

MUIR GROUP HOUSING ASSOCIATION LIMITED

F3 SUMMARY OF POLICY AND PROCEDURES FOR DEALING WITH ANTI-SOCIAL BEHAVIOUR (ASB)

General Statement & Principles

All tenants have the right to live peacefully in their homes, neighbourhoods and communities. All tenants also have a responsibility not to interfere, or let their visitors, family or friends interfere in their neighbours' right to peaceful enjoyment.

All tenants have signed a legally binding document with Muir Group Housing Association called a tenancy agreement. This tenancy agreement clearly states what behaviour the Association regards as unacceptable or antisocial. Before the tenancy agreement is signed, every tenant is made aware of their obligations under the terms of the tenancy agreement and the potential implications of not complying with those obligations. All tenants are therefore aware of their obligations regarding their behaviour whilst living in a Muir Group Housing Association property.

Muir Group Housing Association is absolutely committed to preventing and tackling ASB on its housing schemes and in the neighbourhoods and communities where it operates. By working with our partners such as local authorities and the Police, the Association will strive to eradicate ASB from the areas where it operates.

Definition Of Anti-Social Behaviour (ASB)

ASB is an umbrella term which encompasses all types of nuisance including, but not exclusively:

Category	Examples
<ul style="list-style-type: none">• Noise nuisance	Shouting, loud late night parties, repeatedly banging doors or buzzing intercom systems, loud music or TV
<ul style="list-style-type: none">• Nuisance from vehicles	Driving dangerously, abandoned or untaxed cars, parking issues, car repairs

- Illegal or dangerous use of any motor vehicle Driving dangerously, driving under age, revving car engines
- Unkempt or misuse of gardens Untidy gardens, unsafe structures, old junk left in gardens
- Using and selling illegal drugs Dealing drugs, leaving needles in communal areas
- Criminal behaviour Burglary, assault, vandalism, racial or domestic violence
- Intimidation or assault Violent behaviour, physically, mentally or verbally abusive behaviour, eg aggressive swearing or hitting another resident, staring through windows for no reason
- Aggressive begging Repeatedly and persistently requesting such items as money or cigarettes
- Prostitution Sex workers, soliciting, kerb crawling
- Intimidating gatherings of people in public places Gangs of youths congregating outside local shops
- Alcohol and solvent abuse Drinking heavily or partaking in solvent abuse in public or communal areas
- Verbal abuse Shouting, arguing in the street, racist or discriminatory taunts, swearing
- Boundary disputes Hedges, parking, landscaping, fencing
- Racial harassment Racist graffiti, verbal racist abuse, nuisance targeted at a resident simply because of their race, colour, nationality, ethnic or national origin
- Domestic violence and abuse A person physically assaulting their partner for whatever reason, mental abuse of the same
- Damage to property (including graffiti and vandalism) Spraying paint on a wall, kicking and breaking a fence panel, damaging or stealing plants or flowers in a garden

- Nuisance from business use Resident repairing cars for a living from their property
- Pets and animals Dogs barking repeatedly, fouling of public areas, general nuisance caused by pets
- Rubbish and misuse of communal areas Placing refuse in communal areas, storing bikes and other objects in communal areas
- Intimidation and harassment Persistent nuisance targeted at an individual or group, sexual harassment, homophobic or transphobic violence or abuse, false allegations

Preventing ASB Occurring

Muir Group is committed to tackling ASB at the first point of contact with prospective tenants, i.e. applicants. Muir Group will, wherever possible, avoid letting properties to applicants who have a proven track record of causing nuisance, thereby reducing the risk of ASB occurring on its housing schemes.

In addition Muir Group will try and 'design out' crime and ASB on new and existing housing schemes by making physical changes and improvements where possible, as well as working proactively with residents and other agencies to cut down on or solve any problems of ASB.

Receiving Reports Of ASB

It makes no difference whether the person making a complaint is a Muir Group resident or not. If the cause of the problem is a resident or leaseholder of the Association, or any person living with or visiting them, the complaint will be investigated and dealt with in accordance with the Association's procedures.

Complaints of ASB can be received in any form, including by telephone, visit to any of our offices, personal contact when staff are out 'on site' or at meetings, email, fax, letter or by any other means. The contact details can be found at the back of this summary.

All complaints will be dealt with in an open minded way. A victim centred approach will be taken, however, the victim's version of events will not be accepted until a full investigation has been completed and the full facts of the case are known. False or fabricated allegations of ASB against another person will be regarded as anti-social and may result in further action being taken against the complainant.

How Muir Group Will Deal With Reports Of ASB

The receiving member of staff will take some basic details and complete an ASB register form. The form will then be sent to a named member of staff who will be responsible for dealing with the matter from then on. This member of staff will normally be the Community Housing Manager (CHM) who manages the property where the ASB is allegedly emanating from.

