



## PLYMOUTH COMMUNITY HOMES ANTI-SOCIAL BEHAVIOUR POLICY

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| <b>Version:</b>          | Final                    |
| <b>Lead Directorate:</b> | Homes and Neighbourhoods |
| <b>EIA Completed:</b>    | July 2014                |
| <b>Approved by:</b>      | CFC – September 2014     |

### 1. Introduction

Plymouth Community Homes (PCH) recognises that anti-social behaviour (ASB) can be targeted against individuals, communities or the environment. This policy is intended to ensure that Plymouth Community Homes is equipped to deal with occurrences of ASB when they are reported and is compliant with the requirements of the Anti-Social Behaviour Crime and Policing Act 2014 and the Housing Act 1988.

This policy applies to anyone living in or visiting a property owned by Plymouth Community Homes. It also applies to residents living in neighbouring properties of different tenure and visitors to their properties.

Plymouth Community Homes considers abusive or threatening behaviour towards its staff, contractors or agents to be a serious issue, which will be dealt with in accordance with this policy.

### 2. Policy Objectives

We are committed to:

- Creating communities where people want to live and can do so peacefully, enjoying their homes without the fear of crime or ASB.
- Supporting residents to resolve issues of ASB within their communities.
- Investigating all complaints of ASB and taking prompt and appropriate action to tackle these problems effectively, in accordance with our published code of practice.
- Meeting our legal obligations.
- Promoting good neighbour relations and tolerance of lifestyle differences.
- Remaining impartial.
- Being open about how we are managing ASB so that we can manage individuals' expectations about the outcome.
- Working with partners in relevant organisations to develop consistent and effective measures to tackle ASB.
- Treating hate crime and domestic abuse as unacceptable behaviour. We will follow our separate policy and procedure to deal with incidents of hate crime and domestic abuse.

### 3. Definitions

PCH defines ASB as conduct:

- a) that has caused, or is likely to cause, harassment, alarm or distress to any person,
- b) that is capable of causing nuisance or annoyance to a person in relation to that person's occupation of residential premises,
- c) capable of causing housing-related nuisance or annoyance to any person.

In this policy:

- A 'tenant' refers to an individual/s who have a tenancy with Plymouth Community Homes.
- A 'leaseholder' refers to a leaseholder or shared owner.
- 'Resident' includes a tenant, their family or household and neighbours within the locality.

### 4. Tenant and Leaseholder Obligations

All tenants are bound by the terms of their tenancy agreements not to cause nuisance and annoyance to neighbours.

All leaseholders will be expected to abide by the terms and conditions of their lease agreement and any subsequent terms of variation to that lease.

### 5. What can be expected from PCH

#### 5.1 Reporting ASB

When a resident reports an incident of ASB, we will listen and take the report seriously and sensitively. Residents will be able to report an instance of ASB at any time by using the out of hours service which is available.

Our staff will give clear advice and appropriate support to all residents to help deal with ASB. We will investigate and evaluate what we can do or what the individual can do. Our initial response will be based on our objective to '*promote good neighbour relations and tolerance of lifestyle differences*'. This may include the resident speaking to the alleged perpetrator and resolving the issue between them, seeking independent mediation or ensuring more serious incidents are reported to the Police.

We are committed to offering clear advice on realistic outcomes and what can be expected. We are committed to agreeing with the complainant the method and frequency of communication.

## 5.2 Managing ASB

PCH will manage all complaints of ASB in accordance with our published code of practice. This will include thoroughly investigating all complaints of ASB. We will take prompt and appropriate action to tackle these problems effectively.

We will ensure our staff have the right tools to deal with cases of ASB. We will provide ongoing training for staff to manage ASB effectively according to best practice and current legislation.

We will use an integrated electronic ASB case management system so that all ASB cases can be effectively managed.

We will where appropriate carry out risk assessments in order to give an initial assessment of the risk posed by the alleged perpetrator/s of the ASB to the complainant/s, witnesses, the wider neighbourhood, the officers investigating and other officers who may visit the address. We may not carry out a risk assessment where we decide that it is not necessary, for example, a low risk case involving an untidy garden identified by the Housing Officer.

PCH is committed to remaining impartial in managing ASB cases, and will work with both complainants and alleged perpetrators to identify potential support needs and encourage residents to seek the identified support to assist with resolving the ASB and sustain their tenancy.

## 5.3 Resolution

PCH is committed to using the full range of different tools and remedies available to manage ASB. These may include:

- providing support for the complainants and alleged perpetrators,
- offering independent mediation to complainants and alleged perpetrators,
- use of different types of tenancy such as a Family Intervention Tenancy,
- use of available legal remedies. Generally PCH will use legal sanctions only once other measures have been considered and applied as appropriate,
- carrying out security improvements where the environment contributes to the causes of ASB as part of a general crime prevention approach.

PCH may close ASB cases where we believe this is the most appropriate course of action. In this event, all parties will be notified of the decision, and reasons will be given in writing. Details will be given of how the decision may be challenged via the PCH complaints procedure.

## 5.4 Working with other organisations

PCH will work with partners in relevant organisations to develop consistent and effective measures to tackle ASB. This will include both joint working and multi-agency working.

PCH will treat hate crime and domestic abuse as unacceptable behaviour and will follow our separate policy and procedure to deal with incidents. We will work with Devon and Cornwall Police, Plymouth City Council and other partners as appropriate.

### **5.5 Information sharing and Data Protection**

PCH is committed to being open about how we are managing ASB so that we can manage individuals' expectations about the outcome. This will include keeping complainants informed about what measures we are taking.

In applying this policy, we will comply with PCH's Data Protection Policy and ensure that the personal information supplied by customers is protected at all times. Any staff found abusing the ASB case management system will be subject to the PCH Disciplinary Policy.

Within the provisions of our Data Protection Policy, we will share information with other agencies including Devon and Cornwall Police and Plymouth City Council where this is appropriate.

### **5.6 Monitoring performance**

PCH is committed to monitoring and improving its performance in managing and resolving ASB. Monitoring will include:

- Regular performance reporting.
- Benchmarking our service against other Registered Providers.
- Reviewing customer experience using satisfaction surveys.

## **6. Equality & Diversity**

PCH will apply this policy consistently and fairly, and will not discriminate against anyone based on any relevant characteristics, including those set out in the Equalities Act 2010.

PCH will make this policy available in other languages and formats on request. PCH will carry out an equality impact assessment on this policy, in line with our corporate procedure.

## **7. Review**

PCH will monitor this policy to ensure it meets good practice and current legislation and will review it in accordance with our review timetable for all policies.