wherryinvolvement@circleanglia.org

Home Office – Crime detection and
prevention:

Website:
[www.direct.gov.uk/en/
CrimeJusticeAndTheLaw](http://www.direct.gov.uk/en/CrimeJusticeAndTheLaw)

Emergency Services

If a serious crime is happening now or if
someone is in immediate danger, call **999!**

Norfolk Police

Tel: 0845 4564567

Suffolk Police

Tel: 0345 4564564

Cambridgeshire Police

Tel: 01223 358966

Crimestoppers

Tel: 0800 555 111
Website: www.crimestoppers-uk.org/

RSPCA

Cruelty line: 0300 1234 999

Local councils

Breckland District Council

Elizabeth House
Walpole Loke
Dereham
Norfolk, NR19 1EE

Tel: 01362 656 870
www.breckland.gov.uk

Broadland District Council

Thorpe Lodge
1 Yarmouth Road
Thorpe St Andrew
Norwich, NR7 0DU

Tel: 01603 431133
www.broadland.gov.uk

Useful contacts

Cambridge City Council

Guildhall
Market Square
Cambridge, CB2 3QJ

Tel: 01223 457000
www.cambridge.gov.uk

East Cambridgeshire District Council

The Grange
Nutholt Lane
Ely, Cambridgeshire, CB7 4EE

Tel: 01353 665555
www.eastcamb.gov.uk

Fenland District Council

Fenland Hall, County Road
March, Cambridgeshire PE15 8NQ

Tel: 01354 654321
www.fenland.gov.uk

Forest Heath District Council

District Offices
College Heath Road
Mildenhall, Bury St Edmunds
Suffolk, IP28 7EY

Tel: 01638 719000
www.forest-heath.gov.uk

Great Yarmouth Borough Council

Town Hall
Hall Plain
Great Yarmouth
Norfolk, NR30 2QF

Tel: 01493 856100
www.great-yarmouth.gov.uk

Huntingdonshire District Council

Pathfinder House
St Mary's Street
Huntingdon
Cambridgeshire, PE29 3TN

Tel: 01480 388388
www.huntingdonshire.gov.uk

Ipswich Borough Council

Grafton House,
15-17 Russell Road
Ipswich, IP1 2DE

Tel: 01473 432000
www.ipswich.gov.uk

Kings Lynn & West Norfolk Borough Council

King's Court
Chapel Street
King's Lynn
Norfolk, PE30 1EX

Tel: 01553 616200
www.west-norfolk.gov.uk

Mid Suffolk District Council

131 High Street
Needham Market
Ipswich, Suffolk, IP6 8DL

Tel: 01449 724500
www.midsuffolk.gov.uk

North Norfolk District Council

Council Offices
Holt Road
Cromer
Norfolk, NR27 9EN

Tel: 01263 513811
www.north-norfolk.gov.uk

Norwich City Council

Norwich City Council
City Hall
Norwich, NR2 1NH

Tel: 0344 980 3333
www.norwich.gov.uk

Peterborough City Council

Bayard Place
Broadway
Peterborough, PE1 1FZ

Tel: 01733 747474
www.peterborough.gov.uk

Useful contacts

South Cambridgeshire District Council

South Cambridgeshire Hall
Cambourne Business Park
Cambourne
Cambridge, CB23 6EA

Tel: 03450 450 500
www.scambs.gov.uk

South Kesteven District Council

Town Hall
North Street
Bourne
Lincolnshire, PE10 9EA

Tel: 01476 406080
www.southkesteven.gov.uk

South Norfolk District Council

South Norfolk House
Swan Lane
Long Stratton
Norfolk, NR15 2XE

Tel: 01508 533633
www.south-norfolk.gov.uk

St Edmundsbury District Council

West Suffolk House
Western Way
Bury St Edmunds
Suffolk, IP33 3YU

Tel: 01284 763233
www.stedmundsbury.gov.uk

Suffolk Coastal District Council

Melton Hill
Woodbridge
Suffolk, IP12 1AU

Tel: 01394 383789
www.suffolkcoastal.gov.uk

Support Agencies

Please speak to your neighbourhood officer if you would like to receive free support or advice.

Citizens Advice

To find your local CAB, speak to your neighbourhood officer or go online to www.citizensadvice.org.uk

National Domestic Violence Helpline

Tel: 0808 2000 247
www.nationaldomesticviolencehelpline.org.uk

Parentline Plus

Tel: 0808 800 2222
www.parentlineplus.org.uk

Victim Support

Tel: 0845 30 30 900
www.victimsupport.org.uk

ANTI-SOCIAL BEHAVIOUR
ANTI-SOCIAL BEHAVIOUR
ANTI-SOCIAL BEHAVIOUR



ASB Incident Diary



Please fill in an incident diary for any incidents you witness; you **MUST** sign and date **EACH** page. Please use one sheet per incident (for any new incidents use a new diary sheet). If the incident involved actual or threats of violence or harassment, please also call the Police straight away.

Your Name:		Your address:	
Your Phone Number:			
Date of Incident:		Time it Started	
		Time it Finished	
Where did the incident happen?			
Who was involved/Who did it?			
Were there any witnesses? (please give names, addresses and contact details, we may need to contact them to discuss this further)			
Describe what happened			
How did it make you feel? How did it affect you?			
Signature:		Date:	