

# **River Clyde Homes**

## **Anti-Social Behaviour Policy**

**Approved December 2006**

**Review date Within two years of Stock  
Transfer**

This policy can be made available on request in a variety of different formats, such as on tape, in large print and translated into other languages. This will be made available by River Clyde Homes at no additional charge. If you, or anyone you know, would benefit from this, please advise any member of staff or call Katrina Hamilton on 01475 712511

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**River Clyde Homes**  
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**Approved on December 2006**  
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**1.0 Statement of objectives**

- 1.1 The Objective of this policy is to set out mechanisms to prevent anti-social behaviour and harassment occurring and detail the steps which River Clyde Homes will take to deal with complaints of anti-social behaviour on receipt.
- 1.2 River Clyde Homes recognises that anti-social behaviour and harassment causes misery to residents and creates blight on communities. River Clyde Homes will, as far as possible, seek to ensure that none of our tenants (or members of their household or visitors to their household) is subjected to anti-social behaviour or harassment. River Clyde Homes will also seek to ensure that our tenants, members of their household, or visitors to their home do not cause anti-social behaviour or harassment in, or in the vicinity of their home to neighbouring residents.
- 1.3 Dedicated Neighbourhood Officers will be assigned to cover an area and will be tenants' and residents' first point of contact for any matter which arises regarding a complaint of anti-social behaviour or harassment. River Clyde Homes will employ dedicated Anti-Social Behaviour Liaison Officers to investigate and deal with serious incidents of anti-social behaviour which occur in our estates.

1.4 This policy will address how River Clyde Homes will make our estates safer and assist in meeting our mission statement to transform lives and communities through high quality homes and services

## **2.0 Compliance with Performance Standards**

2.1 This policy aims to comply with Communities Scotland's Performance Standards and SFHA Guidance as follows: -

2.1.1 AS1.9, Antisocial Behaviour, which states, "We deal appropriately with antisocial behaviour. Where appropriate, we work in partnership with others to manage such behaviour and

2.1.2 Raising Standards, Chapters 16 on Anti-Social Behaviour and Harassment

## **3.0 Definition of Anti-Social Behaviour**

3.1 River Clyde Homes will adopt the definition of anti-social behaviour defined in the Antisocial Behaviour, etc. (Scotland) Act 2004 which states that a person engages in anti-social behaviour if they:

- Act in a manner that causes, or is likely to cause, alarm or distress; or
- Pursue a course of conduct that causes or is likely to cause alarm or distress to at least one person not of the same household as them.

3.2 For the purpose as of the Act, conduct includes speech, a "course of conduct"

must be on at least two occasions and “likely to cause” has the effect that someone other than a victim of the antisocial behaviour can give evidence of its occurrence. This is intended specifically to enable the use of professional witnesses where those targeted by antisocial behaviour feel unable to come forward, for example, for fear of reprisals or intimidation.

#### **4.0 Measures to Prevent Anti-Social Behaviour**

- 4.1 Preventing anti-social behaviour is a key priority of River Clyde Homes. River Clyde Homes will clearly set out in a Good Neighbour Agreement what tenants’ responsibilities are with respect to conduct in their home. Tenants will be asked to sign the Agreement at tenancy sign-on. This is seen as an important anti-social behaviour prevention tool by River Clyde Homes.
- 4.2 Prevention will be reinforced at a settling-in visit to ensure that new tenants know what their responsibilities are regarding being a good neighbour and to offer advice and support if new tenants are experiencing any anti-social behaviour problems
- 4.3 River Clyde Homes will work in partnership with local organisations, for example, Inverclyde Community Safety Partnership to identify opportunities in respect of Wider Action Funding, which could prevent anti-social behaviour occurring and reduce the fear of crime in our communities.
- 4.4 River Clyde Homes will undertake regular reviews of our estate layout and our stock profile to optimise methods of designing out crime. Examples of this will be enhancing security lighting, providing defensible space, improving door entry specifications and better management of open space. Refurbishment and new

build, which is undertaken by River Clyde Homes, will be to “Secured by Design” standards.

