Greengate Housing Co-operative

Anti-Social Behaviour Procedure

1. Introduction
This procedure fulfils duties placed upon Greengate Housing Co-operative (‘GHC’) by S218A of the Housing Act 1996 (as amended by S12 of the Anti-Social Behaviour Act 2003). Its purpose is to provide guidance for staff and customers of GHC regarding how GHC will deal with occurrences of anti-social behaviour (ASB) when it becomes aware of them. The procedure is effective from (-date-), and replaces any previous procedures.

2. Initial report
GHC may become aware of suspected occurrences of ASB through the observations of its own staff, or through reports from other parties. GHC will accept reports via any means of communication from any member of the public, regardless of their residential status, and from any other source. Any member of staff who receives a report of ASB will accept the report and collect the basic details. Frontline staff may refer to a separate ‘Guidance Note’ suggesting questions to ask.

The member of staff may discuss whether the person making the report (‘the complainant’) would like GHC to deal with it. Alternative options could include:

- advising the complainant to contact another agency which is better placed to deal with their report;
- giving the complainant advice on how to deal with the problem without further involvement from GHC (eg. speaking to a neighbour directly);
- logging the report for future reference, but taking no further action at this stage.

If a complainant is making the report on behalf of another person, GHC may decline to deal with the report without that person’s written authority. Complaints from anonymous sources will be accepted and recorded, but GHC may decide not to take any further action.

This procedure will be followed in cases where there is no complainant (for example the concerns have been observed by GHC’s own staff, or reported by a partner agency), but without the involvement of a customer. The member of staff who receives the report will record the details onto GHC’s computer system and (if they are not a Tenancy Management Officer) create a ‘General Enquiry’ workflow for the attention of the relevant Tenancy Management Officer (TMO).

3. Customer interview and Action Plan
Where the complainant wishes to discuss their report further, the member of staff will seek to gather additional details from them. The complainant will be given a choice as to the means of communication, which could include a personal interview at a mutually acceptable location, a telephone interview, or correspondence in writing. The timing of the interview will be determined by the urgency of the report, the complainant’s personal circumstances and
preferences, the availability of staff, any need for other parties to be present (eg. partner agencies), and time required for any enquiries which need to be made prior to the interview (eg. requesting information from a partner agency).

During the interview the member of staff will ask the complainant for any information which could help to determine what actions should be taken (see separate Guidance Note). This could include carrying out an assessment of risks facing the complainant, if they appear likely to be particularly vulnerable, and considering the provision of appropriate support measures to the complainant and any other affected parties (eg. other victims, family members, witnesses). Examples of possible support measures are given in the ‘Witness Support’ section of Appendix 2 (ASB Toolkit).

The member of staff will discuss with the complainant what outcome they wish to see from their report and outline various steps which can be taken to try to achieve it. This may not involve any intervention by GHC (see alternative options outlined in Section 2); or it could involve actions to be taken by GHC, and/or by the complainant. Examples of possible actions are given in Appendix 2 (ASB Toolkit).

This procedure does not prescribe which actions will be taken, or the order in which they will be taken; rather the complainant will be given as much choice as possible in these decisions in order to achieve the desired outcome. The member of staff may provide advice regarding the merits of various options, but may also rule out certain actions if they are not appropriate, eg. because they are unlikely to succeed, are not cost-effective, or are not possible due to policy or legal constraints.

When making these decisions the member of staff may bear in mind the complainant’s willingness to play their part in the process, and the complainant’s residential status; where the complainant is not a tenant of GHC, the member of staff may advise them to seek independent advice without GHC taking any action. The member of staff will also have regard to GHC’s Customer Charter and its policies and procedures, including those relating to Racial Harassment, Domestic Abuse, Starter Tenancies and Health & Safety.

If it is agreed that GHC should approach the alleged perpetrator of the ASB, the member of staff will not disclose the complainant’s identity to the alleged perpetrator without prior permission from the complainant. However the TMO may advise the complainant that they cannot prevent the alleged perpetrator from deducing who has complained.

The member of staff will devise an Action Plan based upon these discussions, with estimated timescales for the completion of each action, and ensure that the complainant understands it. They will agree a date by which to carry out a joint review of the Action Plan (see Section 5), and the method of communication. The Action Plan may be confirmed in writing if this would benefit the customer.

The member of staff will open an ASB complaint on GHC’s computer system, and record a summary of the discussion and the Action Plan.

4. Action period
The member of staff and the complainant will seek to carry out any actions which they have agreed to take within the agreed timescales. Records of actions taken by GHC will be kept on GHC’s computer system.

If the alleged perpetrator of ASB raised a counter-allegation about the complainant, the member of staff may decide whether it should be dealt with as part of the current case, or as an entirely separate complaint.
Should either the member of staff or the complainant need to contact the other during this period (eg. to report further incidents of ASB), a joint review of the Action Plan can be carried out earlier than anticipated (see Section 5). The Action Plan can be amended at any point if certain actions are no longer required, or if new actions are identified.

5. Joint review of Action Plan
The member of staff and the complainant will carry out a joint review of the Action Plan at the agreed time and by the agreed method of communication. Each party will inform the other of the actions they have taken and what has resulted.

