

**HALTON HOUSING TRUST**

**ANTI-SOCIAL BEHAVIOUR POLICY**

*Date due for Review:*

**Introduction**

Halton Housing Trust (the Trust) believes that Anti-Social Behaviour is not acceptable and will take all reasonable steps to tackle both the causes and effect of anti-social behaviour for the benefit of all customers and the local community

When it occurs anti-social behaviour and neighbour nuisance can blight the lives of individuals and create havoc in the wider community.

The Trust aims to directly tackle incidence of Anti-Social Behaviour and the wider causes of Anti-Social Behaviour. It understands that the most effective approach to resolving ASB and underlying issues is by working in partnership with customers, the community, partner agencies and stakeholders.

The Trust will be proactive in combating anti-social behaviour on its estates in the interests of its customers and its communities. The Trust considers that such actions will have a direct bearing on maintaining the sustainability of its communities and neighbourhoods.

By implementing this policy in an effective way the Trust will aim to achieve a reduction in the number of incidences of anti-social behaviour on the estates it manages. This should lead to an improvement in the quality of lives of its customers and consequential cost savings which the Trust will look to apply to other areas of its activities for the benefit of its customers.

The purpose of this policy is to set out the Framework which will detail the Trust's approach to dealing with Anti-Social Behaviour

The Trust recognises the importance of the Respect Standard in tackling anti-social behaviour and will use the 6 categories set out in the standard to ensure that it provides an effective service to customers  
In implementing this policy, the Trust will have due regard to the Housing Corporation's Regulatory Code and guidance.

### Legislative Requirements

The Trust's Anti-Social Behaviour Policy and its associated procedures are compatible with obligations imposed by existing legislation, including:-

- the Anti-Social Behaviour Act 2003;
- the Housing Act 1985 (as amended by the Housing Act 1996);
- the Crime and Disorder Act 1998;
- the Police Reform Act 2002;
- the Local Government Act 2000;
- the Homelessness Act 2002;
- the Protection from Eviction Act 1997;
- the Children Act 1989;
- the Disability Discrimination Act 1995;
- the Race Relations Act 1976 and the Race Relations (Amendment) Act 2000;
- the Human Rights Act 1998;
- the Commission for Racial Equality Code of Practice on Rented Housing 1991

### Policy Statement

The Trust is committed to ensuring that all its customers enjoy their right to peace, quiet and security in their own homes. The Trust is also committed to ensuring that good tenancy relations are maintained on all of its estates. It recognises that there is a real desire amongst its customers for effective measures to be taken to combat anti-social behaviour.

The Trust aims to make its estates pleasant and secure places to live in. It will do this by signing and meeting the six core commitments of the Respect Standard of Housing Management

- Accountability ,leadership and commitment  
The aim is to show that all within the Trust are committed to resolve issues around and acts of ASB, this will be shown in the action taken to resolve ASB
- Empowering and reassuring customers  
The Trust will effectively communicate and engage with the community to initially reassure the community of our commitment and to empower the community to be an effective partner to resolve ASB
- Prevention and early intervention  
The Trust will work with others to develop and implement prevention activities followed by an early response when problems occur to achieve the best outcome for all

- Tailored service for residents and support for witnesses  
The Trust recognises that the key to successful action to tackle ASB rests with its customers and will provide a range of support mechanisms which will be tailored to individual needs
- Protecting communities through swift enforcement  
Where there are clear indications of ASB the trust will use the appropriate tools available for a speedy resolution to protect individuals and the community
- Support to tackle the causes of anti-social behaviour  
It is important to investigate the underlying causes of ASB and the use of appropriate support can often help an individual change their behaviour and lead to more sustainable communities

The Trust has based the policy and general approach to dealing with anti-social behaviour on the following principles:-

- that anyone has the right to their chosen lifestyle but this must not interfere with the quality of life of others;
- that there should be tolerance and respect for the needs of others;
- the Trust will use its best endeavours to ensure all customers enjoy peaceful possession of their home.

### Definitions and Examples

Anti-Social Behaviour - The term 'anti-social behaviour' can cover many different types of behaviour. For the purposes of this policy the Trust accepts working definitions of anti-social behaviour as being 'conduct which is capable of causing nuisance or annoyance to any person and directly or indirectly impacts on the housing management functions of the Trust'; as well as 'conduct which consists of or involves using or threatening to use housing accommodation owned or managed by the Trust for an unlawful purpose'. An alternative definition that is equally acceptable to the Trust is 'conduct that caused or was likely to cause harassment, alarm or distress to one or more persons not in the same household'.

Nuisance – This term also covers behaviour that unreasonably interferes with other people's right to the use and enjoyment of their home and community; e.g. playing loud music late at night.

