

## **WAVERLEY HOUSING**

### **ANTI-SOCIAL BEHAVIOUR POLICY**

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| Date Approved by Board: | May 2003                                     |
| Reviewed By:            |  |
| AICC Committee          | April 2010                                   |
| Next Review Date:       | October 2012                                 |
| Responsible Person:     | Director of Housing and Property<br>Services |

## ANTI-SOCIAL BEHAVIOUR POLICY

### 1. Introduction

- 1.1. Waverley Housing is a member of the Scottish Borders Anti-Social Behaviour Working Group. The group consists of representatives of Lothian and Borders Police, Scottish Borders Council, Scottish Borders Housing Association, Berwickshire Housing Association, Eildon Housing Association and Waverley Housing.
- 1.2. The Working Groups will continue to meet in order to constantly monitor and review ongoing antisocial behaviour cases (Core Monitoring Group) and reviewing of the strategy for dealing with antisocial behaviour (Strategy Group).

### 2. Policy

- 2.1. It is the Company's duty to enable tenants to peacefully occupy their homes. The irresponsible actions of a tenant and/or visitors can have a serious or harmful effect on the quality of life and/or accommodation.
- 2.2. In dealing with incidents of anti-social behaviour Waverley Housing will operate within the principles and protocols contained in the Scottish Borders Antisocial Behaviour Policy and Procedures Manual and will process complaints of antisocial behaviour in accordance with its own internal procedure.
- 2.3. The Company will also make use of, where appropriate, the short Scottish secure tenancy agreement in the following circumstances:
  - 2.3.1. Where a court has granted an Anti-Social Behaviour Order against a tenant or a member of the tenant's household.
  - 2.3.2. For those who have previously been evicted for anti-social behaviour on becoming new tenants of Waverley Housing.

### Anti-Social Behaviour Definition

- 2.4. Section 143 of the Antisocial Behaviour etc (Scotland) Act 2004 defines anti-social behaviour as any conduct (including speech), that causes, or is likely to cause, alarm or distress to one or more persons of the same household. A course of conduct must involve conduct on at least two occasions.

## **Anti-Social Behaviour Categories**

Anti-social behaviour can be categorised into workable groups i.e. the various types of complaints of tenant/resident anti-social behaviour that have been, or could be, reported to the Police or Registered Social Landlord.

### **Group A: Disregard for Community and Personal Wellbeing**

- Noise – noisy neighbours, noisy cars/bikes, loud music, persistent alarms
- Rowdy behaviour – shouting and swearing, fighting, drunken behaviour, hooliganism or loutish behaviour
- Nuisance behaviour – urinating in public, fire raising, inappropriate use of fireworks, throwing missiles, climbing on buildings, impeding access to communal areas, playing games in restricted or inappropriate areas
- Hoax calls – false calls to the emergency services
- Animal related problems – dog fouling, nuisance pets etc.

### **Group B: Acts directed at People**

- Intimidation and Harassment – groups or individuals making threats, verbal abuse, nasty or offensive letters, obscene or nuisance 'phone calls or text messages, menacing gestures. This type of behaviour may be motivated by race, age, culture, sex, sexual orientation, disability or religion.

### **Group C: Environmental damage**

- Criminal Damage/Vandalism – Graffiti, damage to street furniture bus shelters, telephone kiosks, buildings, trees, plants or hedges
- Litter and rubbish – dropping litter, dumping rubbish, fly-tipping, fly posting.

### **Group D: Misuse of Public Space**

- Drugs and Substance Misuse/Dealing – taking drugs, solvent abuse, discarding needles and drug paraphernalia, presence of dealers or users
- Street drinking

- Prostitution – soliciting, discarded condoms
- Kerb crawling, loitering for the purposes of prostitution, pestering residents
- Vehicle related nuisance and inappropriate vehicle use – abandoned vehicles, setting vehicles alight, racing cars, off-road motorcycling, using quad bikes inappropriately.

### **3. Reporting Anti-Social Behaviour.**

- 3.1. In line with the Scottish Borders ASB Procedures, tenants require to report any antisocial behaviour complaints to their landlord. Owner occupiers require to report complaints directly to the Antisocial Behaviour Unit.

### **4. Confidentiality**

- 4.1. The principle of confidentiality is important throughout the reporting process. It is a means of providing a client with safety and privacy. Waverley Housing, the Police and other participating partners in the Scottish Borders Anti-Social Behaviour Strategy Group will treat with confidence personal information about residents, whether obtained directly or indirectly, by observation or inference.
- 4.2. The only exceptions to this will be where our staff considers that a person's safety or well being is at risk or where we are obliged to give information by law or as part of a legal process. The decision to break confidentiality and share information without consent will be taken at Executive Team level and only after careful consideration. Examples of this may be Child protection issues or Allegations of serious criminal acts.

### **5. Information Exchange**

- 5.1. Where appropriate Waverley Housing will seek and exchange information with the police and other related agencies in accordance with the information exchange protocols set out in the Scottish Borders Antisocial Behaviour Policy and Procedure Manual.

### **6. Procedure**

- 6.1. All complaints of Antisocial Behaviour will be processed in accordance with the Company's Antisocial Behaviour Procedure and Scottish Borders Antisocial Behaviour Policy and Procedure Manual.

## **7. Reporting**

- 7.1. A report detailing the number of neighbour dispute/anti-social behaviour complaints made by category will be produced quarterly for the Board detailing any actions taken.

## **8. Training**

- 8.1. Waverley Housing will ensure that the relevant employees have the appropriate level of skills and knowledge to deliver the requirements of this policy.

## **9. Complaints**

- 9.1. Tenants who feel that Waverley Housing have not delivered the service outlined in this policy have the right to complain. Complaints will be dealt with in accordance with Waverley Housing's Complaints and Appeals Policy, a copy of which can be obtained on request. Tenants also have the right to refer the matter to the Scottish Public Services Ombudsman upon exhaustion of the complaints and appeals process.

## **10. Equal Opportunities**

- 10.1. Waverley Housing shall apply this policy in accordance with its Policy on Equal Opportunities. This means that in the application of this policy we will not discriminate on the grounds of a person's race, ethnic origin, nationality, religion or belief, cultural background, gender, sexual orientation, age or disability.
- 10.2. Copies of this policy are available on request free of charge from any Waverley Office. Copies of the policy will also be made available within a reasonable time, upon request, in a language other than English or in a format to suit the visually impaired, if required.

## **11. Policy Review**

- 11.1. This Policy has been approved by the Board of Waverley Housing and will be subject to regular review by the Property Committee in accordance with Waverley Housing's policy review procedures.