

**Statement of policy and
procedures for dealing with
anti-social behaviour**



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1. **Definition of anti-social behaviour**

Anti-social behaviour is defined in the Anti-social Behaviour, Crime and Policing Act 2014 as 'conduct that has caused, or is likely to cause, harassment, alarm or distress to any person, conduct capable of causing nuisance or annoyance to a person in relation to that person's occupation of residential premises, or conduct capable of causing housing related nuisance or annoyance to any person'.

Such behaviour includes racial harassment, dealing in illegal substances, harassment of vulnerable persons, noise nuisance, the deliberate dumping of rubbish and acts of personal harassment.

A list of some of the examples of anti-social behaviour include –

- noise nuisance
- intimidation and harassment
- aggressive or threatening language and behaviour
- actual violence
- hate behaviour that targets members of identified groups because of their Perceived differences
- using housing accommodation to sell drugs, or for other unlawful purposes

2. **Our approach to anti-social behaviour**

Our approach is to make sure that troublesome families or individuals are encouraged to access support to help them modify their behaviour and to take appropriate action against those who continue to cause a nuisance. We are committed to making sure our neighbourhoods are peaceful, safe and secure places to live and work in partnership with relevant agencies to support this.

We believe that people have the right to live the way they want to as long as it doesn't affect the quality of life of other people around them. Therefore you must -

- be tolerant, accept and respect the needs and choices of other people
- encourage and help individuals to solve their differences wherever possible
- work with people and other agencies to tackle anti-social behaviour

We recognise that anti-social behaviour can have a severe effect on people's lives and that we have a responsibility to help tackle problems. We take appropriate and timely actions when dealing with disruptive tenants, residents and other people causing a nuisance or harassment in our neighbourhoods and homes.

Where appropriate, the action we take could result in tenants losing their security of tenure, their home, or being subject to an injunction which might lead to their arrest, fines or even imprisonment. However, in many cases such action is not appropriate and all other measures are considered.

3. **Our service standards**

As a landlord we aim to allow residents to have quiet enjoyment of their home and take all reasonable steps to make sure that our tenants fully comply with their obligations under the terms and conditions of their tenancy.

In addition we -

- respond within two working days of receiving complaint of nuisance, harassment or anti-social behaviour
- respond within one working day of receiving complaints of hate incidents
- discuss your options regarding the nuisance and agree a course of action with you
- ask you to keep a detailed diary of events in a format that is suitable for you for example written or recorded
- provide you with regular updates at intervals agreed with you.
- provide you with a named officer and contact number throughout the investigation
- offer you a 'support package' (including signposting or referral to appropriate support agencies or groups)
- take appropriate actions, as agreed with you, against offenders – this could include warning letters, interviews, court injunction and possession proceedings or criminal action in partnership with the police. Upon receipt of suitable evidence action is normally taken within one month of the enforcement officer dealing with the case
- inform you when cases are closed providing the reasons for closure and explain what you should do if you experience further problems

4. Obligations of tenants

When you sign a tenancy agreement, you agree to the conditions contained within the agreement and the standards of behaviour which are expected of tenants and of other occupants and visitors.

We expect you to adhere to the conditions which are set down in your tenancy agreement. The main types of anti- social behaviour covered in a tenancy agreement are -

- nuisance caused by the tenant
- nuisance by family and visitors
- harassment
- damage to property
- being responsible for children and others
- theft or illegal use of premises

5. Support of complainants and witnesses

Through partnership with other agencies we have been able to develop a witness support package which is offered to victims and witnesses as appropriate.

Effective witness support is about setting up systems and putting into practice an approach to deal effectively with anti-social behaviour, whilst boosting the morale and confidence of the witness. We do not underestimate the level of fear and intimidation that victims and witnesses experience or the importance of working with witnesses to establish trust and confidence.

6. Racial harassment, hate crime and hate incidents

We recognise the Stephen Lawrence inquiry definition of a racist incident. This defined a racist incident as 'any incident which is perceived to be racist by the victim or any other person'.

A hate crime is any criminal act committed against a person or property that is motivated by the offender's hatred or dislike of people because of their gender status, race, religion, disability or sexual orientation.

A hate incident is an incident where someone does a bad thing to another person because of hate or a dislike of people because of their gender status, race, religion, disability or sexual orientation, but what they do is not a crime.

If you are a victim or have seen an incident happen to someone, you can share this information in confidence and anonymously (if you wish to) with us and the police.