Harassment – This involves verbal or physical behaviour that intimidates, dominates or harms an individual, a family or a group.

Racial harassment and Hate Crime- is behaviour involves verbal or physical behaviour that intimidates, dominates or harms an individual, a family or a group and is motivated by prejudice on the grounds of race, colour, cultural identity or faith gender, disability or sexual orientation.

The Trust considers the following list to be examples of anti-social behaviour, although it recognises the examples listed below are not exhaustive or exclusive:-

- noise nuisance – e.g. loud parties, shouting, excessive noise from TV's, hi-fi, machinery and vehicles;
- all forms of intimidation and harassment including racial and sexual harassment;
- aggressive or threatening language and behaviour, or the threat of violence;
- actual violence against people or property;
- hate behaviour that targets members of identified groups because of their perceived differences;
- using homes to sell drugs or for other unlawful purposes;
- environmental factors, such as litter, dog fouling, graffiti, fly tipping, nuisance from vehicles and misuse of property.

The Trust approach to dealing with Anti-social behaviour and encouraging respect within the community

#### Providing Accountability, Leadership And Commitment

Halton Housing Trust is committed to tackling anti-social behaviour and promoting positive behaviour in all the areas it provides a service.

To meet this commitment the Trust has considered the needs of the service and has recently expanded the service to more effectively deal with ASB, The resources include:

- Trained Housing Officers and Customer Service Team to investigate initial complaints of ASB
- Joint funding of Police Community Support Workers to provide additional presence in the local community and support to the Trust to tackling ASB
- Specialised team of Anti-social Behaviour Officers to deal with serious cases of ASB supported by the Trusts legal team

All staff understands their clearly defined role in tackling ASB and this is further enhanced by information and training to all staff and board members. This re-enforces the wider understanding of their wider responsibility on behalf of the Trust to have a positive impact on behaviour within the community.

The Trust understands that there are new and changing approaches to deal resolve ASB and will seek out best practice and adopt new approaches by the following:

*Date Adopted:*

- Attendance at training sessions ,conferences and seminars
- Networking with colleagues in other similar organisations and environments
- Making use of best practise and government sponsored web sites to understand and adopt best practice
- Make use of manuals and periodicals to achieve best practice

To obtain and respond to the views of customers the Trust undertakes the following surveys and questionnaires:

- An annual survey on the customers views of our service, their home local community and environment
- A quarterly satisfaction survey is undertaken with customers who have reported incidents of ASB.

This process has set measurable local targets including year on year increases in resident satisfaction on their local community and how the Trust has handled complaints

This information is used to review our actions and performance and to target resources effectively to meet the needs of the local community

In tackling ASB the Trust understands the importance of ensuring staff, resident representatives and voluntary workers can deliver their functions free from abuse and inappropriate behaviour. The Trust provides full support to staff and others and has a zero tolerance towards inappropriate behaviour. If abuse occurs the Trust will take appropriate action including legal action as appropriate to stop this abuse and behaviour

The Trust understands that it can not resolve issues of Anti-social Behaviour alone and needs to co-operate with other agencies to deal effectively with this process. The Trust is an active partner with other agencies at a strategic and operational levels to resolve these issues, these include:

- Multi agency meetings
- Housing Partnership Meetings
- Local Management Review Meetings
- Task and co-ordination meetings
- Crime and Disorder Reduction Partnerships
- Youth Involvement support Panel
- Partnership arrangement with local schools

All these actions show accountability leadership and commitment to our customers to tackle ASB

### Supporting, Empowering and Reassuring Residents

The Trust is committed to involving customers in effectively managing anti-social behaviour within the community and understands the primary role of customers to help manage and direct the service. To achieve this aim the Trust will work in partnership with customers and other agencies, seeking their views and priorities and effectively responding and acting on their concerns.

The Trust has developed a customer involvement policy and strategy which confirms a number of ways that it will involve Customers to be involved in the management of their homes this includes

- Tenant customers on the Trust's Board of Management – one third of the seats on the Trust's Board with all rights and responsibilities, of board members.
- Halton Housing Community Voice – with an opportunity for all customers to be involved, with a budget available to them to address local environmental issues and a remit to influence/determine wider budgetary and expenditure issues in the community. They also take an active role in performance management and ensuring that the Trust is locally accountable for the quality and standard of services it delivers in each area.
- Developing and publicising the process for communities to be involved in Good Neighbour Agreements so that local standards of conduct can be developed agreed and maintained
- Undertaking publicised estate walkabouts which sets out local standards to be maintained and enable customers to identify and target action on ASB and wider environmental concerns.

