

STEVENAGE HOMES LTD

Policy and Procedure Manual

Anti Social Behaviour Policy

1	Statement of intent
1.1	Anti social behaviour (ASB), nuisance and harassment and its destructive consequences on peoples' lives is of real concern to people in Stevenage and across the UK.
1.2	One of Stevenage Homes Limited's (SHL) key strategic objectives is to 'develop communities people are proud of' and intends to work with its partners to tackle the causes and prevent ASB on a town wide scale.
2	Policy Statement
2.1	SHL takes matters of ASB, nuisance and harassment seriously and will not tolerate such behaviour from our tenants, members of their household or their visitors. Whenever evidence is available, we will not hesitate to take whatever steps are necessary to deal with the perpetrators of ASB and nuisance.
2.2	<p>In dealing with incidents of anti-social behaviour, we will actively seek to:</p> <ul style="list-style-type: none"> • STOP the anti-social behaviour • Encourage residents to resolve their own differences in a reasonable manner where possible • Provide a framework for supporting both the complainant and perpetrator • Target repeat victims by prioritising areas or individuals affected by repeated anti-social behaviour • Target and prioritise consistent and high rate offenders • Take early and effective action against the perpetrator when they fail to engage with support offered • Investigate preventative measures • Monitor the effectiveness of action taken • Escalate enforcement action if the anti-social behaviour is not modified or ended, using a multi-agency approach in the more complex cases • Work in partnership with other agencies to tackle ASB • Encourage and enable victims and witnesses to play a full part in action taken to deal with ASB • Support witnesses throughout the lifetime of a complaint of ASB and beyond.

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<p>2.3</p> <p>2.4</p>	<p>SHL believe that:</p> <ul style="list-style-type: none"> • Everyone has the right to enjoy a peaceful and secure environment in which to live, free from intimidation and ASB • There must be tolerance of and respect for the requirements and needs of others, regardless of their ethnicity, race, religion, gender, age and sexuality • Everyone has the right to their own chosen lifestyle providing this doesn't impact adversely on the quality of life of others. <p>SHL is committed to achieving the standards of the Government's Respect Agenda recognising that we play a key role with our partners in tackling anti social behaviour and its causes. In recognition of SHL's commitment to the Respect Agenda the policy takes into consideration its building blocks which are:</p> <ul style="list-style-type: none"> - Accountability, leadership and commitment - Empowering and reassuring residents - Prevention and early intervention - Tailored services for residents and provision of support for victims and witnesses - Protecting communities through swift enforcement - Support to tackle the causes of anti social behaviour.
<p>3</p>	<p>Implementation</p>
<p>3.1</p> <p>3.1.1</p> <p>3.1.2</p> <p>3.1.3</p>	<p>Anti-Social Behaviour – A definition</p> <p>Anti-social behaviour (ASB) is any conduct to which sections 153A(1) and 153B(2) of the Housing Act 1996 apply. These sections apply to conduct which:</p> <ul style="list-style-type: none"> • Is capable of causing nuisance or annoyance to any person; and • Directly or indirectly relates to or affects the housing management functions of a relevant landlord; or • Consists of or involves using or threatening to use housing accommodation owned or managed by a relevant landlord for an unlawful purpose. <p>In understanding and interpreting these definitions, it is important to remember the following points:</p> <p>Those persons to whom the conduct may cause annoyance or nuisance include anyone who has a right to live in property owned or managed by the landlord, those living in any other property in the neighbourhood (for example owner-occupiers or leaseholders) and anyone else lawfully in</p>