The CHM will make a preliminary determination as to whether a further investigation is required.

If no investigation is required, this will be confirmed in writing to the complainant along with any further and relevant advice as appropriate.

If it is deemed appropriate to carry out a full investigation, the following actions and associated timescales will be complied with:

The majority of ASB cases will be responded to within 5 working days, but all serious cases will be responded to within 2 days of receiving the initial report.

In serious cases, an interview to discuss the complaint further will be conducted within 5 working days. Examples of serious nuisance could include hate crime, assault or threatening behaviour. In line with the Racial, Homophobic and Transphobic Harassment Policies all reports of such incidents must be fully investigated within 24 hours (see Racial, Homophobic and Transphobic Harassment Policy).

Interviewing The Complainant

At the interview the CHM will agree a course of action with the complainant and will also agree the frequency and means of

regular contact to update the complainant about the case. The CHM may pass an ASB pack to the complainant containing an incident diary booklet, a copy of this summary document and any other appropriate information

Following the interview the complainant should be fully aware of how the Association intends to progress the investigation and what timescales are involved.

Interviewing the Perpetrator

If the Association is confident that ASB has occurred following the interview with the complainant then the CHM will arrange to interview the alleged perpetrator to seek their response to the allegations being made.

Following this interview the Association will decide on the best course of action to take, if any, to resolve the situation.

The Association may consider seeking the views of other witnesses or agencies before deciding on the appropriate course of action.

The action plan

Once all the initial evidence has been gathered the CHM will draft an action plan. The proposed action plan will be discussed and agreed with the alleged victim or complainant. The action plan must include what action the Association intends to take giving agreed target times and review dates. It must also include the measures which the complainant has agreed to undertake, such as completing incident diary sheets or contacting the police. A copy of the agreed action plan must be signed by the victim or complainant who will then retain a copy.

Legal And Non-Legal Remedies To ASB

Non-legal remedies should nearly always be considered first although in very serious cases the Association may decide to proceed with legal action immediately. The Association will consider each case of ASB separately and will not adopt a 'one size fits all' approach.

Possible non-legal remedies include:

- *No further action required*
- *Letter from Muir Group's solicitor*
- *Mediation*
- *Transfer to alternative accommodation*
- *Referral to appropriate support services or other agencies*
- *Acceptable Behaviour Contract (ABC)*
- *Written and verbal warnings/cautions*

Possible legal remedies include:

- *Injunction*
- *Anti-social behaviour order (ASBO)*
- *Demoting an Assured or Secure Tenancy*
- *Possession Action*

Support of Complainants and Effective Witness Support

Muir Group Housing Association understands the important role complainants and witnesses play in the detection of, prevention of and action against ASB and crime.

As such, Muir Group Housing Association will, wherever possible, support both complainant and witnesses from initial complaint through and beyond any legal or court action. Support may be in a physical form, i.e. increasing the security of the complainant's home if required, or emotional support, such as putting them in contact with Victim Support and accompanying them to court.

Other Agencies

Muir Group Housing Association will liaise with and use the services of other agencies to help solve ASB as appropriate. Such agencies may include the Police, Environmental Health, Social Services, Educational Welfare department, etc.

Further Information

A full copy of the Association's Statement Of Policy or Statement Of Procedures on dealing with ASB is available on request by contacting any of Muir Group Housing Association's offices.

**CONTACT DETAILS FOR MUIR GROUP HOUSING
ASSOCIATIONS AREA OFFICES**

BLACKPOOL

3 CHATBURN CLOSE, BLACKPOOL, FY3 7FD
TEL: 01253 390449 FAX: 01244 404020

BURNLEY

16 KEIRBY WALK, BURNLEY, BB11 2DE
TEL: 01282 446500 FAX: 01244 404021

HELSEBY

OAKMERE HOUSE, MERE'S EDGE, CHESTER ROAD, HELSEBY,
WA6 ODJ
TEL: 01928 728000 FAX: 01244 404026

HEREFORD

PO BOX 258, HEREFORD, HR2 9ZA
TEL: 01981 251351 FAX: 01244 404024

HUNTINGDON

STABLE COURT, FERRARS ROAD, HUNTINGDON, CAMBS, PE29 3DH
TEL: 01480 453234 FAX: 01244 404025

GLEBE GREEN, WINSFORD

28 VAUXHALL WAY, GLEBE GREEN, WINSFORD, CW7 1NG
TEL: 01606 554026 Fax: 01244 404023

HEAD OFFICE

OLD GOVERNMENT HOUSE, DEE HILLS PARK, CHESTER, CH3 5AR
TEL: 01244 313613 Fax: 01244 404030

EMAIL ADDRESS info@muir.org.uk

WEBSITE www.muir.org.uk