The Trust will work to engage harder to reach groups such as local BME populations or young people.

To help engage and work with young people the Trust will work independently or with partner agencies to provide constructive and purposeful activities (e.g. volunteering, community clean ups, sports and the arts and activities during school holidays).

As part of this approach the Trust will aim to bridge the generational gap which can sometimes exist between communities and generations and help to use its influence to resolve local issues that generate tensions within a neighbourhood

The Trust understand that it is important to keep all customers informed of action to deal with anti-social behaviour and also to promote and re-enforce positive behaviour in the community .The Trusts will use it's newsletter to

provide details of specific action taken on behalf of customers and also General information on ASB, crime reduction and community safety

Where the Trust has taken successful enforcement action to tackle ASB if appropriate this will be publicised to the local community for information, reassurance and monitoring.

The Trust appreciates that publication of successful action against anti-social behaviour can be seen as a powerful deterrent to future problems occurring within the wider community. It can be used to highlight the consequences to those people whose behaviour causes nuisance and distress to others. It can also show the wider community that action will be taken against those who cause anti-social behaviour, and could encourage people to come forward with evidence that in turn could lead to further successful legal action. The Trust will publicise any successful legal action via its own publications and the local media as appropriate to emphasise its stance on such matters. The Trust will always ensure that any information given to the media is fair and accurate and is not detrimental or harmful to children. Positive work within the community will also be publicised.

The Trust understands that in the multi tenure environment where it provides a service it has to work with other statutory and voluntary agencies to reach and respond to the needs of all customers. It will work with all partner agencies to improve services for the community and where appropriate it will develop wider links to encourage community capacity building and community cohesion (e.g. facilitating projects to foster inter-generational understanding or community

The Trust has provided budgets to support groups and activities that reward positive 'community minded' behaviour and activities which support individuals to address and amend inappropriate behaviour (e.g. sponsoring activities for young people who contribute to the community

The Trust will also consider working with others and celebrating customers who have taken a stand' and give support to action to tackle anti-social behaviour).

### Prevention and Early Intervention

The Trust understands that early intervention can help tackle and prevent an escalation of ASB and that prevention needs to begin before the customer takes on the tenancy

When an application for housing is received, if there is evidence of anti-social behaviour, the Trust may in certain circumstances exclude individuals from its

waiting list for a fixed period of time. (See the Trust's Meeting Housing Need and Access to Housing Policy.)

The Trust will also use the application process to consider if customers require additional support to help maintain their tenancy and to reduce any likelihood of ASB

The Trust will demonstrate to all current and new customers that it will not tolerate acts of serious anti-social behaviour or nuisance. By signing the Trust's tenancy agreement and by the Trust publicising this policy and firmly and professionally implementing it, all customers will be aware that they are personally responsible for acts of nuisance and crime committed in and around the locality of their home. This responsibility will extend to other members of their household and to visitors to their property.

When a customer signs for a new tenancy the Trust will explain clearly our policy for promoting positive behaviour and steps to prevent and tackle ASB. The tenancy used by the Trust clearly specifies the customer's responsibility in Section 7, sub-sections 5 to 10 and 11(iv) . These responsibilities - and tenant's rights – will be fully explained during the sign-up interview for each new tenancy with the Trust. A tenants' handbook and a neighbour nuisance leaflet will be provided; and the Trust's Anti-Social Behaviour Policy will be explained in detail together with the standards of behaviour that will be expected from customers.

At the time of signing a new tenancy the Trust will also undertake an assessment of any support needs that may be identified and will sign post or provide the support to our customers as necessary.

Any new customer of the Trust will be asked to sign an assured shorthold – 'starter' – tenancy which will initially last for 12 months. This allows the Trust, where necessary, to take action quickly against anti-social behaviour being committed by new tenants.

Support and action will continue with the post tenancy visits initially at four weeks and then at 6 and 9 months. These will be used to both identify and provide any support needs that the customer has and also to tackle any ASB issues that may have arisen

Upon receipt of any complaint of anti-social behaviour the Trust will try to resolve the problem at the earliest opportunity. It will do this through early contact with both the complainant and perpetrator and will follow up with information and action to resolve the problem.

If there is evidence of ASB clear warnings will be given detailing potential action to be taken and confirming action taken in the past in similar circumstances

The Trust will encourage the use of independent mediation as this can be an effective tool to tackle anti-social behaviour, especially when used at an early stage following the receipt of a complaint. When any report of anti-social behaviour is received and where appropriate, the investigating officer will offer both the complainant and the alleged perpetrator the opportunity to use an independent mediation service. This can often lead to an early and effective resolution to complaints.

