

MUIR GROUP HOUSING ASSOCIATION LIMITED

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)

Although the Association has placed types of ASB into three categories (Extreme, Serious and General Nuisance), the officer attending to the case will deal with each complaint individually. If, following investigation, it is decided that a specific case is better placed in a higher category the officer will notify the complainant immediately and will follow the appropriate time scales.

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

Extreme

Physical violence

Verbal abuse, harassment, intimidation and threatening behaviour

Hate related incidents

Domestic abuse

Serious

Criminal behaviour

Prostitution/Sexual Acts/Kerb Crawling

Misuse of communal areas, public spaces or loitering

Alcohol related

Drugs, substance misuse and drug dealing

Examples

Violence or threats of violence to neighbours or staff (other than domestic violence)

Shouting, aggressive swearing, verbally abusive behaviour, arguing in the street, staring through windows for no reason

Persistent nuisance targeted at an individual or group because of their race, colour, nationality, ethnic or national origin, sexual orientation, gender, disability, religion and age

A person physically assaulting their partner for whatever reason, mental abuse of the same

Examples

Any other types of criminal behaviour Not already mentioned in other categories e.g., burglary

Sex workers, sexual acts, soliciting, kerb crawling

Intimidating gangs of youths congregating outside local shops, aggressive begging in communal areas

Drinking heavily and causing a nuisance to other residents

Dealing drugs, leaving needles in communal areas, partaking in solvent abuse in public or communal areas

General Nuisance	Examples
Nuisance from vehicles	Driving dangerously, abandoned or untaxed cars, parking issues, car repairs, residents repairing cars for a living from their property
Garden nuisance	Untidy gardens, unsafe structures, old junk left in gardens
Vandalism and damage to property	Spraying paint or writing on a wall, kicking and breaking a fence panel, damaging or stealing plants or flowers in a garden
Pets and animal nuisance	Dogs barking repeatedly, fouling of public areas, general nuisance caused by pets
Litter, rubbish and fly tipping	Placing refuse in communal areas
Noise	Shouting, loud late night parties, repeatedly banging doors or buzzing intercom systems, loud music or TV

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.

Stage 1 - Making And Receiving A Complaint

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, via the website or by any other means.

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 record the details of the complaint in our ASB case recording system, ReACT. The case must be allocated to a designated case officer and the complainant must be informed in writing as to who their case officer is. The case officer will normally be the Community Housing Officer (CHO)/Scheme Manager (SM) who manages the property where the ASB is allegedly emanating from.

An ASB pack containing an incident diary booklet, a copy of this summary, a copy of the appropriate ASB fact sheet and the contact details of any other agencies relevant to the particular type of ASB case will be provided to the complainant.

ReACT will automatically allocate the timescale for responding to the report of ASB depending on the type of ASB. The complainant must be interviewed within 24 hours in the case of Extreme ASB, five working days in the case of Serious ASB or ten working days in the case of General Nuisance.

Stage 2 – Investigation

2.1 - Interviewing the Complainant

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

2.2 - Interviewing the Alleged Perpetrator

If the Association is confident that ASB has occurred following the interview with the complainant then the case officer 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.

2.3 – Interviewing Witnesses

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

2.4 - The Action Plan

Once all the initial evidence has been gathered the case officer 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:

- an outline of the action the Association intends to take giving agreed target times and review dates.
- the measures which the complainant has agreed to undertake, such as completing incident diary sheets or contacting the police.
- preferred method of communication and frequency of contact with the complainant.

A copy of the agreed Action Plan Proforma must be signed by the victim or complainant who will then retain a copy. The action plan should be regarded as a working document, which can be altered, however if changes do occur the complainant must be notified immediately and a written record saved in the case file inReACT.

Stage 3 -Non-Legal Remedies

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
- Written and verbal warnings/cautions
- Letter from Muir Group's solicitor
- Mediation
- Transfer to alternative accommodation
- Referral to appropriate support services or other agencies
- Acceptable Behaviour Contract (ABC)
- Parenting agreement
- Starter tenancy extension
- Restorative Justice

Stage 4 – Legal Remedies

Possible legal remedies include:

- Injunction
- Undertaking in court
- Anti-social behaviour order (ASBO)
- Parenting order
- Individual Support Order (ISO)
- Demoting an Assured or Secure Tenancy
- Possession Action
- Closure order

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.

Stage 5 - Closing a Case

A clear conclusion to each case is essential for both the complainant and the perpetrator. Cases can be deemed closed in the following circumstances:

- The complainant advises the Association that the nuisance has ceased or reduced to a level where the Association's involvement will no longer have an impact.
- The complainant confirms that they no longer want the Association to tackle the issues of ASB and the Association is happy with this.
- No further reports are received from the complainant for a period of 3 months. In these circumstances, the case officer must make attempts to contact the complainant in order to ascertain if the problem is on going.
- The complainant fails to cooperate in any legal action, eg by failing or refusing to supply statements to solicitors, etc, without good reason thereby jeopardising the outcome of the course of action. In these

circumstances, the case officer must make attempts to contact the complainant in order to encourage them to cooperate in the case.

- A case has been resolved by mediation.
- The perpetrator has been evicted, has abandoned the property or has terminated their tenancy.

The case officer will notify all interested parties of the Association's intention to close a case. This will normally be done a month before the case file is actually closed to allow any interested party to request that the file stays open. The case officer will then finally confirm in writing to all interested parties when a file has been closed.

Monitoring Satisfaction Levels

A satisfaction survey will be distributed to the complainant after the case has been closed. The feedback gathered is used to review how the Association deals with cases of anti-social behaviour and to improve the service provided.

Further Information

A full copy of the Association's Statement of Policy, Statement of Procedures on dealing with ASB and the ASB fact sheets are available on request by contacting the Association.



Do you need help to read this? Please contact us
Tel: 0300 123 1222 or Textphone (Minicom): 0300 123 3005



Arabic

هل تحتاج إلى مساعدة لقراءة هذا؟ يرجى منك الاتصال بنا

Portuguese

Necessita de ajuda para ler isto?
Entre em contacto connosco

Somali

Ma u baahan tahay in lagaa kaalmeeyo akhrinta feylkan? Fadlan nala soo xiriir.

Punjabi

ਕੀ ਇਹਨੂੰ ਸਮਝਣ ਲਈ ਤੁਹਾਨੂੰ ਮਦਦ ਦੀ ਲੋੜ ਹੈ? ਕਿਰਪਾ ਕਰਕੇ ਸਾਡੇ ਨਾਲ ਗੱਲ ਕਰੋ।

Turkish

Bunu okumak için yardima ihtiyaciniz var mı? Lütfen bizimle kontak kurunuz

Polish

Potrzebujesz pomocy, aby to przeczytać?
Skontaktuj się z nami.

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