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	such property or in the locality (for example working or using local facilities).
3.1.4	The housing management function of the landlord covers any activity that the landlord would undertake in the day-to-day and strategic management of the stock. Examples include tenant and community participation, maintenance and repairs, rent and rent arrears collection, neighbourhood management and dispute resolution. Matters which “indirectly affect” the housing management function could be said to include social care and housing support, environmental health, refuse collection and any other service that enables the efficient operation of the landlord function.
3.1.5	There is no requirement that the conduct complained of actually causes nuisance or annoyance to any other person. Stevenage Homes can take action not only against someone who has actually caused a nuisance to another person, but also when their behaviour is capable of causing a nuisance. This means that someone other than the complainant can give evidence, although we would always encourage witnesses to attend court should legal proceedings prove necessary
3.2	Examples of behaviour considered to be anti-social by Stevenage Homes Limited include: (<i>this list is by no means a definitive one</i>)
3.2.1	<ul style="list-style-type: none">• Violence or threats of violence towards any person, including domestic violence• Racist behaviour including written or verbal abuse• Prostitution• Criminal activity in the locality or neighbourhood• Drug abuse or drug dealing• Alcohol abuse in communal areas or in public places• Verbal abuse and offensive behaviour• Vandalism and/or property damage• Malicious telephone calls• Writing graffiti• Throwing things from balconies or out of windows or doors, whether or not this endangers others• Blocking communal areas or communal or private access• Storing in shared areas petrol, diesel, paraffin, gas or vehicles or appliances powered by those fuels, or storing any other inflammable materials in such a way to cause potential harm• Violent, threatening or intimidating behaviour, including possession of any form of weapon, or of an implement that is being used as a weapon or in a threatening or intimidating manner• Broadcasting telecommunication signals that interfere with telecommunication elsewhere• Selfish, thoughtless or indiscriminate parking of vehicles, caravans, boats or trailers• Fly-tipping or failing to securely store or safely dispose of rubbish• Noise nuisance

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3.3	The Strategic Context
3.3.1	Stevenage Homes Limited (SHL) works in partnership with Stevenage Borough Council (SBC) and supports the vision, objectives and priorities set out in their Housing Strategy, 2005-2010. The Housing Strategy recognises the need to “develop communities that people are proud of” and aims to reduce perceptions of levels of nuisance behaviour and fear of crime. In 2003, in consultation with our tenants, we drafted a new tenancy contract, which highlights the rights and responsibilities of the tenants and SBC as a landlord.
3.3.2	SHL also plays a key role in tackling anti-social behaviour within the Stevenage Community Safety Partnership, (SCSP) whose mission statement reveals that “the Partnership will work together with the community to reduce the fear and levels of crime and anti-social behaviour. We will create a safer environment for all those who live, shop, travel and work in Stevenage”. The approach of all the agencies involved in the partnership, which includes local Registered Social Landlords, is one of problem solving and effective information sharing. The partnership set up an Anti-Social Behaviour Case Management Group (ASBCMG) as one way of driving this approach where it develops action plans for the most serious cases of anti-social behaviour.
3.3.3	The Crime and Disorder Act 1998 places a duty on the SCSP to produce a local three year crime, disorder and drugs reduction strategy. National guidance and local consultation have shown that keeping crime levels low and tackling anti-social behaviour are high priorities for the public and this is reflected in the Stevenage Community Safety Strategy 2005-2008 and the Stevenage Community Strategy 2003-2021.
3.3.4	In producing this statement we have also been particularly mindful of the obligations, responsibilities and limitations placed upon us by the following legislation:
3.3.5	Children Act 1989 - Section 27 requires us to consider any request concerning the interests of a child from other authorities, such as Children, Schools and Families (CSF), before deciding on action to deal with ASB.
3.3.6	Disability Discrimination Act 1995 - This makes it unlawful for a person managing premises to discriminate against a disabled person (this includes persons with a mental illness or learning disability) living in those premises. Under subsequent case law, we must take any disability into account before deciding what action to take to deal with ASB.
3.3.7	Homelessness Act 2002 - Stevenage Borough Council is obliged to produce a strategy for dealing with homelessness, especially regarding the prevention of homelessness. This means that we must make every effort to resolve problems to do with ASB before taking steps to evict a tenant.