The Trust recognises that early intervention to deal with ASB will resolve most cases at this early stage. As well as the action detailed above to successfully manage ASB the Trust will use Acceptable Behaviour Contracts and Parenting Contracts these will be linked to provision of support where appropriate .

The environment can often have an impact on the incidences and type of ASB and to help reduce ASB and promote positive behaviour the Trust will consider improvements that alter the layout estates or provide additional security facilities that design out anti-social behaviour. The Trust will consider funding some works itself for design improvements to tackle anti-social behaviour. For example, through its maintenance and environmental improvement programmes it may upgrade door entry systems, provide additional lighting to footpaths/garage sites and additional security measures in customers' homes such as secure letter boxes. The Trust will also look to other sources of potential funding for such works, including the Neighbourhood Renewal Fund and Community Safety funding. The Trust will also consider involving Halton BC and the Police with environmental gating schemes, security lightning, natural barriers and additional fencing.

The Trust will take swift action on environmental damage (e.g. rapid removal of graffiti and clearance of fly tipping) to give a strong signal that action will be taken. This will be backed up by estate walkabouts to ensure that the environment is effectively managed

The Trust realises that it doesn't work in isolation and is part of the wider community in Halton. It also appreciates that some anti-social behaviour issues can be very complex and it is unlikely that the solution will lie solely within the remit of any one organisation.

Prior to any allocation the Trust will sharing information when making/accepting nominations to identify any issues with past behaviour and establishing support needs

The Trust will work closely with its partners, in particular the Police and Halton Borough Council. It will work with the Council's Community Safety Team and the Safer Halton Partnership where appropriate and will contribute in the preparation and effective implementation of Halton's Crime and Disorder Strategy when required.

The Trust believes that the Multi-Agency Partnership (MAP) meetings in Halton are essential for successful partnership working to prevent and resolve ASB. These meetings enable a co-ordinated approach by specialist agencies including the Police, Youth Offending Team, Education, Social Services, Probation and other Housing Associations active in Halton. to provide perpetrators of anti-social behaviour with the support to prevent and tackle ASB. This co-ordinated intervention may assist the Trust to resolve ASB without taking legal action in relation to anti-social behaviour and help the perpetrator with their problems

The Trust will also work with partners at all levels to highlight and identify anti-social behaviour hotspots and areas where incidents appear to be emerging and contributing to the delivery of tailored strategies to address these problems.

The Trust is committed to the joint funding of Police Community Support Officers to provide a visible presence within the community. They will provide reassurance to customers, act as a deterrent to ASB and help with evidence gathering to tackle ongoing ASB problems.

#### Tailored Services For Residents And Provision Of Support For Victims & Witnesses

When taking action the Trust will work closely with witnesses supporting them throughout the process of action on ASB. This will include maintaining regular contact and providing protection and security where necessary.

Successful action to tackle ASB rests on our customers coming forward to provide information and evidence. This often requires courage and we should provide all support necessary to assist customers. The support needs to take account of individual needs within our overall approach to support to customers.

Trust staff will support complainants by dealing with all complaints promptly, keeping the complainant informed of any developments regarding their complaint and being sympathetic towards any problems they raise.

The Trust's policy encourages the reporting of anti-social behaviour and reports will be accepted in any form, including by telephone, letter, in person, e-mail and via a third party including anonymous complaints. The Trust will also look to develop Web based process of reporting and have a robust process which is sensitive to the various needs of the customers.

The support process for those affected by anti-social behaviour will start at the receipt of the initial report. The Trust will make early and prompt contact with all parties affected by anti-social behaviour. If there is violence or the threat of violence, contact will be made by the end of the next working day. In other cases it will be within 5 working days. The Trust will use other achievable but challenging deadlines for each key stage of the process and agreeing appropriate action with the complainant. On occasions where deadlines cannot be met explanations will be given as soon as possible

To meet the needs of customers all staff throughout the organisation will be helpful, courteous and sensitive to the stress reporting incidents of anti-social behaviour often involves. All staff is trained and understands the procedures to be followed when receiving an ASB complaint.

At the initial contact Trust staff will explain what action can be taken to deal with the complaint, the options available to resolve the problems and what support can be provided to the individual and the local community. The initial contact will also gather information which may be used as evidence to justify or disprove the allegations.

The Trust will use a variety of measures to obtain information during investigations including diary sheets. When undertaking any investigation the Trust will ensure that it is clearly focused on the outcome involving the customer in this process with clear timetables for further action resolution or closure of the case

Throughout the process of dealing with a complaint, the Trust will maintain regular contact with the complainant and any witnesses so that the fear and isolation of customers at a stress full time is minimised. This will include informing them of any action taken to date and proposed future action in the case. Additional support and information will be provided at key stages later in the process including the service of any relevant Notice to seek possession, and any Possession or other Court action. If a case goes to Court extra

support will be offered including pre-court visits, transport to and from Court and a Trust Officer being in attendance throughout the hearing.