- If any actions have not been completed within the estimated timescales, the reasons for delay will be discussed, and revised estimated timescales agreed. The Procedure will then return to Section 4.
- If all the actions have been completed and the complainant is satisfied that no further action is required at this stage, the case will be closed as ‘resolved’ by mutual agreement.
- If all the actions have been completed, but the complainant feels that further actions are needed to achieve their desired outcome, the Procedure will return to Section 3, and a new Action Plan will be agreed. If GHC does not agree that further action is appropriate, the case will be closed as ‘unresolved’.

In each instance a summary of the discussion will be recorded on GHC’s computer system.

If the member of staff, after making reasonable efforts, is unable to make contact with the complainant to carry out a joint review of the Action Plan, the case may be closed.

Where a case is to be closed, the member of staff will complete the case on GHC’s computer system, recording the reason for closure. They may inform the alleged perpetrator of the closure if they consider it beneficial to the case do so.

6. Re-occurrences of ASB
Should the complainant report that ASB has occurred again after the case has been closed, the procedure will be re-commenced from Section 3 above, with the complainant being interviewed and an Action Plan agreed. However the member of staff and the complainant will bear in mind the record of previous incidents and interventions when considering what actions to take at this stage.

This will be recorded as a new complaint on GHC’s computer system, but it will be made clear that this complaint is related to the previous complaint.

7. Feedback
Following the closure of a case, a Tenancy Management Assistant (TMA) will attempt to contact the complainant in order to obtain feedback about their satisfaction with the outcome of their complaint and GHC’s handling of it. However feedback will not be sought in instances where:

- the report was received from a partner agency;
• the issue was by Trust staff or contractors;
• the complainant was anonymous;
• the complainant is deceased;
• a complainant has not been involved in the later stages of the complaint;
• the TMO considers that further contact would not be in the interests of maintaining a sensitive resolution to the case;
• the complaint was opened or closed in error on the computer system.
Appendix 1: Anti-Social Behaviour Procedure Flow Chart

1. Receive initial report; log on System (Sec. 2) [Any staff]
2. ACTION
3. Customer interview & Action Plan (Sec. 3) [Officer & complainant]
4. Action period (Sec. 4) [Officer & complainant]
5. Further action required
   - Joint review of Action Plan (Sec. 5) [Officer & complainant]
   - Actions not completed
5. Re-occurrence (Sec. 6)
   - No further action
6. Seek feedback (Sec. 7) [TMA]
   - Close case (Resolved/Unresolved) [Officer]
7. No action required
   - No further action
8. No re-occurrence
Appendix 2: Anti-Social Behaviour Toolkit (see Section 3)

Actions by the complainant
Provide information (eg. a crime reference number, a name or address)
Report incidents to the police when they occur
Complete incident diaries
Speak to the alleged perpetrator

Investigations
Obtain information from other agencies (eg. Police Information Sharing Protocol)
Review information held internally (eg. house file, other teams)
Refer to a professional witness service (eg. ???????)
Arrange surveillance (eg. CCTV, sound recording equipment)
Take photographic evidence
Approach witnesses
Conduct a door-knocking exercise or leaflet drop in the vicinity requesting information

Witness support
Refer to a witness support service (eg. ???????)
Order target hardening measures
Arrange regular reassurance calls
Provide equipment (eg. mobile telephone, personal alarm)

Refer case to another agency
eg. Community Safety Wardens, Neighbourhood Policing Unit, Dog Warden, Environmental Health.

Partnership approaches
Draft and send a multi-agency warning letter
Organise a case conference
Conduct a joint visit
Nominate an alleged perpetrator to the Anti-Social Behaviour Operational Panel, requesting an Acceptable Behaviour Discussion or Acceptable Behaviour Contract.
Non-legal interventions
Refer a case to an independent mediation service
Send a warning letter
Interview an alleged perpetrator
Issue a verbal warning
Request a written commitment from the alleged perpetrator
Extend a Starter Tenancy (see Starter Tenancy policy & procedure)
Serve a Section 21 Notice (see Starter Tenancy policy & procedure)
Serve a Notice Seeking Possession (Assured tenants only)
Serve a Notice of Intention to Seek a Demotion Order (Assured tenants only)
Arrange a Restorative Justice resolution
Help obtain advice about re-housing (eg. from ??????????)
Order a clean-up / repair of damage, graffiti, etc.
Assist a customer to take part in diversionary activities
Refer a customer to a support service (eg. Welfare Rights, C.A.B, Family Support Worker, drug or alcohol services, Community Mental Health Team)

Legal interventions
Apply for:
- Possession of a Trust property
- Parenting Order
- Demotion Order
- Anti-Social Behaviour Injunction
- Tenancy condition injunction
- Trespass injunction
- Anti-Social Behaviour Order
- Ask partner agencies to use powers such as:
  - Premises Closure Order
  - ‘Crack House’ Closure Order
  - Noise abatement legislation
  - Local Government Act injunction (S222)
  - Environmental protection legislation
  - Dangerous dogs powers
• Harassment notice
• Restraining order