- 4.5 River Clyde Homes will develop information and advice leaflets for tenants and prospective tenants on what is expected from them, in terms of their conduct, as tenants of River Clyde Homes. This advice will be extended to form part of the educational programme for young people in schools and colleges, as incorporated in the [Tenancy Sustainment Policy](#), to highlight to young people, who are our tenants of the future, how anti-social behaviour affects individuals and communities.

## **5.0 Taking Action Against Anti-Social Behaviour- Initial Investigation**

- 5.1 River Clyde Homes will investigate all cases of alleged anti-social behaviour involving our tenants (including visitors to and other members of the household), whether they are the victim or perpetrator of the alleged incident(s). When a report is made, an appointment will be made with the complainant within three working days with the Neighbourhood Officer to obtain the background of the anti-social case. For cases which are considered by the Neighbourhood Officer to be serious anti-social behaviour, a one-day response rate will be applied. These are likely to be where a violent incident, harassment or racial harassment has occurred (see 5.2). A written record of events will be logged on a pro-forma and the alleged victim will sign this to confirm it is a true record. A copy of the complaint will be issued to the complainant with the case reference number clearly indicated. Reports of anti-social behaviour will remain confidential at all times. Procedural guidance will set out the steps for investigation of a complaint, how to deal with categories of

complaints as detailed below and actions to be taken. The complainant will be updated on progress with their case during the course of investigation and any action period.

Complaints will be categorised and monitored in the following groupings

5.2

- Drugs
- Noise
- Children/gangs
- Racial harassment
- Violent incident/Harassment
- Vandalism/other
- Tenancy Conditions

5.3

In all investigation into a report of anti-social behaviour, the approach will be victim centred to offer support, advice and assistance. However, the approach will be non-judgemental in the early stages of investigation when evidence is being sought, as reports relating to the alleged perpetrator could be unfounded or malicious.

5.4

Neighbourhood Officers assigned to an area will be tenants' and residents' first point of contact for any matter which arises regarding reporting of anti-social behaviour or harassment incidents. The initial investigation will be undertaken by the Neighbourhood Officer and decisions regarding action required and warnings being applied at an initial stage will be theirs. Neighbourhood Officers

will be responsible for feeding back to alleged victims of anti-social behaviour on any action taken in respect of their case and will be up-to-date on the status of all cases in their area of operation. Neighbourhood Officers may also refer individuals to Victim Support Services. Neighbourhood Officers will undertake quarterly visits to victims, if a case is resolved, for a twelve-month period to ensure that no repetition has occurred.

Complainants will be asked to help in pursuing their complaint by

5.5

- Recording incidents in an Incident Diary (which River Clyde Homes will supply)
- Reporting incidents to the Police
- Making immediate contact with their local office if further incidents arise
- Appear at Court as a witness

5.6

River Clyde Homes will also seek to work in partnership with Inverclyde Council, Social Protection Team to access the full range of anti-social behaviour and harassment preventative measures including

- Working with the Community Wardens in our estates to enhance estate management services and reduce the fear of crime
- Referring cases to the Mediation Service to identify solutions for issues arising between neighbours where warnings and punitive action are not appropriate.
- Accessing the Street Mediators who have a remit for engaging with young people aged 8-18 to sign-post them to youth activities or assist in creating opportunities for setting up new groups.

5.7 If an anti-social behaviour report does not involve a tenant of River Clyde Homes, a visitor to their home or a member of their household, River Clyde Homes' staff will offer advice on dealing with anti-social behaviour, including the keeping of incident diaries and signposting to Inverclyde Council's Social Protection Team or Problem Solving Unit Helpline but will not undertake any investigation of the reported incident.

