



LINK GROUP

ANTISOCIAL BEHAVIOUR POLICY

APPROVED: 8TH JULY 2008

EFFECTIVE DATE: 8TH JULY 2008

REVIEW DATE: JULY 2011

POLICY: ANTISOCIAL BEHAVIOUR

1. INTRODUCTION

This policy has been devised to show how Link Group (“Link”) will manage tenancies to minimise the impact and incidence of antisocial behaviour. Link, through its housing management subsidiary, Link Housing Association, offers tenancies to people with many different housing and social needs. We ask our tenants to show consideration and tolerance of their neighbours. Our Antisocial Behaviour Policy was formulated after consultation with tenants, staff and Board members. It forms a key part of Link’s housing management strategy.

This policy applies where the people behaving antisocially are tenants of Link, Sharing Owners with Link or members of or visitors to those households. The terms “tenant” and “tenancy” should be taken to include Sharing Owners and their occupancy agreements.

We shall respond promptly and appropriately to neighbour complaints and incidents of antisocial behaviour. We shall take a preventative approach, with legal action as a last resort. We recognise that antisocial behaviour is not just a housing management issue and will work with external agencies where this helps to resolve problems. We shall, however, take firm action against the tenancy or tenant who persistently commits a serious breach of tenancy conditions.

The Antisocial Behaviour etc. (Scotland) Act 2004 defines antisocial behaviour in the following terms:

- (a) acts in a manner that causes or is likely to cause alarm or distress; or
- (b) pursues a course of conduct that causes or is likely to cause alarm or distress,

to at least one person who is not of the same household; and “antisocial behaviour” shall be construed accordingly.

“Conduct” includes speech; and a course of conduct must involve conduct on at least two occasions

Part 3 of Link’s Scottish Secure Tenancy Agreement refers to nuisance and anti-social behaviour, and is reproduced in Appendix A.

There are different types of neighbour nuisance and antisocial behaviour. We distinguish between the severity and impact of different kinds of behaviour. They have been classified into five categories, and for each category we define the timescale in which we aim to respond to the complaints (Appendix B). We will respond sensitively and objectively and the response may be in the form of a telephone call, a letter, a home visit or interview within the office.

We recognise that racial harassment is a particular form of unacceptable behaviour and we have a separate policy for responding to racial harassment.

2. OBJECTIVES

The objectives of the policy are to ensure that:

- all tenants and their neighbours may enjoy their tenancies while causing the minimum of disturbance to others and being undisturbed by the activities of other neighbouring residents.
- we establish the methods and preventative measures which will be used by Link to prevent and respond quickly to antisocial behaviour complaints.
- we help tenants and communities find their own solutions to problems of nuisance neighbours and provide advice and details on ways to address neighbour problems.
- we give clear guidelines to staff, supported by written procedures, on how to deal effectively with reports or incidents of antisocial behaviour.

3. APPROACH AND METHOD

The Group Board, in its formal approval of the policy, acknowledges that it accepts full responsibility for its implementation. Day to day responsibility for the operation and monitoring of this policy lies with the Directors and Managers of both the Group and its subsidiaries. All staff have a responsibility to ensure that the policy is applied as instructed.

The policy will be implemented through:

- Devising procedures for compliance with the policy
- Initiating staff training sessions to ensure all staff are aware of their responsibilities and obligations
- Monitoring adherence to policy requirements
- Explaining at tenancy sign up Link's policy on antisocial behaviour and encourage tenants to work with us and their neighbours towards a solution
- Providing tenants with a Handbook, which will give a summary of the policy and the standards that tenants can expect from Link when reporting an incident of antisocial behaviour
- Using different ways to resolve neighbour disputes, including multi-agency working with one or more of the following: mediation services, advice/support agencies, social work departments, police, local authorities' antisocial task forces or equivalent, local schools and local community groups.
- Designing new developments to "secure by design" guidelines and working with local police and environmental health departments

- Training our staff to a high standard in dealing with neighbour disputes and antisocial behaviour. At all Link area offices the approach will be a consistent operation of this policy and Link's procedures.
- Keeping complainants informed as clearly as possible of the outcome of any investigation undertaken by staff, while respecting the confidentiality of information made available to us.
- Advising complainants about support agencies and making referrals where appropriate
- Taking legal action normally as a last resort when all other avenues have been exhausted. Exceptions to this would be where there was a probability of serious harm or injury, or threatened or actual harm. We will ensure that the perpetrator is made aware of the implications of this action.

4. MONITORING, PERFORMANCE MEASUREMENT AND REPORTING

The following areas will be subject to monitoring on a continuing basis:

- Risk management
- Provision of training to staff
- The need for review of procedures

Performance under this policy will be monitored by reports including:

- Number of complaints of antisocial behaviour, category 2 or above, and an indication of location
- Involvement of other agencies
- Legal Action taken
- Number of ASBOs requested (Antisocial Behaviour Orders)
- Number of Evictions
- Reporting will be based on incidents requiring action or response by Link or by partner agencies. Previously reported cases where no incidents have arisen during the current reporting period will not be included.
- Results of surveys of customer satisfaction relating to our implementation of this policy
- Number of days to address complaints

These areas will be monitored by individual Managers for each company, and reported on regularly to their Board. Each Board will in turn report to the Link Group Board as required.