When working with witness and complainants the Trust will carry out a risk assessment and consider the following issues, working with other agencies where necessary including

- carrying out full assessments of the support needs of individuals who report anti-social behaviour or agree to provide evidence/act as witnesses.
- Systematically supporting victims either directly or in conjunction with specialist care and support agencies (e.g., witness support services and networks
- Prompt deployment of reassurance measures where appropriate including regular patrols and (housing officers, wardens, police etc),visits, provision of personal alarms and CCTV systems
- Focus on 'target hardening' – (e.g., fire proof letter boxes and wide angle spy holes) liaising with Crime Prevention services as necessary.
- Liaison with court services to minimise the stresses of a hearing

Support will continue after the resolution of legal action or other measures dependant on the needs of each customer. The Trust will also provide support for customers who are the victims of actions of others who are not customers of the Trust.

In order to try to deal with such cases more effectively, the Trust has also developed separate detailed Harassment, Domestic Violence and Relationship Breakdown policies which are intended to complement this policy.

### Racial and Other Harassment Policies

In formulating the policy in this area, the Trust has taken account of certain aspects of the Housing Corporation's Regulatory Code. Namely that the Trust must demonstrate its commitment to equal opportunity (Section 2.7) and that the Board adopts an equality and diversity policy (Section 2.7b)

The Trust appreciates that cases of harassment can often fall within the description of anti-social behaviour, and in dealing with such cases the Trust's policy will look to :-

- eliminate any unlawful discrimination and harassment;
- promote good relations between people of different racial groups;
- encourage people to report racially motivated incidents via the locally agreed reporting mechanism.

Racial Harassment – To deal with racial harassment, the Trust will follow the definition of a ‘racist incident’ provided by the McPherson Report of the Stephen Lawrence Inquiry 1999; i.e. ‘ a racist incident is any incident which is perceived to be racist by the victim or any other person’.

In order to increase the confidence and trust of black and minority ethnic people in the area, the Police, statutory and voluntary organisations have developed a common reporting mechanism.

Where cases of racial harassment are reported to Trust staff, it is important that action is taken swiftly. The Trust’s procedures will be followed when an individual reports an incident of racial harassment. Further details are available in the Trust’s Harassment and Hate Crimes Policy.

Domestic Violence – The Trust regards domestic violence as being ‘an action by one member of a household against another person or persons in that household.’ The Trust appreciates that it does not always affect women but can also relate to men and children. It can include mental, physical, emotional, sexual, psychological and/or economic abuse. There can be a detrimental affect on any children in the household and it can lead to the victim fleeing the household and the situation potentially causing a nuisance to neighbours.

The Trust will investigate reports of domestic violence in conjunction with other agencies, such as the Police and will offer support to victims of domestic violence. On occasions the Trust will also work with Halton Borough Council where the Council has a duty under homelessness legislation to treat people claiming homelessness due to the threat of violence as a priority need. This support could include:-

- improving the security of the property if it is owned by the Trust;
- offering temporary or permanent alternative accommodation;
- giving legal advice on the legal position regarding the tenancy. This will include giving advice on the options for ending a joint tenancy by the party fleeing the violence.

Where it is clear that the perpetrator still remains in the property the Trust will take appropriate action against them. This action will either be:-

- for unauthorised occupancy, if the tenancy has been ended by the party fleeing domestic violence; or
- for a breach of the tenancy agreement if the other party is a customer and the tenancy has not been ended.

#### Protecting Communities Through Swift Enforcement

If problems persist, the Trust will use the legal powers that are available, including obtaining injunctions, taking possession action, demoting tenancies and obtaining anti-social behaviour orders.

The Trust has and will make use of the range of tools that are available to tackle ASB, The Trust will use these as quickly and effectively as possible to

protect customers and the community ensuring that the most appropriate tool is used and that it does not have a one size fits all approach.

If the Trust is satisfied that there is a justifiable complaint and the perpetrator has not improved their behaviour, then legal action to resolve the anti-social behaviour or nuisance will be considered.