5.8 No more than two written warnings will be given for anti-social behaviour or harassment and a recurrence will result in escalation to River Clyde Homes' dedicated Anti-Social Behaviour Liaison Officer. If a complaint involves illegal drugs, violence or threats of violence, the complaint will immediately be referred to the Anti-Social Behaviour Liaison Officer ( See Appendix 1). Neighbourhood Officers will not normally be involved in these cases beyond taking initial statements. Immediate referral will also occur if an allegation of harassment in reference to race, colour, religious belief, gender, sexual orientation, disability or age is received. Neighbourhood Officers will again only take initial statements in these circumstances.

## **6.0 Taking Action- Serious or Persistent Anti-Social Complaints**

6.1 For serious anti-social behaviour incidents or persistent reports which cannot be resolved at a neighbourhood level, the Anti-Social Behaviour Liaison Officer(now termed Neighbour Relations Officer) will liaise on the case with Inverclyde Council's Social Protection (formerly ASSIST) Team who can offer 24-

hour callout support to alleged victims of anti-social behaviour.

6.2 The Assist Team comprises of a team of Investigators, one of whom is a seconded Police Officer. The team are trained in Anti-Social Behaviour legislation and good practice and provide a high quality service when incidents of serious anti-social behaviour are reported within our estates and our tenants are either victims or perpetrators of this behaviour.

6.3 River Clyde Homes will make use of the full range of anti-social behaviour and harassment investigative and punitive measures. These are detailed below.

6.4 River Clyde Homes will be pro-active and work in partnership with other agencies to extend the provision of internal and external resources in “hot-spots”, as a short term measure to dealing with ad-hoc problems at particular locations.

6.5 River Clyde Homes will make use of a range of non legal solutions to reports of anti-social behaviour and harassment including

- Warning letters
- Acceptable Behaviour Contracts

6.6 River Clyde Homes in partnership with the Assist Team will undertake a range of legal solutions, as guided by solicitors’ advice, on

- Issuing of Notice of Proceedings for Recovery of Possession which impacts on a tenant’s Right To Buy. If improvements to behaviour do not occur, River Clyde Homes will progress the case to court. If a decree for eviction is granted by the Sheriff, and the situation does not improve, the approval of the Board will be sought to progress the case to eviction.
- Anti-Social Behaviour Orders (ASBOs) and interim orders for persistent

or very serious offenders and monitoring of ASBO cases to prevent recurrence of the behaviour identified in the terms of the ASBO

- Specific implement
- Interdict
- ASBOs on conviction
- Noise control measures, including seizure of equipment, in partnership with Inverclyde Council's Problem Solving Unit
- Parenting Orders, in partnership with Inverclyde Council's Problem Solving Unit
- Community Reparation Orders, in partnership with Inverclyde Council's Problem Solving Unit
- Restriction of Liberty Orders, in partnership with Inverclyde Council's Problem Solving Unit

## **7.0 Freephone Helpline**

7.1 River Clyde Homes will set up a freephone helpline which operates during working hours for anti-social behaviour reports. This will offer first stage advice and access for our tenants (and non-tenants where a tenant, member of their household or visitor to their home is the alleged perpetrator) to staff who will undertake investigation. In addition, Inverclyde Council's Problem Solving Unit, anti-social behaviour helpline will provide a point of contact for all residents of

Inverclyde from 8.30 a.m. until 3.30 p.m.

## **8.0 Partnership Working**

8.1 River Clyde Homes will work with Strathclyde Police to deal with incidents of anti-social behaviour relating to criminal activity, for example, drug dealing from a River Clyde Homes' tenancy, to take steps to prevent recurrence and protect our communities. River Clyde Homes will not tolerate drug dealing from any of our tenancies or in the vicinity of our homes and all legal remedies open to us, including eviction, will be used to stop dealers from operating in our estates. If a tenant, a member of their household or anyone visiting them is convicted of supplying a controlled drug under the Misuse of Drugs Act 1971 from their home, River Clyde Homes will take the steps necessary to end the tenancy. If the drug supplying conviction is in the vicinity of the home, and the offence is punishable by imprisonment, River Clyde Homes will also take the necessary steps to end the tenancy.

