



VALLEYS TO COAST
CYMOEDD I'R ARFORDIR

SUMMARY OF POLICY AND PROCEDURE FOR DEALING WITH ANTI-SOCIAL BEHAVIOUR

1 Introduction

Section 12 of the Anti Social Behaviour Act 2003 introduces Section 218A of the Housing Act 1996 which requires all social landlords to publish a Statement of Policy and Procedure for dealing with Anti Social Behaviour (ASB). The Association recognises the detrimental impact that ASB has on the lives of residents and the wider community. Both the Statement of Policy and Procedure demonstrate our duty as landlord to assist in providing safe and stable environments for our tenants. They also show our commitment to tackling ASB through a multi agency approach that prevents and provides solutions to the causes and effects of ASB.

V2C believes everyone has the right to their chosen lifestyle providing that this doesn't unreasonably spoil the quality of life of others – this implies tolerance, consideration and respect for the requirements and needs of others.

V2C recognises that, to provide a quality housing service, it must be effective in tackling the problems caused by ASB.

V2C will demonstrate by its actions that it will not tolerate anti-social behaviour. V2C will make this absolutely clear to its tenants and to any person who is seeking a tenancy.

2 Definitions

V2C uses the definition of ASB in the Crime and Disorder Act 1998 (Section 1 (1)) namely:-

ASB is acting in “a manner that caused or is likely to cause harassment, alarm or distress to one or more persons not of the same household as the perpetrator.”

V2C is also committed to the definition of ASB in the Housing Act 1996 S.153 namely:-

“Conduct causing or likely to cause a nuisance or annoyance to a person residing, visiting or otherwise engaged in a lawful activity in the locality”

3 Examples of ASB

V2Cs tenancy agreement outlines the types of behaviour that are considered to be unacceptable. These are subcategorised into (each category contains some examples):-

- Nuisance, annoyance or distress;
 - Noise
 - Offensive, abusive or threatening behaviour
 - Dumping of rubbish and fly-tipping
- Immoral Activities;
 - Selling drugs or drug abuse
 - Storing or selling stolen goods
 - Other criminal behaviour
- Harassment;
 - Racist behaviour
 - Violence and intimidation
 - Other hate related behaviour
- Domestic Violence

For a fuller list of examples please refer to the ASB Policy or the tenancy agreement.

4 Residents' Rights and Obligations

It is the right of every resident to live peacefully in his or her home, free from the fear of ASB. Equally all residents have an obligation to act and behave as good neighbours so as not to interfere with residents and the peaceful enjoyment of their homes. This includes observing the terms of the tenancy agreement as well as recognising that everyone is part of a wider diverse community with differing needs and expectations of peaceful enjoyment of their homes.

5 How a Resident can report ASB

A complaint of ASB can be made:-

- by **Writing to us at:**

Customer Service Centre
Nolton Court
Court Road
Bridgend
CF31 1BX

- by **Telephone** to our ASB helpline on **01656 762500**;
- **On Line** by completing our ASB reporting form at www.v2c.org.uk;
- or by **email** at feedback@v2c.org.uk;

Complaints about alleged criminal offences where an immediate or urgent response is required (e.g. threats of violence, actual violence, theft, harassment, racial or sexual abuse etc) should be made to the local Police in the first instance. V2C will then liaise with the Police and this will be treated as an ASB complaint in accordance with this procedure.

A report may be made anonymously. Persons making anonymous reports must accept that by their very nature V2C may be limited in what action can be taken as these instances can be very difficult to prove and in some instances could be malicious.

Upon receipt of a complaint V2C will contact the complainant within 4 working days and will advise the complainant at that time how their complaint will be investigated/progressed.

6 Our approach to ASB

As a landlord V2Cs approach to tackling ASB can be summarised as follows:-

- Supporting complainants to resolve disputes informally themselves wherever possible and appropriate.
- Taking every report of ASB seriously and ensuring the response is proportionate to the seriousness of the ASB.
- Quickly and formally acknowledging every report of ASB in accordance with V2Cs Service Standards.