In deciding what legal action to take the Trust will consider the nature of the complaint, the degree of any co-operation from the perpetrator, the involvement of other agencies and the wishes of the complainant? Court action will always be seen as a last resort with eviction as the final step. The Trust will always try to resolve any anti-social behaviour or nuisance issues prior to instigating Court action. As well as taking action independently, the Trust will also consider taking legal action in partnership with other agencies. The Trust will use all the existing powers available to them and will adapt their approach in response to legislative changes and best practise

The Powers used will include:-

- Possession Action – Using powers available to the Trust under the Housing Act 1988 action will be taken to seek eviction of a customer in cases of serious anti-social behaviour. The Trust will serve the appropriate Notice and apply to Court for possession. The outcome of the Court action may lead to the eviction of a customer for causing nuisance.
- Injunctions – These may be used to prohibit behaviour capable of causing nuisance or annoyance which directly or indirectly affects the Trust's housing management function. This could include improper use of Trust properties and breaches of conditions of tenancies. The Trust may even consider asking for the power of arrest to be attached to some injunctions, particularly where there is threatened or actual violence.
- Demotion of Tenancy – In certain cases the Trust may apply for a Demotion Order in the County Court. If granted, such an order demotes a customer from an assured tenancy to a less secure one for a year. This would make it easier for the Trust to obtain possession should the customer continue to act anti-socially.
- Anti-Social Behaviour Orders – Under the 1998 Crime and Disorder Act, the Police or the Trust can seek an Anti-Social Behaviour Order (ASBO) against anyone over the age of 10 who has acted in an anti-social manner and where people need to be protected from further anti-social acts. These are granted in the Magistrates Court and last for a minimum of 2 years. Breach of an order can lead to imprisonment for up to 5 years.
- Closure of Premises (where drugs are used unlawfully) – A Senior Police Officer can issue a Closure Notice on any property where there are reasonable grounds for believing that over the past 3 months the

premises have been used in connection with the unlawful use, production and supply of a Class A controlled drug, and this has led to disorder and serious nuisance to the public. Once the Notice has been served an application can be made to the Magistrates Court to grant a Closure Order on the premises for up to 3 months.

- Abatement Notices – Under the Environmental Protection Act 1990 the Council's Environmental Health Department may take proceedings upon anyone causing a statutory nuisance if they have served a notice on them. The Trust would work with Environmental Health Officers and support such action if it considered one of its customers is doing something prejudicial to the health of or is committing acts that are a nuisance to their neighbours. Examples could include concerns about the condition of the property generally, or accumulation of rubbish and repetitive loud noise.

Such a notice would give a time limit that stipulates a customer must rectify the nuisance within a given period. Failure to do so could lead to criminal proceedings being commenced in the Magistrates Court. This type of action would require the involvement of the Council's Environmental Health Department from an early stage.

When using the powers available the Trust aim is always to resolve the nuisance and stop the behaviour rather than to move the problem elsewhere. The Trust will consider action to retain the customer in their home, having clear procedures in place to minimise the use of eviction, through use of other tools to tackle anti-social behaviour in situ (e.g. injunctions etc).

When taking legal action the Trust will robustly verify the evidence to ensure that the action is most appropriate. However there are occasions when swift action is needed to stop ASB and reassure the community. In these circumstances robust case management procedures are in place which enable fast-tracking of legal action where required (e.g., systems which facilitate pursuing interim injunctions at short notice and enforcement of breaches).

To gather evidence the Trust will use a wide variety of sources including:

- Customers diary sheets and statements
- Video and audio evidence
- Professional witnesses both directly employed and from other agencies
- PCSO statements and evidence
- Police statements and information from criminal proceedings

The Trust sets clear standards of behaviour for customers and this is effectively communicated and monitored to ensure they are maintained by the following:

- A Tenancy Agreement with clear rights and responsibilities for both the tenant and landlord
- Customer handbook which provides more detailed information on the expectations of customers
- A suite of information leaflets covering aspects of estate and tenancy management which reiterate expected standards
- Have policies and procedures in place which staff understand and use effectively. These are reviewed and updated to ensure they meet best practice and legislative changes
- Ongoing monitoring of the Trust estates by Housing Officers who will challenge inappropriate behaviour. This is backed by a programme of customer led estate walkabouts to maintain standards
- Having a clear process for action on tenancy breaches and taking action as appropriate
- Take action to deal with issues affecting standards, fly tipping, abandoned cars etc

To ensure that the Trust is taking the most effective action to resolve ASB it uses a performance management framework to both monitor ongoing service and to feed into a broader review of services.

This will monitor the following:

- Types and location of ASB
- Action taken to resolve ASB
- Last action prior to resolution of ASB

With this information the Trust is able to monitor effective action and target resources in the most effective way to provide value for money for the organisation and its customers.

HHT recognises that it needs to work in partnership with other agencies and it plays an active part in all multi agency forums. On a strategic level it contributes to the following meetings:

- Crime and Disorder Reduction Partnership
- Senior Officers ASB Group
- All relevant Court User groups

This enables the Trust to contribute to the strategic direction for tackling ASB within the community and the borough.