8.2 River Clyde Homes will work in partnership with Inverclyde Council in further developing the area's Anti-Social Behaviour Strategy.

## **9.0 Applying the Short Scottish Secure Tenancy**

9.1 If tenants, or members of their household, have an anti-social behaviour order (ASBO) in place against them, the tenancy (or new tenancy) will usually be set up as a Short Scottish Secure Tenancy (SSST). Support will be offered, in conjunction with our partners in Social Work Services and in the voluntary sector, to convert the Short Scottish Secure Tenancy to a Scottish Secure

Tenancy as soon as possible (minimum of six months), if the behaviour contained in the terms of the ASBO is not repeated. If the behaviour recurs, the tenancy will end at the six month period or, if extended, at the 12 month period.

## **10.0 Fleeing Violence or Harassment**

10.1 Consideration will be given to providing temporary accommodation for anyone who cannot remain in their home due to extreme violence or harassment. A protocol will be set up with Homeless Services to access scatter flat accommodation ([REF TENANCY SUPPORT POLICY](#)) where possible whilst investigation of the case is undertaken. Consideration for rehousing in terms of exceptional circumstances ([REF ALLOCATIONS POLICY](#)) may be given to anti-social behaviour complainants where, in the course of investigating a complaint, it appears that there is an imminent or actual risk to their safety (or a member of their household). It would be helpful to have corroboration from Strathclyde Police, the Anti-Social Behaviour Liaison Officer and the Asist Team, where possible to assist in the decision making process relating to rehousing requirements although this is not essential. Offers of alternative accommodation in these circumstances will be for housing of a similar size, type character and demand to a complainant's existing tenancy, where possible. If there is a shortage of such property in an appropriate safe area, the complainant may be offered an area in lesser demand.

## **11.0 Information and Performance Monitoring**

11.1 River Clyde Homes will produce a series of leaflets on what we can do in respect of anti-social behaviour. These will include indicative timescales for gathering evidence, warnings and, ultimately, court action. This is important, as the timescales for pursuing these actions may exceed expectations from tenants.

11.2 Performance on anti-social behaviour will be monitored using the following criteria

- Number of cases reported, characterised by type
- Number of cases resolved at neighbourhood level
- Number of cases passed for mediation
- Number of cases resolved by mediation
- Number of cases passed to Anti-Social Behaviour Liaison Officer
- Number of cases passed to Asist Team
- Number of cases resolved by Asist Team
- Number of Notice of Proceedings issued
- Number of Anti-Social Behaviour Orders (or interim orders)
- Number of cases where other legal remedies sought (for any court process, timescales for resolution or escalation may be lengthened due to potential delays in obtaining an appointment at court.)
- Number of evictions for Anti-Social Behaviour undertaken

Performance management information on the above, timescales for resolution for each criteria and timescales for when escalation of a case occurs will be monitored by the Board. This information will also be available to tenants,

## **12.0 Monitoring Equality**

12.1 River Clyde Homes will seek to monitor equal opportunities by undertaking proactive monitoring of complaints at key stages in the policy as follows

- At first report stage
- When any warnings are issued
- When a notice of proceedings for recovery of possession is issued
- When an ASBO is granted
- When an eviction is undertaken

River Clyde Homes will seek to engage with the complainer and complainant at these key stages to ascertain whether any discrimination is occurring in terms of the [EQUAL OPPORTUNITIES POLICY](#).

## **13.0 Corporate fit**

13.1 This policy links to the corporate vision of an Inverclyde with exceptional housing and vibrant communities. It also links to the equal opportunities policy and the customer care policy.

## **14.0 Review**

- 14.1 This policy will be reviewed every two years from the date of transfer, in consultation with tenants, including tenants' organisations and stakeholders, as per Guiding Standard 2.2. This review is subject to an earlier date if legislative, regulatory or good practice guidance dictates this.