

سياسة السلوك الاجتماعي العدائي وملخص الإجراءات

অসামাজিক আচরণের নীতি ও প্রণালীর সারমর্ম

خلاصه سیاستها و روشهای مقابله با رفتار
های غیر اجتماعی

Streszczenie zasad i procedur zapobiegania
zachowaniom aspołecznym

Anti-Social Behaviour Policy & Procedure Summary (ASB)

ਸਮਾਜ-ਵਿਰੋਧੀ ਵਿਹਾਰ ਸੰਬੰਧੀ ਪਾਲਿਸੀ ਅਤੇ ਕਾਰਜ
ਵਿਧੀ ਦਾ ਸਾਰਾਂਸ਼

معاشرے کے لئے مضر رویے کی پالیسی اور طریق کار
کا خلاصہ

**Présentation de la politique et de la procédure
relatives aux comportements antisociaux**

**Siyaasadda dhaqanka bulshada liddiga
ku ah iyo Soo koobidda Qaabka**



Chevin

HOUSING ASSOCIATION LTD

Charitable

A member of the Together Housing Group

*This document is a summary of Chevin Housing Association's
anti-social behaviour (ASB) policy and procedure.*

*Copies of this summary and the full policy and procedure
are available to any person on request.*

1. Policy Summary

Definition

The Association is committed to achieving and maintaining a peaceful and secure environment for our residents to live in. We will not hesitate to take firm and decisive action to protect our residents and staff where necessary. In order to do this, we will encourage service users to participate in helping us make their estates a safer place to live. Therefore a preventative and empowering approach will be adopted that aims to maintain stability in the community and sustain tenancies where possible.

Anti-social behaviour can be defined as, “***behaviour that causes or is likely to cause harassment, alarm or distress***” and this forms the basis of the Association’s definition.

Examples of this type of behaviour can include racist behaviour or language, using or threatening to use violence, loud music, abusive language.

General Policy Statement of Approach and Nuisance Policy

The Association has taken many steps in order to stop ASB. An example of this includes a small specialist team, which targets and directs resources at serious ASB cases and is responsible for evaluation of policies, training and monitoring of the ASB service.

The Association is committed to achieving and maintaining a peaceful and secure environment by working in **partnership** with residents and other agencies. A leaflet is produced for residents, which explains our approach to prevention, enforcement, support and resettlement.

Strategic Context

The Association has a rolling two-year strategy, which will be reviewed at least annually. This explains the role and importance of ASB both within and externally to the Association.

Support of Complainants, Victims and Witnesses

The Association believes effective support is a vital part of the processes needed in order to bring about action against perpetrators of ASB. Our standards of service and support mechanisms are linked in our procedures.

Racial Harassment and Hate Crimes

The Association has zero tolerance of racism, racial harassment and hate crime. The Association defines a racist incident as:-

“A racist incident is an incident which is perceived to be racist by the victim or by any other person”.

Our commitment to eradicating racism and hate crime involves:-

- Encouraging reporting from our residents
- Reporting statistics to our Board including outcomes
- Multi agency working for support and monitoring purposes
- Effective and sensitive victim support
- Prioritisation of dealing with racist and hate crimes incidents
- Effective action against perpetrators

The Association will set the following targets for dealing with racist and other hate crime incidents:-

- 100% of residents reporting an incident are contacted within one working day
- 100% of racist/hate graffiti to be removed within 24 hours of receiving first report

Domestic Violence

As part of the Association's victim centred approach we will ensure that we support and assist our residents in order to achieve satisfactory outcomes for the victims of domestic violence. We have a separate domestic violence policy and procedure and we prioritise dealing with reports of domestic violence

Prevention of ASB

The Association has undertaken many initiatives for the prevention of ASB. These vary from setting up a specialist team, joint-working initiatives and extend to involvement in diversionary projects.

Rehabilitation of Perpetrators

By endeavouring to support perpetrators with 'in house' or specialist support, the Association will attempt to modify the behaviour of ASB perpetrators prior to taking serious legal enforcement action.

Multi Agency Partnerships

An essential part of our policy is a multi agency approach to solving ASB. This involves working with local agencies such as police, local authorities, neighbourhood wardens, youth offending schemes, schools, health services, drug action teams, social services and probation services. Use of these agencies is utilised for assistance with victims as well as perpetrators. We also enter into service level agreements and information sharing protocols in order to facilitate joint working.