- Starting investigations at the earliest possible time following a complaint being received.
- Visiting both the complainant and the perpetrator in order to establish the facts of the case and determine the appropriate course of action.
- Targeting action at resolving the problem and trying to assist the perpetrator to modify their behaviour
- Working in partnership with agencies such as the Police and the Local Authority
- Taking an incremental approach to ASB, moving from advice, mediation and support for tenants' own action to other non legal remedies such as Acceptable Behaviour Contracts (ABCs) before considering legal action such injunctions, demotions and possession proceedings.

7 Where the perpetrator is not a V2C tenant

V2C are committed to finding ways of acting with and behalf of our residents who experience serious ASB caused by people who are not our tenants. This will usually include working with other agencies.

However V2Cs powers in these cases can be limited as V2C will not have the sanction of a tenancy agreement.

8 Supporting Complainants

As a rule, V2C will not re-house complainants (who are our tenants) but will; rather, seek to resolve the situation by tackling the alleged perpetrator about their ASB and securing the ending of this behaviour. In very rare and serious cases it may be necessary to re-house victims or witnesses on a temporary or permanent basis – such circumstances are likely to involve hate crimes, serious harassment and extremely violent, organised criminal activity

9 Preventing Occurrence and Re-occurrence of Anti-Social Behaviour

We aim to prevent anti-social behaviour. To achieve this we use the following:

- Starter Tenancies for all new tenants
- Conditions prohibiting ASB in the Tenancy Agreement.
- Active membership of Common Inclusions Partnership.
- Mediation services.
- Active membership of Bridgend Community Safety Partnership.
- Partnership working with appropriate local agencies.
- Ensuring a swift response to reports of ASB.
- Making environmental improvements to our neighbourhoods.
- Identifying underlying causes to prevent re-occurrence of ASB

10 Supporting Witnesses

For any legal action to succeed, witnesses will be required to say what they have seen. We understand and appreciate that those experiencing ASB may be afraid of being a witness at Court in any legal action taken by V2C on their behalf. In order to address these fears and to help support witnesses during and after the legal process we will ensure that we maintain regular contact with witnesses to keep them informed and as a means of demonstrating our moral support. In addition we will:

- Make arrangements for regular support visits from the Investigating Officer
- Provide, free of charge, any additional security to their homes that may be required, such as additional locks/bolts, shatter proof glass and petrol-proof letter boxes
- Not disclose the names or identity of witnesses who wish to remain anonymous
- Wherever possible, try to gather evidence without requiring tenants to attend Court as witnesses using means such as surveillance cameras, photographs, police logs, etc. Where this is possible, we will use V2C staff and police officers as professional witnesses.

11 Closure of cases

A clear conclusion is important to all concerned i.e. the complainant, the alleged perpetrator and V2C. Ideally the complainant should be satisfied with the result, but some cases will have to be closed even though the complainant is not satisfied

Wherever possible the closure of a case will be discussed with the complainant. In all cases V2C will advise the complainant of the decision in writing explaining why the case has been closed. If a case has been closed due to lack of further evidence the complainant will be advised that the case will be re-opened if new evidence is presented.

12 Complaints

If you are not satisfied with the way that your case has been handled you should discuss this with the Housing Officer assigned to your case. If, after this, you are still not satisfied you can pursue this through V2Cs Complaints Procedure, detail of which can be obtained by contacting V2C.

14 Staff Training /Safety

We are committed to training our staff and will ensure that all staff dealing with ASB are aware of this policy and procedure and its contents. Where there are changes to legislation, refresher training and updates will be provided in partnership with our solicitors.

Protection of our staff is of paramount importance and we take our responsibilities in this area very seriously. There are terms in all tenancy agreements that specify what behaviour is unacceptable to our staff. Swift and decisive action will be taken against residents who break these terms.

15 Further Information

For further information please see:-

- V2Cs Neighbour Nuisance and Anti-Social Behaviour Policy
- “What I can do about Anti-Social Behaviour” leaflet
- “What Does V2C do about Anti-Social Behaviour” leaflet

All of these are available on V2Cs website or from the Customer Service Centre at Nolton Court, Bridgend, CF31 1BE, telephone number 762472.