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3.3.8	Race Relations Act 1976 - We have a duty to eliminate unlawful racial discrimination, promote equality of opportunity and promote good relations between persons of different racial groups.
3.3.9	Human Rights Act 1998 - Article 8 states that a) everyone has the right to respect for his private and family life, his home and correspondence b) there shall be no interference by a public authority with the exercise of this right except such as in accordance with the law and is necessary in a democratic society in the interest of national security, public safety or the economic well being of the country for the prevention of disorder or crime, for the protection of health or morals or the protection of rights and freedoms of others. This prevents us from intruding on an individual's private life by carrying out surveillance or monitoring except in specified circumstances.
3.3.10	Data Protection Act 1998 - This deals with the holding, obtaining, recording, using and sharing of data of a personal nature. Data that is stored on paper, on computer or on film/video may be covered by the Act. The Act places restrictions on the use and disclosure of such data.
3.4	The Obligations of Tenants
3.4.1	All tenants will have signed a tenancy agreement, which sets out their rights and responsibilities. The following extracts are the clauses from the tenancy agreement outlining tenants responsibilities in respect of anti-social behaviour:
3.4.2	<i>As a tenant you are responsible for</i> <ul style="list-style-type: none">• <i>your own behaviour</i>• <i>the behaviour of any person who lives in your home (occupants)</i>• <i>the behaviour of any person who comes to visit you (visitors)</i>• <i>the behaviour of any pets belonging to you, to occupants or visitors</i> <p><i>You are responsible for behaviour in your home, on surrounding land and on shared areas for example stairs, landings, hallways, shared gardens, parking areas, play areas or in the locality or neighbourhood of your home.</i></p> <p><i>Your behaviour and/or the behaviour of the occupants or of visitors to your home or of your/their pets must not cause problems for other individuals or for the wider community.</i></p>
3.4.3	<i>You, occupants, visitors and/or pets must not cause a nuisance or annoyance to any other person living in, visiting or carrying out a lawful activity in the locality or neighbourhood of your home.</i>

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3.4.4	<p><i>You, occupants or visitors must not harass any person because of their race, colour religion, disability, gender, sexual orientation, mental health, age or any other reason. You, occupants or visitors must not harass any Council (or SHL) employee or any person doing work on behalf of the Council.</i></p> <p><i>Harassment is caused when you offend others or interfere with their peace and comfort, on more than one occasion. Some examples of harassment are shown below. They are not the only examples possible, but are the most common.</i></p> <ul style="list-style-type: none"><i>• Violence or threats of violence towards any person</i><i>• Abusive or insulting words or behaviour</i><i>• Damage or threats of damage to property belonging to another person</i><i>• Writing threatening, abusive or insulting graffiti.</i><i>• Racist behaviour including written or verbal abuse.</i><i>• Malicious vandalism</i>
3.4.5	<p><i>You, occupants or visitors must not behave anti-socially..</i></p>
3.4.6	<p><i>You must not commit, cause or threaten any violence against a member of your household that would justify that person leaving the property.</i></p>
3.4.7	<p><i>You, occupants or visitors must not use your home for any criminal purpose, eg storing stolen goods. The Council will take action if you, occupants or visitors are convicted of an arrestable offence that takes place in your home or in the locality or neighbourhood of your home.</i></p>
3.4.8	<p><i>You, occupants or visitors must not use your home for any unlawful purpose. This can include prostitution or dealing in illegal drugs. The Council may take action if you, occupants or visitors are convicted of using your home for any unlawful activity.</i></p>
3.4.9	<p><i>It is a breach of this tenancy agreement if you, occupants or visitors are convicted for possessing controlled drugs in your home. Controlled drugs include heroine, crack cocaine, cocaine, non-prescription methadone, mescaline and morphine.</i></p>
3.4.10	<p><i>It is a breach of your tenancy agreement</i></p> <ul style="list-style-type: none"><i>• If you are convicted of an offence involving violence or a threat of violence against a member of your household or</i><i>• A court order has been made against you either to leave your home temporarily or permanently because of your conduct towards a member of your household.</i>
3.4.11	<p><i>You, occupants or visitors must not park or store an untaxed, derelict or dangerous vehicle in any communal area or in any part of the estate or neighbourhood. If this happens the Council may remove the vehicle without Notice, in accordance with the Refuse (Amenity) Disposal Act 1978, and</i></p>