Supporting Witnesses

If tenants/residents are prepared to act as witnesses, full consideration will be given to their support needs before, during and after we take any action against the perpetrators. Measures may include improved security, CCTV, re-housing, involvement with other agencies e.g. police and use of professional witnesses.

Data Protection, Information Exchange and Confidentiality

The Association will adhere to our obligations and responsibilities under the Data Protection Act. Furthermore, with regard to ASB, we will only exchange information to the police and other agencies under the Crime and Disorder Act 1998 which involves the setting up of and signing information sharing protocols.

We will only disclose information to individuals with a legitimate and reasonable right to that information. In general, all information received from victims and witnesses of ASB will be treated as being given in confidence and will not be disclosed to third parties unless we have permission.

Cross Tenure Issues

As a social landlord we are empowered to tackle ASB beyond our sector and housing stock. However, with regard to the public sector and registered social landlords we will endeavour to liaise with them in order to find a mutually acceptable resolution to the problem.

Training of Staff Dealing with ASB

Training needs will be evaluated via the Association's appraisal procedure and the ASB team. Staff will be updated and informed of policy, procedure and legal changes via 'in house' and external training.

2. Procedure Summary

General

This procedure will aim to provide its staff and residents with guidance in order to deal with ASB cases.

Definition

The basis of our policy uses the following definition based on the Crime and Disorder Act 1998 (as amended) and states it is:-

“Behaviour that causes or is likely to cause harassment, alarm or distress to one or more persons not of the same household”

With regard to racist incidents the Association will use the Macpherson report recommendation, which states

“A racist incident is an incident which is perceived to be racist by the victim or by any other person”

Making a complaint of ASB

There are many routes by which a complaint of ASB can be made and received, some of which are listed below:-

- Via telephone to Head Office or Area Office
- By letter to Head Office or Area Officer
- Face to face by home or office visits
- By email
- From a resident representative
- Through partner agencies, police, hate crime reporting centres etc

Out of normal working hours ASB reporting

Incidents of anti-social behaviour can be reported outside normal working hours and at weekends by telephoning our helpline on 0845 543 6415.

Some cases of anti-social behaviour can be sorted out easily. However, in most cases we will need to contact you in order to get more details about the problems you are experiencing.

Most cases will be dealt with by the relevant housing officer with the exception of more serious cases or hate crime, which should be passed straight to the ASB team for action.

Once passed to a housing officer/ASB officer the following timescales and standards should be followed.

Type of Complaint	Timescale/Method
Serious incidents, specifically violence that could lead to serious injury and race hate crime. Also includes domestic violence and homophobic crime.	A phone call and/or visit within one working day. Immediate liaison with ASB officer required.
Other harassment and persistent nuisance.	Response as appropriate, in person, by telephone or letter within 5 working days.

- Timescales and definitions – it is acknowledged that these definitions are fairly broad. However, by utilising experience, training and assistance from the ASB team a suitable timescale for action should be agreed.

- Keeping clients informed – during the time the case is live, clients will be kept informed through contact with the officer dealing with the case within ten working days unless another timescale for contact has been agreed.
- Interviewing services – at the client’s request an interpreter will be provided or an officer of the same sex will undertake the interview. Audiotapes should be utilised if needed, to overcome problems with language or illiteracy.

Investigation

Advice on the Association’s approach to dealing with ASB should be given to residents as soon as a complaint is received. This will encourage self-help options. A leaflet is available and can be forwarded if required

If the problem is not solved and/or warrants immediate action:-

We will - investigate complaints, interview witnesses, keep records, work with other agencies and act on information in order to bring about a satisfactory conclusion.

We expect - residents to talk to neighbours to resolve problems amicably, report serious ASB, not to be aggressive, be prepared for mediation, keep records, make statements if required and inform us if they fear reprisals or need to keep their complaints anonymous.

Action Plans

These are agreed plans between the investigating officer and the residents on how the complaint will be progressed and moved forward following contact with the perpetrator (the victim’s anonymity will be maintained if requested). It will usually involve co-operation and joint working from all parties involved as well as dealing with other agencies such as the police. The Association will attempt to solve problems through use of the most appropriate means, which may or may not involve legal action.

Nuisance Diaries

These can be issued to residents and other parties as part of an evidence gathering exercise and are a standard pro forma. These can be filled in with anonymity if requested. An explanation of use and instructions should be given to residents face to face along with SAE's to enable them to be returned on a weekly basis.