For racial harassment, hate incidents and hate crime we aim to -

- recognise and prevent them
- respond quickly and effectively
- act appropriately to support victims and witnesses
- make sure that a clear message is sent to offenders to warn them that this is not tolerated
- make sure they can be easily reported

7. Domestic violence

We do not tolerate domestic violence by or against our tenants, and recognise that it is not just restricted to partner or former partner abuse, but also occurs in other relationships.

We work with the police and other agencies to use existing legal methods, including the housing act provisions to take appropriate action against offenders of domestic violence.

We aim to

- make sure the victim is supported
- provide alternative accommodation if necessary
- make sure staff are trained on issues of domestic violence and abuse
- work together with other specialist agencies and victims
- work with the police domestic violence unit if specific enforcement action is required

8. Noise

Depending on the information provided, complaints about noise can be investigated by us or the Environmental Regulation Team. Your complaint will be investigated as follows:

We will carry out all initial investigations regarding complaints about noise coming from council owned properties. We will consider whether or not there are any breaches of the tenancy agreement and may take action using tenancy powers. Where the use of tenancy powers has been deemed not to be appropriate and informal approaches have failed to resolve the problem, the case will be referred to the Environmental Regulation Section for further investigation.

The Environmental Regulation Team will investigate noise complaints from all other types of property including commercial premises. They will need to determine

whether there is a so called statutory nuisance and if so they may use their powers to have the noise abated.

For all types of property where noise is a symptom of anti-social behaviour, but is not the main cause for complaint (for example your next door neighbours regularly having domestic arguments which result in raised voices) we will investigate. However, where noise and antisocial behaviour are both present but noise does not form part of the antisocial behaviour (for example drug dealing and loud music from the same premises but not at the same time) the Environmental Regulation team will investigate the noise element, unless the noise is coming from a Council owned property in which case we will carry out initial investigations, and we will investigate the antisocial behaviour element.

9. Prevention of anti-social behaviour

Prevention is an essential part of our approach to anti-social behaviour. We are involved with a number of initiatives that focus on prevention, such as -

- structured interviewing of offenders with appropriate services
- presentations to local schools on the effects of anti-social behaviour
- working with sports development, youth services and other agencies to develop and support different activities for young people
- work with residents and consult when developing schemes in the community
- work with early help practitioners to make sure families have the appropriate support in place
- research best practice and put in place new approaches where appropriate

10. Rehabilitation of offenders and support for vulnerable groups

We recognise that in many cases there may be underlying issues, for example -

- family or relationship breakdown
- mental illness
- learning difficulty
- drug or alcohol dependency
- exclusion from school
- long standing or recent dispute between families
- clash of lifestyles

By identifying underlying issues that cause anti-social behaviour we can work with other agencies to deliver appropriate responses. These can prevent anti-social behaviour from re occurring to benefit the individuals concerned and the wider community.

Young offenders may also experience problems with their family and at school. We try to find out the cause of the behaviour and involve parents and guardians if appropriate and work in partnership with other agencies to support individuals and families.

11. Multi-agency partnerships

We work with other partners as anti-social behaviour is a complex issue and it is unlikely that the causes or solutions to it are solely within one organisation.

We work together with residents and local agencies including -

- the police
- social services
- youth offending teams
- schools
- health services
- drug action teams
- registered social landlords
- probation services

12. Confidentiality

Any information given to us is treated in confidence and is not forwarded to the alleged offender without the permission of the person who gave the information.

13. Publicity

Sharing information about what has been done to tackle anti-social behaviour with the wider community can help to –

- reassure residents
- act as a deterrent
- encourage others to report problems in the future

We use local media coverage, targeted leafleting and other publicity as appropriate.

14. Complaints

All anti-social behaviour is dealt with by the Neighbourhood Nuisance Team within Hull Citysafe. Therefore whether you are a council tenant, a private tenant or you own your own home, if you have a problem with anti-social behaviour your complaint will be dealt with by us.

Where a complaint involves a council tenant, either as a complainant or as an offender, our officers work closely with housing services to deal with the complaint.

