

Anti-Social Behaviour Procedure for customers 2016

Overview

Our Anti-Social Behaviour Procedure ["The Procedure"] is intended to be comprehensive, clear and accessible. It operates alongside our Anti-Social Behaviour Policy and is designed to be flexible so that we can respond to the different sorts of cases of anti-social behavior which we deal with. The Procedure:

- should be read in conjunction with our Anti-Social Behaviour Policy since the Procedure is designed to be the vehicle for delivery of the policy
- outlines our general approach to investigating and dealing with reports of alleged anti-social behaviour
- will be subject to regular review

When applying the Procedure our overriding objective is to consider each situation on its particular facts. The need to consider each situation on its own facts is a feature that is implicit throughout the Procedure to emphasise that the Procedure should be regarded as a framework for guidance rather than a prescriptive 'one size fits all' approach. Our aim is to enable the reader to understand how a report of anti-social behaviour is likely to be addressed whilst emphasising that each case of anti-social behaviour is unique on its facts.

This statement of procedure is published on our website and is available for inspection at our offices at Broadacres House, Standard Way, Northallerton. It is also available on request in printed hard copy form and large print.

How do I report anti-social behaviour?

A report of anti-social behaviour can be made by any individual or someone acting on your behalf (examples might be a friend or a support worker) in a variety of ways including:

- by telephone on 01609 767900
- by email to info@broadacres.org.uk
- via our website www.broadacres.org.uk

All reports are recorded and will be investigated where possible. Sometimes this may be difficult if you make your report anonymously and provide insufficient details. Whilst we recognise that there are some cases where people might be genuinely frightened to reveal their identity to us, we still encourage them to provide us with as much detail as possible in order for us to be best placed to resolve their concerns.

What will happen when I first report anti-social behaviour?

As the majority of reports we receive are made by phone then in the first instance you will be given advice by one of our experienced Contact Centre staff. Depending on the outcome of that discussion then your report will be passed to one of our Housing Officers.

The Housing Officer will endeavour to make contact within the next 3 working days to discuss your concerns in more detail and will explain what will happen next.

If you and the Housing Officer agree that they need to visit you in person to get more information then they will arrange a mutually convenient time and date with you. Ideally this will be within a further 5 working days but sometimes later where appropriate.

Will Broadacres tell the alleged perpetrator that I have made a report about anti-social behaviour?

We will not tell the alleged perpetrator that you have made a report of anti-social behaviour about them (or their family / visitors as appropriate) without your permission to do so.

If you wish to remain anonymous it may be possible to progress matters. However, it should be stressed that anonymous evidence may weaken a case and in some situations it may even prevent certain action from being taken.

What will happen when I meet with the Housing Officer?

The Housing Officer will ask you a number of questions and explore different options depending on the situation you describe as no one case is exactly the same as another. In addition the Housing Officer will also;

- complete a vulnerability and risk assessment
- check whether a referral to another agency may be appropriate
- discuss the various solutions available to you which may include you speaking to your neighbour in the first instance

- agree with you what else Broadacres might require you to do in order to help us to help you, for example in the case of noise reports we may ask you to complete a diary for a number of weeks

If what you describe to the Housing Officer is considered to be anti-social behaviour, then you may be invited to complete an action plan.

The action plan will clearly set out what both parties have agreed to do and by when. It may also include a provision for keeping in contact with one another where necessary. In most cases this will be once every 2 weeks however it could be more frequent in exceptional cases.

If, on the other hand, the Housing Officer doesn't feel that your issues could be considered as anti-social behaviour then they will advise you accordingly at the time.

What happens next?

This will always depend upon the nature of the case and the action plan which has been agreed. Each case turns on its own facts. However in many cases the Housing Officer may take further steps including, but not limited to, speaking to other witnesses and/or contacting support agencies or other agencies such as the Police who may already have been involved.

The Housing Officer will also consider any other information which Broadacres are aware of and which might be relevant in your case before contacting the alleged perpetrator(s).