Supporting Complainants and Witnesses

The Association is committed to supporting those people who suffer from acts of ASB, witness them, or complain about such behaviour. Supporting the complainant will be an important part of the action plan and may include liaison with police, alarms, new/extra locks, emergency accommodation, help from victim support, telephone number of staff dealing with the problem, access to interpreters, obtaining injunctions.

Once legal action commences we can offer an explanation of court processes, visits to court prior to case hearing, witness support, transport, access to our solicitor, support from staff, both in the court and to and from court, as well as injunctive protection if needed.

The Association can reimburse witnesses for transport costs, loss of earnings, childcare costs etc. We will keep in contact with residents on a regular basis in order to ensure their well-being and to keep them informed of updates and decisions.

Other Support Issues

We will explore alternative ways of obtaining evidence if victims and/or witnesses are too frightened to give evidence. This may involve CCTV or the use of professional people (police, housing officers etc) as witnesses. In extreme cases we will consider a move to other accommodation on a temporary or permanent basis.



Options Available to the Association

The Association will consider types of legal and non-legal actions in order to bring about a successful conclusion in relation to ASB. They may involve the following:-

Mediation - This service may be offered 'in house' or by voluntary agencies. By getting all interested parties together a solution may be found.

Tenancy Support - The Association has access to 'in house' or external floating support, which may offer assistance in dealing with possible breaches of tenancy.

Verbal/Written Warnings - Prior to legal action these can be simply and effectively undertaken and copies retained on file.

Acceptable Behaviour Contracts (ABC's) - This is a written contract between the perpetrator and landlord. It is not a legally binding document but we often involve the police and other agencies in their construction. The contract usually stipulates that the resident does not carry out certain acts, which are usually seen as anti-social.

Anti-social Behaviour Order Warnings - These warnings are usually documents that are issued prior to applying for an anti-social behaviour order (ASBO) and are usually jointly issued with other agencies such as the police and local authorities.

Anti-social Behaviour Orders - ASBO's are civil orders that are used to prohibit the perpetrator from carrying out certain ASB acts. Anti-social acts have to be proved to a criminal standard in court but breaching such an order can lead to imprisonment.

Injunctions - These are court orders which prohibit a person from committing certain acts. If breached then it becomes contempt of court, which can be punished by a fine or committal to prison.

Possession Proceedings and Related Injunctions - Where the perpetrator of ASB is an Association tenant, or someone living with, or visiting a tenant and is deemed to have breached the tenancy then the Association can consider enforcing the terms of the tenancy agreement. This will involve serving a legal notice. If there is no improvement then the case can be forwarded to County Court. The Association will then need to prove its case to a judge. Evidence and statements from neighbours, visitors, police and housing officers are usually needed as well as other forms of evidence such as CCTV footage if available. The judge may adjourn matters to give the resident a chance to improve matters as will a court order that suspends possession. If a full possession order is granted the tenant must leave within a set timescale and if this is not done the Association will have to apply for a warrant of possession where a bailiff gains possession of the property. Injunctions can be added on to possession orders to protect witnesses, as can anti-social behaviour orders.

Demoted Tenancies - The Anti-social Behaviour Act 2003 gave housing associations and councils new powers to demote tenancies, which effectively reduces tenants security of tenure. If the court gives a demotion order then it can be easier for the Association to evict residents.

Environmental Health - The local authority environmental health department can deal with ASB and can serve abatement notices and seize equipment if people are causing a statutory (noise) nuisance.

Police - Matters of criminality and race hate crimes can and should be investigated by the police. The Association has information exchange protocols with most police forces, which can help when gathering evidence of ASB against a tenant/resident and their visitors.



Case Closure

In cases of nuisance it is often difficult to ascertain whether a report has been successfully dealt with. In order to do this the ASB officer or Housing Officer will regularly review and monitor both low level and serious cases with a view to closing cases that have been successfully dealt with. We will inform victims of our intentions to close a ASB case wherever possible.

Hate Crime including Racial Harassment

We are committed to ensuring that our residents live in an environment free from racism and harassment. All hate crime incidents are passed immediately to the Association's anti-social behaviour officer to deal with. Our definition of a racist incident is

“Any incident, which is perceived to be racist by the victim or any other person”.

The Association, wherever possible, will investigate hate crime incidents within one working day. Specialist contacts and support details will be given to the victim. We will report all racist incidents to the police and will keep a victim's anonymity if requested. Formal translation/interpretation services will be made available. Hate crime incidents and cases will be closed in line with the current ASB procedure.

Monitoring ASB and the Service

Information is recorded and stored on a centralised database as are more serious cases that are being dealt with by the ASB team. Information gathered will be used by the organisation on issues such as sustainability, problem estates and strategic partnerships arrangements.