Periodic audits of policy compliance may be conducted by the Internal Auditor and/or the Strategy & Business Support Team. Audit results will be reported to the Audit Committee.

5. POLICY AVAILABILITY

This policy is available [on the Link Group website,] to the Board on the Link Group extranet and to staff on the Link Group intranet.

Copies are also available on request and free of charge from Link. A summary of this policy can be made available in a number of other languages and other forms if required.

6. POLICY REVIEW

Link undertakes to review this policy regularly with regard to:

- applicable legislation, rules, regulations and guidance
- changes in the organisation
- continued best practice.

7. EQUALITY & DIVERSITY

The operation of this policy will always be in accordance with Link Group's Policy on Equality & Diversity.

Effective Date	Review Due	Approved by
8 th July 2008	July 2011	The Board

APPENDIX A

LINK HOUSING ASSOCIATION SCOTTISH SECURE TENANCY AGREEMENT CLAUSES RELATING TO NUISANCE AND ANTI-SOCIAL BEHAVIOUR

3 RESPECT FOR OTHERS

- 3.1 You, those living with you, and your visitors, must not harass or act in an anti-social manner to, or pursue a course of anti-social conduct against, any person in the neighbourhood. Such people include residents, visitors, our employees, agents and contractors and those in your house.
- 3.2 'Anti-social' means causing or likely to cause alarm, distress, nuisance or annoyance to any person or causing damage to anyone's property. Harassment of a person includes causing the person alarm or distress. Conduct includes speech. A course of conduct must involve conduct on at least two occasions.
- 3.3 In particular, you, those living with you, and your visitors must not:
- make excessive noise. This includes, but is not limited to, the use of televisions, hi-fi's, radios, musical instruments and DIY tools;
 - fail to control your pets properly or allow them to foul or cause damage to other people's property;
 - allow visitors to your house to be noisy or disruptive;
 - use your house, or allow it to be used, for illegal or immoral purposes;
 - vandalise or damage our property or any part of the common parts or neighbourhood;
 - leave rubbish in unauthorised places;
 - allow your children to cause nuisance or annoyance to other people by failing to exercise reasonable control over them;
 - harass or assault any person in the house, or neighbourhood, for whatever reason. This includes that person's race, colour or ethnic origin, nationality, gender, sexuality, disability, age, religion or other belief, or other status;
 - use or carry offensive weapons.
- 3.4 In addition, you, those living with you, and your visitors must not do the following in an anti-social way:
- run a business from your house;
 - park any vehicle, caravan or trailer;
 - carry out work to any type of vehicle, caravan or trailer;
 - use or sell alcohol or drugs.
- The particular prohibitions on behaviour listed in paragraphs 3.3 and 3.4 do not in any way restrict the general responsibilities contained in paragraph 3.1 above.
- 3.5 You, those living with you, and your visitors, must not bring into the house or store in the house any type of firearm or firearm ammunition unless you have a permit.
- 3.6 You will be in breach of this Agreement if you, those living with you, or your visitors do anything, which is prohibited in this part of the Agreement.

- 3.7 If you have a complaint about nuisance, annoyance or harassment being caused by a neighbour (or anyone living with him/her or his/her visitors), you may report it to us. We will investigate your complaint within fourteen days. If, after investigation, there are good grounds in our opinion for your complaint, we will take reasonable steps to try to prevent the behaviour happening again. These steps may include mediation or legal action. A copy of our written policy about dealing with these kinds of complaints is available from us.
- 3.8 We will act fairly to you in all matters connected with your tenancy. We will not unfairly or unlawfully discriminate against you in any way on the grounds of your race, colour, ethnic origin, nationality, gender, sexuality, disability, age, religion or other belief or other status. If you believe we have acted unfairly to you in any way, you may wish to use our complaints procedure. You may also wish to take independent advice.

APPENDIX B**LINK GROUP
ANTISOCIAL BEHAVIOUR POLICY****CATEGORIES OF BEHAVIOUR AND RESPONSE TIMES**

Category	Characteristics	Response time (working days)
1: Neighbour Nuisance	Complaints of a minor nature but are a breach of tenancy, such as occasional loud music, door banging, arguing, clash of lifestyles, dog-barking etc.	5
2: Antisocial Behaviour	Complaints of a more serious nature such as excessive noise or disturbance, vandalism, rubbish dumping and where there is police involvement.	3
3: Serious Antisocial Behaviour	Cumulative category two complaints, unacceptable behaviour such as threatening and abusive behaviour and persistent breach of tenancy. Police involvement will be evident.	2
4: Violence and harassment	Behaviour deliberately intended to intimidate, dominate or harm an individual or member of staff, drug dealing, unprovoked attacks or serious damage to property. Police involvement will be evident.	1
5: Non tenancy-related matters	Complaints, which are not housing related matters or issues out with Link's jurisdiction, e.g. owner-occupiers, road traffic speed. General advice will be given as to where to direct the complaint and if matter deemed urgent we will tell you e.g. child protection / abuse issues.	5