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	<i>will invoice you for the costs and charges involved.</i>
3.4.12	<i>Each tenant has a responsibility to help maintain a pleasant neighbourhood.</i>
3.4.13	<i>You should ensure that your home is kept safe, hygienic and clear of rubbish and of vermin and pests such as mice and wasps.</i>
3.4.14	<i>You must ensure that all hedges, grassed areas and flowerbeds do not become overgrown.</i>
3.4.15	<i>You must keep your garden free of any flammables or hazardous material or junk, such as gas cylinders, old washing machines, fridges, car parts, furniture etc, and free of vermin.</i>
3.4.16	<i>You must maintain any trees in your garden. This includes pruning or removing them if required.</i>
3.4.17	<i>The Council expects neighbours to resolve mutually any problems with creeping plants, overhanging branches, falling leaves and other common gardening problems. If however your neighbours' garden is harming your enjoyment of your home, and especially if there is the possibility of damage being caused, then you should contact the Council.</i>
3.4.18	<i>You and any occupants of your home or visitors to it must park vehicles in a responsible fashion and must not cause obstruction for other residents or road users.</i>
3.4.19	<i>You must not interfere with or damage the security and safety equipment in flats or groups of dwellings or sheltered housing schemes. Communal doors or gates must not be jammed or wedged open for any reason and strangers must not be let in without identification.</i>
3.4.20	<p><i>These are the conditions for keeping pets or animals</i></p> <ul style="list-style-type: none"> • <i>The pet must be kept under proper control at all times.</i> • <i>The pet must not cause a nuisance or danger to persons or other animals. Nuisance includes excessive or persistent noise or smell caused by the animal. Keeping a large number of animals may cause a nuisance even if each animal is acting in a normal manner.</i> • <i>The animal must not cause damage to Council or private property, or to communal areas.</i> • <i>The animal must not be permitted to foul in any communal areas.</i>
3.5	Support of Complainants and Witnesses
3.5.1	SHL recognises that pro-active and serious engagement with complainants and witnesses is critical to success in tackling anti-social behaviour.

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3.5.2

In support of complainants and witnesses, we will

- agree an action plan with complainants and witnesses, making them part of the decision making process
- provide complainants and witnesses with incident logs and advice on how to complete them
- keep in regular contact with all complainants and witnesses throughout a case, normally through the Officer who is dealing with the case. Contact will be at least once in every 20 working days, unless another timescale for contact has been agreed
- where appropriate, ensure other partners or SHL staff are generally aware of a case (eg Caretakers, Police Community Support Officers)
- offer a risk assessment of the home and local environment and install safety measures where required, such as
 - New locks on windows and doors
 - Alarms and panic buttons connected direct through to the Police
 - Covert surveillance cameras
 - Door entry systems to flat blocks
- put witnesses in touch with each other, for added support
- consider any special needs of complainants and witnesses (such as translators for those where English is not the first language, alternatives to written diaries such as audio recording equipment)
- make referrals to other support agencies such as Victim Support, but only with the consent of the complainant or witness
- arrange advanced visits to court so witnesses can familiarise themselves with the court environment
- arrange transport to court, if required, and arrange Police support in cases involving violence
- after any court proceedings, ensure all complainants, witnesses and relevant agencies are informed of the outcome
- consider appropriate publicity of successful outcomes
- provide ongoing support, even after legal proceedings have finished
- In the most serious of cases, consider temporary (or permanent) relocation of witnesses in line with the Council's allocations policy, although we will always focus on stopping the perpetrator's anti-social behaviour before the relocation of a complainant or witness
- recognise that some complainants or witnesses may be reluctant to provide information, or attend court, and there will be a need therefore to use professional witnesses in such cases. SHL staff, the Police and other partners will, and do, act as professional witnesses. If further evidence is still required, SHL will consider the benefit of employing professional witnesses in the most complex and serious cases. Professional witnesses may be used to build a case for court proceedings, to protect and support witnesses or to monitor the outcome of a court order and gather evidence of breaches of an injunction/ASBO