Through partnership working on both an individual and multi agency level the Trust will work with other agencies to both gather evidence and take appropriate action to stop ASB. This will be achieved by the following actions:

- Attendance and active contribution to tasking and co-ordination meetings
- Attendance and active contribution to multi agency meetings
- Working directly with the Police on operations and target individuals
- Use of the joint funded PCSOs to gather evidence
- Attendance at meetings regarding individuals of concern including POPO & JAG meetings

Having taken legal action to tackle ASB the Trust will continue to monitor the case to ensure that there are no breaches of any orders, this monitor will include:

- Ensuring that all agencies are informed of the details of the order and consequences of any breach by publicising the information at the multi-agency meetings
- Attendance at local task and co-ordination meetings to highlight cases with the local Police
- Ensure that HHT joint funded PCSOs are aware of the cases for active monitoring
- Using the links with the court to ensure any breach can be quickly tackled by further legal action

#### Support To Tackle The Causes Of Anti-Social Behaviour

The Trust is aware that on occasions there can be difficulties for vulnerable customers in maintaining their tenancies and their behaviour may cause nuisance to others. In such circumstances, the Trust will endeavour to establish the needs of the individual. At initial interview with the alleged perpetrator the Trust will ascertain if there are support needs which can be identified and addressed. The support needs identified will be tailored to the individual and can include the following:

- Substance Misuse – Referrals by Trust staff could be made to local substance misuse services based at Ashley House
- Mental Health and Disability – If there are concerns regarding mental health or disability issues which have an impact on the perpetrator's behaviour, a referral would be made to Social Services using the Customer Service contact point in either Runcorn or Widnes.
- Young People – When dealing with anti-social behaviour complaints caused by youths or children, it can be important to provide support where appropriate as part of the process of investigation/resolution. This can often be achieved by working in partnership with other agencies. If there are problems with young people, the officer investigating the case may make a referral to the Connexions service or the Youth Offending Team or a case to the Youth Inclusion Support Panel

- Parenting if there are concerns regarding parenting then the Trust can contact the Halton ASB Parenting Practitioner or the ASB floating support worker as part of Halton BC Family Intervention Project. Where the investigating officer has concerns about younger children, they could refer the family to Social Services via the Customer Service contact point in either Runcorn or Widnes
- Community support and intervention for example Kool Down Plus

The Trust has clear procedures on dealing with vulnerable customers and it is important that any needs which support perpetrators is identified at initial contact following a complaint and this is reviewed and updated with ongoing monitoring of the case. Any change in circumstances or any new action will be used to trigger a reassessment of support needs.

The Trust will look to use orders available from the courts as part of the effective management of ASB. The Trust will consider any support or treatment orders that are included with orders of the court, these exclude:

- Parenting Orders
- Individual Support Orders
- Intervention Orders

If needs are identified and support offered there is an expectation that customers will engage with the Trust. If there is no engagement the Trust will continue with the next action including legal action as appropriate.

Following intervention the Trust will ensure that reasonable time is given for the intervention to be successful. However if the anti-social behaviour continues the Trust will not allow the ongoing support prevent taking enforcement action. It is important to remember that when dealing with ASB that the Trust balances the need of an individual against the wider community

The Trust appreciates that it is unable to resolve all anti-social behaviour issues by itself. Effective action is often taken by working in partnership with other agencies. An information exchange protocol will be sought which enables the passage of information between agencies. Partner action will be taken with individual agencies such as the Police and Social Services. This is enhanced by regular liaison between with all agencies involved in action on anti-social behaviour. Monthly meetings enable action on individual areas and the development of a strategy to tackle and prevent anti-social behaviour within the community.

#### Sharing Information and Confidentiality

When dealing with cases of anti-social behaviour the Trust will always take account of the views of those reporting any incidents on how it will deal with

the information they provide. The Trust will not take further action on anti-social behaviour without the agreement of witnesses or complainants, if it is likely to have a direct impact on the comfort and enjoyment of their home.

When starting an investigation of any complaint the Trust will ensure that any person providing information is aware of the processes involved and the point at which the Trust may have to provide information to other parties in order to take further action. Ongoing support will always be provided throughout the case. The Trust will also ensure that it passes information to a third party only where it is required to do so and that only the necessary information is divulged.

When dealing with complaints it is important that witnesses are kept informed of what actions the Trust is taking against perpetrators of anti-social behaviour. In these circumstances the Trust will ensure that the information is factual and details the action it has taken to date and any proposed further action. This information will not be made available to the wider public.