We aim to contact the alleged perpetrator within 5 days of meeting with you where possible as we recognise that if left unchecked, the anti-social behaviour you have reported to us may only get worse.

How will you deal with the perpetrator of the anti-social behavior?

In some cases the Housing Officer may be able to deal with the issue over the phone and follow-up any actions with the alleged perpetrator in writing.

Where this is not appropriate then the alleged perpetrator will be invited to an interview during which they will be given the details of your report and an opportunity to respond.

Depending on the outcome of the interview with the Housing Officer they may be reminded about the terms of their tenancy agreement with Broadacres and warned about their future conduct.

Where the allegations are denied or there is insufficient evidence at this stage to take any further action then Broadacres will monitor the situation for a further four weeks.

Should they fail to make themselves available to the Housing Officer (if they are a Broadacres tenant) as agreed then they will be written to and your concerns will be put to them in writing.

What happens next?

In most cases the anti-social behaviour complained of is likely to stop as a result of the Housing Officer's involvement. In situations like this we will look to close your case if there have been no further issues reported in the 4 weeks since you contacted us.

Similarly even when further reports are received we may still decide to close the case if they are relatively minor in comparison with the original report and the alleged perpetrator has taken obvious steps to address the problem.

The overriding principle is that our actions should be reasonable and proportionate in the circumstances.

Should the anti-social behaviour persist then in some cases we may need to consider alternative means of gathering evidence if the perpetrator continues to deny the allegations you have made. If this happens in your case then the Housing Officer will discuss these options with you and explain how long this might take.

Further Action

Depending on the nature and severity of the anti-social behaviour as well as the impact it may be having on you then there a range of further actions available to Broadacres to help resolve your concerns.

Some of these potential actions are set out below however a detailed explanation of each one is beyond the scope of this procedure.

- Issuing a breach of tenancy where it is clear that the tenancy agreement has been broken
- Signing an Acceptable Behaviour Contract with the perpetrator which outlines exactly what behaviour is causing the problem (this may be accompanied by a Parenting Contract in certain circumstances)
- Making a formal referral to another agency
- Serving a Notice of Seeking Possession

The aim of any further action is to bring the anti-social behaviour to an end before more formal action is required.

In the event that further action is required in your case then it will be escalated by the Housing Officer to our Tenancy Relations Co-Ordinator who is specialised in this area of work.

The Tenancy Relations Co-Ordinator will arrange to meet with you to discuss any further action and will be your main point of action going forward.

How long does this process normally take?

As each case turns on its own facts then it is difficult to provide an exact answer to this question within this procedure. There are however some milestones / service standards which we endeavour to meet and which are set out above. By way of a reminder these are:

- Respond to your initial contact within 3 working days
- Meet with you and agree an action plan within a further 5 working days
- Contact the alleged perpetrator within 5 working days of this meeting
- Monitor the case for 4 weeks from the date of the initial contact

In cases where further action is required these timescales will be discussed with you however we aim to resolve the majority of cases within 12 weeks where possible.

*If your report is about a non-personal matter such as a neighbour's garden then we will deal with this under our estate management procedures (currently under review). We will still respond to your initial contact within 3 working days however we allow our Housing Officers a further 10 working days to address the issue.

Case closure

We will continue to monitor your case whilst it remains open however when the anti-social behaviour has stopped or has reduced significantly then we will look to close your case.

Closing the case does not mean that if the anti-social behaviour starts again that you have to go through the procedure all over again from the beginning unless more than 6 months have elapsed since the date your case was closed.

You will be invited to complete a satisfaction survey on how we dealt with your report and we welcome any feedback as to how our procedures can be improved.

What if I'm not happy about how my report was dealt with?

If you are unhappy about how we dealt with your report then you can make a complaint in the usual way (please refer to our complaints procedure).

Alternatively you can ask for an external review of how we and other agencies have dealt with your reports of anti-social behavior which is known as 'The Community Trigger'.

For a review to be carried out, a locally agreed threshold must be met which the Tenancy Relations Co-Ordinator will be able to discuss with you.