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3.6	Policies on different types of ASB
3.6.1	SHL has produced a separate Harassment Policy and Procedure which includes hate crimes and harassment on race and sexual orientation grounds. As harassment is closely linked with ASB and many of the actions taken are the same. It is included in the ASB Policy and Procedure and incidents will be classed under Category A. In addition to the action taken to deal with incidents of harassment, it will have its own guidance and best practice in response for dealing with incidents.
3.7	Racial Harassment.
3.7.1	SHL currently works closely with the Council, the Police Hate Crime Officer and Victim Support to provide an extended service to victims of domestic violence. SHL has developed its own Domestic Violence procedure.
3.7.2	SHL is committed to equality of opportunity for all people regardless of age, colour, ethnic or national origin, class, religious belief, race, gender, disability, sexuality marital status or trade union membership. Valuing equality and diversity is an integral part of Stevenage Borough Council's mission: “Council and Community Working Together to Improve Quality of Life”
3.7.3	The murder of Stephen Lawrence, and the subsequent Macpherson Inquiry Report, has brought to the general public's attention the need to recognise racial harassment and deal with it appropriately.
3.7.4	SHL has adopted the definition recommended by the Stephen Lawrence Inquiry which states that: <i>“A racist incident is any incident which is perceived to be racist by the victim or by any other person”.</i>
3.7.5	The Tenancy Agreement recognises that harassment can be motivated by prejudice on any of the above grounds and defines harassment as <i>“when you offend others or you interfere with their peace and comfort, on more than one occasion”</i>
3.7.6	The main objectives included in the policy are to: <ul style="list-style-type: none"> • Encourage victims/witnesses to report incidents • Ensure that actual or potential perpetrators of racial harassment are aware of the consequences of their actions • Ensure staff are fully trained to be able to deal with complaints of racial harassment • Encourage a multi-agency approach to casework

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	<ul style="list-style-type: none"> • Ensure that racist incidents are reported, accurately recorded and monitored, including allegations and those that are found to be racist • Take a victim-centred approach when dealing with cases of racial harassment • Support victims, their families and any witnesses when racial harassment occurs • Deal with cases of racial harassment effectively within two working days • Take appropriate legal action against perpetrators • Prevent further racial harassment
3.8	Domestic Violence
3.8.1	SHL currently works closely with the Council, the Police Domestic Violence Officer and Victim Support to provide an extended service to victims of domestic violence. SHL has developed its own Domestic Violence procedure.
3.8.2	SBC and SHL in conjunction with our other partners provide a “Sanctuary Scheme” for tenants who have experienced domestic violence. As part of the scheme, a Crime Prevention Officer will visit the property and make recommendations to improve security and ensure that one room within the property is made totally secure. In a domestic violence situation, this will provide the tenant and or their family with a room where they can escape to whilst the Police are contacted and assistance awaited.
3.8.3	We will also actively encourage victims of domestic violence to seek independent legal advice and to use restraining orders and injunctions to prevent domestic violence or to remove the violent person from the household.
3.9	Prevention of Anti-Social Behaviour
3.9.1	Prevention is an essential part of our approach to anti-social behaviour and a range of preventative measures are employed, which include:
3.9.2	<ul style="list-style-type: none"> • Signing-up process of new tenants – The Tenancy Agreement is a legally binding contract between Stevenage Borough Council and its tenants. As part of the sign-up process, staff will explain to new tenants their responsibilities with regard to their behaviour and the consequences of failing to comply with those responsibilities
3.9.3	<ul style="list-style-type: none"> • Exclusion from the Housing Register – The Allocations Policy includes the provision to exclude any applicant from the Housing Register on the grounds of unacceptable behaviour. Unacceptable behaviour is behaviour that affects the applicant’s suitability as a tenant and has entitled SHL or any other landlord to obtain a Possession Order in the past, and at the time of their application SHL is satisfied that this behaviour is continuing. In addition to this,