15. How to report anti-social behaviour

If your complaint is an emergency contact Humberside Police on 999

Alternatively you can report anti-social behaviour by –

- reporting online at www.hull.gov.uk
- emailing hull.citysafe@hullcc.gov.uk
- telephoning your local neighbourhood policing team on 101
- telephoning 01482 300 300
- visiting a customer service centre
- writing to the Neighbourhood Nuisance Team, 33 Witham, Hull, HU9 1DB

16. Processing a complaint

The following is for guidance purposes only and is not intended to be a full procedure to be followed in every case. When we receive a report of anti-social behaviour we -

- log the complaint
- contact you within two working days to explain what happens next and what the customer can expect. If the complaint involves certain types of behaviour contact is made within one working day
- if the complaint involves violence/ criminality we suggest that you also report it to the police, or we may report it on your behalf
- we may suggest that you talk to the person causing the problem if this is appropriate and you are comfortable with this
- once we have sufficient information and evidence the case is passed on to an investigating officer who arranges to meet with you and discuss your options and to agree a course of action
- ask you to keep a detailed diary of events in an appropriate format for example written or recorded
- agree with you how often we contact you to discuss how the case is progressing
- offer an appropriate 'support package' (including signposting, liaison with and referral to appropriate agencies or groups as appropriate)
- we inform you when the case is closed, giving the reasons for closure and explaining what you should do if you experience further problems. We direct you to a customer satisfaction questionnaire to measure how satisfied you are with the service we provide.

17. Contacting the alleged offender

The investigating officer will normally write to, or visit the alleged offender to inform them of the nuisance they are causing and to ask them to stop.

We do not write or visit the alleged offender without the complainant's or witnesses' permission although without permission we may find it difficult at a later stage to take legal action against the offender.

We do not let the offender know who has complained, although in some cases the alleged offender may realise who has made the complaint.

The offender may make counter allegations and, if so, we consider their allegations and the most appropriate way forward

18. Tools and powers to tackle anti-social behaviour

We use a range of informal and formal ways to tackle anti-social behaviour which include -

- mediation
- restorative practice
- informal warnings
- referrals to partner agencies
- identifying appropriate support for the victim and or offender
- acceptable behaviour contracts
- civil anti-social behaviour injunctions
- community protection notices

- public space protection orders
- closure powers
- tenancy enforcement (council tenants only)

19. Community trigger

The community trigger was introduced as a result of the Anti-social Behaviour, Crime and Policing Act 2014 and is a way that you can ask the community safety partnership to review their responses to complaints of anti-social behaviour.

You can request the trigger if -

- you (as an individual) have complained to us, Humberside Police or a registered social landlord three times about separate anti-social-behaviour incidents in the last six months and you feel you have not had an adequate response
- if five individuals in the local community have complained separately to us, Humberside Police or a registered social landlord in the last six months about similar incidents of anti-social behaviour and feel they have not had an adequate response.

Anyone can activate the trigger, not just the victim. This may be a –

- family member
- carer
- MP
- councillor
- friend

The victim can be an individual, business or community group.

20. Support Services

Let's Talk - Mental health problems are common, and anyone can be affected. If you feel that you need support with your mental health, we are here to help.

<https://www.letstalkhull.co.uk/pages/self-referral>
01482 247111

ReNew – Drug/alcohol support for adults. The way you get support might be different for a while, but we are still here. We'll do everything we can to help you stay safe. If you're worried about something, please get in touch.

You can contact us for support during normal hours on [01482 620013](tel:01482620013) or email us on earlyhelp.hull@cgl.org.uk.

<https://www.changegrowlive.org/hull-renew/recovery-hub>

Connect well - Want to try something new, get active, or speak to someone about benefits, housing or money worries? Connect Well Hull offers advice and will help you to access support and guidance on a range of issues.

01482 217 670

enquiries@connectwellhull.org.uk

<https://connectwellhull.connecttosupport.org/s4s/WhereILive/Council?pagelid=3611&lockLA=True>

ReFresh - We are a confidential support service for under 19's in Hull who work with young people and/or families around drugs and alcohol. We also provide stop smoking support for under 16's. Staff at ReFresh will do their best to work with you

in a place where you feel comfortable whether that's online, over the phone or face to face. We are friendly and non-judgemental and there is no such thing as a stupid question, use the advice and questionnaires to find out how best we can help.

01482 331059

<https://www.refreshhull.org.uk/>

Requests for support and concerns about a child or young person

If you are worried that a child or young person under the age of 18 is at risk of harm or needs help and support, it is important that you share this with us.

If you believe a child or young person is at immediate risk you should contact the police on 999.

In an emergency or for urgent advice, please contact the Early Help and Safeguarding Hub (EHASH) or the Emergency Duty Team by telephone -

- EHASH - 01482 448 879 option four
- Emergency Duty Team - 01482 300 304 (Out of hours)

Early Help - There will be times when you and your family need support or when you are not sure how to make things better. A group of services known as Early Help can support you. More information on these services or to access them please visit.

<https://www.hull.gov.uk/children-and-families/safeguarding-and-welfare/worried-about-child>