Other Considerations

Where ASB and other incidents involve residents or victims who are not Association tenants then we will endeavour to assist by whatever means are appropriate. This may include contact with other landlords, police, external agencies regarding the complaint and the follow up action required.

The Human Rights Act 1998

This act is made up of a number of articles, which refer to specific actions/conditions an individual has the right to. The Association will pay particular attention to Articles 6 and 8 with regard to a tenant's right to a fair trial and respect for private and family life. The Act also lays down some important and fundamental principles with regard to proportionality when the Association decides on what course of action to take against perpetrators.

Complaints

If residents wish to complain about the way in which an ASB issue has been handled, the Association's complaint procedure should be followed (see tenants handbook which is available from any office if required). If after going through the above procedure, residents are still not satisfied then they should contact the Independent Housing Ombudsmen.

Out of Normal Hours ASB Reporting

Incidents of anti-social behaviour can be reported outside normal working hours and at weekends by telephoning our helpline on 0845 543 6415.



We are committed to a policy of equal access to information.

If you would like this information in another language or format, or if you require the services of an interpreter, please contact us on **0845 270 1088**



CASSETTE



IN LARGE TYPE



BRAILLE



OR ANY OTHER FORMAT

Arabic

نحن ملتزمون بسياسة تكافؤ الوصول إلى المعلومات..
إذا كنت ترغب في الحصول على هذه المعلومات بلغة أو شكل آخر أو إذا كنت تتطلب خدمات مترجم فوري، رجاء اتصل بنا.

Bengali

তথ্যের সমান অডিগমনের নীতির বিষয়ে আমরা প্রতিশ্রুতিবদ্ধ।
আপনি যদি এই তথ্য অন্য ভাষা বা রূপে চান, অথবা আপনার যদি এক দোভাষীর পরিষেবার প্রয়োজন হয়, অনুগ্রহ করে আমাদের যোগাযোগ করুন।

Farsi

ما به سیاست برابری دسترسی به اطلاعات پایبند هستیم.
اگر مایل به دریافت این اطلاعات به زبان یا فرمت دیگری هستید، و یا به خدمات مترجمین شفاهی نیاز دارید، لطفاً با ما تماس بگیرید.

Punjabi

ਜੇ ਤੁਹਾਨੂੰ ਇਹ ਸੂਚਨਾ ਕਿਸੇ ਹੋਰ ਭਾਸ਼ਾ ਜਾਂ ਰੂਪ ਵਿੱਚ ਚਾਹੀਦੀ ਹੈ, ਜਾਂ ਜੇ ਤੁਹਾਨੂੰ ਦੁਭਾਸ਼ੀਣੀ ਦੀਆਂ ਸੇਵਾਵਾਂ ਦੀ ਜ਼ਰੂਰਤ ਹੈ, ਤਾਂ ਕਿਰਪਾ ਕਰਕੇ ਸਾਡੇ ਨਾਲ ਸੰਪਰਕ ਕਰੋ।

Somali

Waxaa naga go'an siyaasadda awood u helidda warka oo loo wada siman yahaye.
Haddii aad jeclaan lahayd warka oo ku qoran luqad kale ama qaab kale u qoran,
ama haddii aad u baahan tahay adeeg turjumaan afka ah, fadlan nala soo xiriiir.

Urdu

ہم معلومات تک مساوی دسترس کی پالیسی کے پاسدار ہیں۔
اگر آپ ان معلومات کو کسی دوسری زبان یا صورت میں چاہتے ہیں، یا اگر آپ کو کسی مترجم کی خدمات
درکار ہیں، تو برائے مہربانی ہم سے رابطہ کریں۔

French

Nous appliquons une politique d'égalité d'accès aux informations.
Si vous souhaitez consulter ces informations dans une autre langue ou sous un autre format, ou si vous avez besoin des services d'un interprète, veuillez nous contacter.

Polish

Kierujemy się zasadą równego dostępu do informacji.
Jeżeli chciał(a)byś otrzymać ten tekst w innym języku lub formacie bądź potrzebujesz tłumacza, prosimy o skontaktowanie się z nami.



Chevin
HOUSING ASSOCIATION LTD

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A member of the Together Housing Group

Chevin Housing Association, Head Office
Harrison Street, Wakefield, WF1 1PS

Tel: 0845 270 1088

Email: enquiries@chevinha.co.uk

www.chevinha.co.uk

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