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3.9.4	<p>tenants who have been evicted or have abandoned their accommodation before or during possession proceedings for anti-social behaviour may also be excluded from the register.</p> <ul style="list-style-type: none"> • Mediation – We recognise that mediation is a key tool to address a wide range of neighbour problems. Mediation seeks to secure long term and lasting ways of resolving conflicts by mutual agreement. It may be appropriate when both or all parties, voluntarily choose it, are willing to be reasonable and wish to avoid legal action. As well as mediation conducted by our Tenancy Enforcement Officers, there are a number of agencies that the parties can be referred to such as the CAB, Luton Mediation, Social Services and Herts & Beds Mediation
3.9.5	<ul style="list-style-type: none"> • Use of legal action SHL can employ a range on actions to change behaviour including serving of Notice of seeking possessions on secure tenants, serving Notice of Intention to Terminate Tenancies for introductory tenants, working with the Police and other organisations to serve Anti Social Behaviour Orders, close crack houses and disperse congregating youths. In addition, SHL can request demotion of tenancies, apply for injunctions, take possession proceedings and evict tenants
3.9.6	<ul style="list-style-type: none"> • Use of Acceptable Behaviour Contracts – An Acceptable Behaviour Contract (ABC) is an individually written agreement between a young person who has been involved in anti-social behaviour, their parent or guardian, SHL and the Police. They are used as an early intervention measure, to stop the bad behaviour and to prevent the need for enforcement action. They are most commonly used for young people between the ages of 10-18 but they may also be used on adults (Acceptable Behaviour Agreements). The terms of the contract are mutually agreed between all parties involved before sign-up. These contracts normally last for up to six months and whilst there is no legal redress for breaching an ABC, it may provide evidence that can be used in future legal proceedings
3.9.7	<ul style="list-style-type: none"> • Diversionsary Activities – We recognise the benefits of providing opportunities and diversionsary activities for potential perpetrators of anti-social behaviour, especially young people, in order to help them to move away from acting anti-socially. Stevenage Borough Council, along with many other agencies, are heavily involved in arranging a whole number of diversionsary activities throughout Stevenage. When appropriate, we will make referrals to SBC’s Youth Diversionsary Officer. All Acceptable Behaviour Contracts for young people will now include a term to accept a visit from the Youth Diversionsary Officer (providing there is agreement from all parties involved)

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3.9.8	<ul style="list-style-type: none"> • Designing Out Crime – Officers from a range of Sections within SHL, including Tenancy Officers, Tenancy Enforcement Officers, Caretaking, Technical Services and Responsive Repairs meet pro-actively to discuss and identify actions that could be taken to reduce or eliminate the recurrence of anti-social behaviour in an area. This could include the removal or re-arranging of planting or improved lighting or security measures
3.9.9	<ul style="list-style-type: none"> • Floating Support – SHL provides a floating support service which is available to tenants who have been identified with special needs e.g. Mental Health problems. The aim of the service is to offer low key support to prevent the tenancy breaking down and is part of the prevention of homelessness strategy. Floating support is also offered by partner agencies for tenants with learning difficulties and for vulnerable young people.
3.9.10	<ul style="list-style-type: none"> • Estate Inspections – Tenancy Officers and Caretakers carry out regular inspections on our estates to endeavour to help improve and maintain local environments
3.9.11	<ul style="list-style-type: none"> • Publicity – SHL actively publicises high profile cases, campaigns and activities related to tackling anti-social behaviour, both in the local press and internal publications like Housing for You and the Stevenage Chronicle
3.9.12	<ul style="list-style-type: none"> • Police Community Support Officers – PCSO's provide a visible presence on local estates throughout Stevenage and obtain useful information on ASB activity and problems in an area. There is also now a dedicated PCSO who deals specifically with anti-social behaviour and who provides regular information direct to staff in SHL.
3.9.13	<p>A number of specialist agencies also provide services in preventing ASB. These include:</p>
3.9.14	<ul style="list-style-type: none"> • The Youth Offending Team (YOT) – This team is a key partner in the Stevenage Community Safety Partnership and includes representatives from Social Services, Probation, Police, Education and the Health Services. The team intervene at an early stage in a young person's offending career, offering structured programmes of support, with the aim of preventing re-offending and work closely with SBC's Youth Diversionary Officer.
3.9.15	<ul style="list-style-type: none"> • Youth Inclusion Support Panels (YISP) – These panels co-ordinate support services for young people between 8-13 years, who are at a high risk of offending. They are multi-agency panels represented by Social Services, YOT, Police, Education and Health Services. All agencies may bring information to the Panel about an