Where information is passed to other organisations, e.g. at a MAP meeting, the Trust will ensure that it falls within the agreement to pass information under the local Information Exchange Protocol for Halton.

#### Data Protection and Information Exchange

Under the Crime and Disorder Act 1998 personal data or information may be disclosed to the Police, Probation Service or Health Authority, where it is necessary or expedient for the purposes of obtaining an ASBO. However, any information provided must still be processed under the principles set out in the Data Protection Act 1998 and common law, e.g. as it relates to defamation and duty of confidence. A local Information Exchange Protocol will be drawn up between the Police and housing associations in Halton regarding this process. The Trust will be willing to be a party to any such agreement. However, it will always give consideration to what information is necessary. A formal request will need to be made via a nominated officer within the Trust and information would be provided under a procedure which includes a proper audit trail of the request and the corresponding reply.

#### Staff Issues

- Protection of Staff – The Trust is aware that when allegations of anti-social behaviour are being investigated the issues raised can be a potential cause for conflict for its staff. Staff safety is of paramount importance to the Trust and therefore no member of staff will be expected to put themselves at risk when carrying out their duties in this area. When investigating complaints staff would be expected to follow

the guidelines laid down in the Trust's Lone Working and Violence at Work policies.

- Staff Training – The Trust is conscious that effective training will play a key role in the implementation of action to combat anti-social behaviour. Any training provided by the Trust in this area will look to :-
  - 1) raise awareness of the Anti-Social Behaviour Act 2003 and the Trust's responsibilities under this act;
  - 2) provide employees involved in the implementation and use of Trust's Anti-Social Behaviour Policy and procedures with the necessary skills and knowledge to undertake their role effectively;
  - 3) ensure that all staff dealing with this issue are updated on changes in legislation and guidance and are aware of current best practice in tackling the problem.

The Trust's induction programme for new starters who are likely to be involved in this area will reflect the Trust's duties under the Act. Any specific needs identified will be processed in the same way as other training needs via the Trust's general training programme. Training may be delivered in-house or by external consultants.

Training for Board Members or customer representatives in this area will also be considered where appropriate.

### **Responsibility**

The Director of Customer Services will be responsible for the effective implementation of this policy and for ensuring that all staff are aware of and appropriately trained in the Trust's procedures relating to anti-social behaviour.

The Director of Customer Services will also be responsible for ensuring effective links with Halton Borough Council, the Police, the Social Landlords Crime and Nuisance Group and other agencies at a strategic level to ensure that the Trust can contribute to wider issues in relation to crime and disorder.

### **Consultation**

The Housing Corporation's 'Charter for housing association applicants and residents' states that the Trust must consult with customers and residents if any changes to housing management arrangements are being considered. The Trust accepts that this will include its management of anti-social behaviour.

To ensure that this policy continues to be developed and improved the Trust will consult with:-

- Halton Housing Community Voice;
- customers and residents' groups ,consultative forums and street representatives;

- customers generally;
- Trust staff;
- other agencies and services such as Halton BC Education and Social Services, the Police, youth offending teams and health services
- the wider local community, including the business community
- local leisure facilities, e.g. sports and community centres

Any consultation will be in accordance with the Trust's Customer and Resident Involvement Policy.

### **Monitoring**

The Trust will use a variety of ways to measure the effectiveness of this policy , e.g. mechanisms to consult customers will be set up to see how satisfied they are with where they live. It will support and be a member of the Social Landlords Crime and Nuisance Group, which is a powerful organisation representing the views and interests of social landlords, customers and communities at a national level.

The Board of Management and Halton Housing Community Voice will receive reports summarising the effectiveness of this policy and detailing numbers of cases, outcomes and methods used on an annual basis, so that improvements can be made.

### **Review**

The Trust will review the effectiveness of this policy on an annual basis to ensure that it achieves its aim of protecting the customers and residents of its communities. When necessary the policy will be revised. The Trust will ensure that the policy is made available in various formats, e.g. leaflets, on the Trust's website etc. It will also be available as required in translation and other versions, e.g. in Braille and large print.

The Trust will work closely and liaise with other social landlords in the area to benchmark its effectiveness in relation to anti-social behaviour.

Any review of this policy will ensure that it takes account of legislative changes and the development of best practice initiatives internally or externally so that improvements in performance can continue to be made.

**Associated Documents**

Harassment Policy  
Domestic Violence Policy  
Relationship Breakdown Policy  
Hate Crime Policy  
Equality and Diversity in Service Delivery Policy  
Customer Care Policy  
Customer and Resident Involvement Policy  
Anti-Social Behaviour Procedures  
The Trust's Tenancy Agreement  
The Trust's Customers Handbook