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3.9.16	<p>individual's involvement in ASB, the seriousness or frequency of the incidents and the impact of that behaviour on others. The Panel then agrees the best course of action and support for the individual to change their behaviour.</p> <ul style="list-style-type: none"> • Probation Service - works with and supervises offenders to continuously assess and manage the risk and dangerousness with the provision of expert supervision programmes designed to reduce re-offending. Enforcement of the order/licence conditions is also a priority.
3.10	<p>Rehabilitation of Perpetrators and support for vulnerable groups</p>
3.10.1	<p>In considering the most effective options for the protection of tenants and the wider community from anti-social behaviour, we will consider the positive impact that support may have on perpetrators, especially those considered to be vulnerable. Although not a definitive list, vulnerable groups can include</p> <ul style="list-style-type: none"> • Older people with support needs • People with mental health needs • People with learning difficulties • People with a physical or sensory disability • People who misuse drugs or alcohol • People with a history of offending or who are at risk of offending • Survivors of domestic violence • Teenage parents • Black and minority ethnic people • Gay, lesbian, bisexual and transgender people
3.10.2	<p>We will make referrals to specialist agencies when dealing with issues relating to anti-social behaviour that are a direct, or indirect, consequence of one or more of the following factors:</p> <ul style="list-style-type: none"> • Drug use • Alcohol use • Mental Health • Disability
3.10.3	<p>In such cases, taking legal action against the perpetrator may not be appropriate or effective, at least in the first instance, and we will work positively with all relevant partners to ensure the perpetrator receives all the advice or support needed both to modify their behaviour and prevent further ASB occurring and to maintain their tenancy and independent living. These referrals and subsequent support packages will be made at the earliest opportunity in an effort to sustain an individual's tenancy, although we will always be mindful of the need to stop or prevent the nuisance being caused. If, despite the provision of suitable and adequate advice and</p>

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	<p>support, the ASB continues, we will consider taking appropriate further action as appropriate to the case.</p>
3.11	Multi-Agency Partnerships
3.11.1	<p>The Crime and Disorder Act placed a statutory responsibility on the Police, Local Authorities and County Councils to work in partnership with each other, along with a range of other support and advice agencies to reduce crime and disorder within each local authority area. In Stevenage, the partnership is collectively known as the Stevenage Community Safety Partnership and is supported by the following key agencies:</p> <ul style="list-style-type: none">• Stevenage Borough Council• Stevenage Homes Limited• Hertfordshire Constabulary• Youth Offending Team• Children Schools and Families• Social Services• Educational Welfare Officer• Youth Services• Probation Service• Community Mental Health Team• Hertfordshire Victim Support and other voluntary groups• Various Registered Social Landlords
3.11.2	<p>In cases where early intervention, prevention and support have failed to stop the anti-social behaviour, cases may be referred to the Anti-Social Case Management Group (ASBCMG). The ASBCMG will assess the facts of a case, formulate and agree an action plan to resolve the problem and decide what agencies need to play an active part in the resolution of the problem. SHL recognises that it is unlikely that the causes or solutions to tackling anti-social behaviour lie solely within the remit of a single organisation.</p>
3.12	Data Protection and Information Sharing
3.12.1	<p>SHL is signed up to the protocol between the authorities of Hertfordshire to provide guidance for the disclosure of information. Through this protocol we are able to share information with other registered partners on matters of anti-social behaviour. We are also able to request information from the Police about the previous convictions of alleged perpetrators of anti-social behaviour in connection with enforcement action being pursued against them.</p>
3.12.2	<p>We are registered under the Data Protection Act and all information supplied to us will be dealt with in accordance with the Act. Under Section 35 of the 1998 Data Protection Act information required for the purposes of</p>

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	proposed legal proceedings is exempt from the non-disclosure provisions.
3.12.3	Officers will ensure that any disclosure of information is lawful and will check with Legal Services if there is any doubt.
3.13	Records and confidentiality.
3.13.1	SHL will record and maintain information on an IT based recording database to enable monitoring progress on ASB cases and use it as a management tool to enable a more consistent and managed approach to ASB, plotting incidents through Geographical Information System (GIS) to monitor trends, make area by area comparisons and inform regeneration investment decisions. SHL will maintain an ASB file which is a useful reference point for information in support of the ASB database, information on community safety partners and organisations, the annual review of ASB on the estate and associated action plans and targets and reference documents and good practice guidance. All information is kept secure and treated as confidential subject to Information sharing protocols and SHL ask complainants prior to releasing information to third parties.
3.14	Cross Tenure Issues
3.14.1	One of the main features of anti-social behaviour is its indiscriminate nature. People from all tenure types, whether they are SHL tenants, leaseholders, tenants and leaseholders of other social registered landlords, private landlords and their tenants or freeholders may equally be the perpetrators or victims of anti-social behaviour.
3.14.2	Consequently, to deal with anti-social behaviour effectively, a cross tenure approach is needed. Our policy and procedure on anti-social behaviour supports this approach through our involvement in strategic and multi-agency partnerships and by information sharing.
3.15	Protection of Staff
3.15.1	Protection of our staff is of paramount importance to SHL. We believe that our employees should be able to carry out their responsibilities without fear or intimidation or abuse from others. It is for this reason that any risk to staff from implementation of SHL policies and procedures should be assessed and managed, especially when dealing with emotive and potentially dangerous incidents requiring investigation.
3.15.2	SHL will undertake to <ul style="list-style-type: none">• Carry out appropriate risk assessments and take action to minimise identified risks• Keep a record of potentially violent persons and where relevant share with relevant agencies

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<p>3.15.3</p> <p>3.16</p> <p>3.16.1</p> <p>3.16.2</p>	<ul style="list-style-type: none"> • Take swift and effective action (such as injunctions and possession proceedings) to protect staff who are employed to implement SHL policies and procedures • Provide mandatory training for all staff in dealing with violence and aggression <p>SHL staff should</p> <ul style="list-style-type: none"> • familiarise themselves with the “Lone Working Procedure” • Report incidents as soon as possible to their line manager <p>Training of Staff in dealing with ASB</p> <p>We are committed to training our staff to ensure they have the confidence and knowledge to identify and investigate incidents and reports of anti-social behaviour and are equipped to take the appropriate action. As such, staff will be expected to attend both internal and external training courses relating to anti-social behaviour matters.</p> <p>Primarily, training needs are identified at the annual Performance and Development Meeting (and subsequent quarterly reviews) between a member of staff and their line manager. When there are changes to the law, refresher training and updates will be provided as necessary.</p>
<p>4</p>	<p>Responsibility</p>
<p>4.1</p> <p>4.2</p> <p>4.3</p> <p>4.4</p> <p>4.5</p>	<p>SHL Board. The SHL Board provides the strategic lead in setting the policy and direction of how SHL deal with ASB. The Board agrees the strategy, the policy and procedure and monitors performance.</p> <p>Chief Executive Officer. Ultimate responsibility for tackling ASB, nuisance and harassment rests with the Chief Executive Officer.</p> <p>Organisational responsibility. It is a corporate responsibility of all staff, Board Members, agents and contractors to report and assist in tackling ASB and the causes of ASB.</p> <p>The Director of Housing Management. Has overall responsibility for the implementation and monitoring of this policy and for links with and proactive approaches with external partners and organisations. The Director also has responsibility for ensuring the annual plans and reviews of the ASB service are completed every year to ensure the service remains responsive to customer needs and best practice.</p> <p>The Tenancy Services Manager. Has responsibility for the routine monitoring of performance, review of cases, compliance to the policy and procedure by Tenancy Officers and other housing officers who may become involved in ASB cases and production of targets and action plans</p>

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	for areas and blocks.
4.6	The Tenancy Enforcement Officer. Responsible for managing complicated ASB cases and are responsible for leading and coordinating enforcement action and resolving complainants' issues. The Tenancy Enforcement Officers also works with partner organisations to share information and work on complex multi-agency cases.
4.7	Tenancy Officers. Responsible for working with complainants to seek successful outcomes in low level ASB cases.
4.8	Tenancy Assistant (ASB). Tenancy Assistant (ASB) records all ASB and nuisance activity by type and location to provide statistics for case monitoring and formulation of action plans, targets and regeneration and investment decisions.
4.9	Caretakers. Caretakers are responsible for reporting incidents of ASB to Tenancy Services and responding to incidents of low level ASB within their remit.
5	Consultation
5.1	Involving, empowering and reassuring residents is key to SHL's policy on ASB. SHL involves residents in setting its objectives through the established tenant fora and through regular consultation with residents. As a result of this SHL has set an objective of 'Developing Communities People are Proud Of', this includes actively tackling ASB.
5.2	SHL will publicise high profile cases, campaigns and activities related to tackling ASB, through the local media and our own publications. SHL will also publicise enforcement tools available and means of reporting ASB so that residents know how to tackle problems and feel confident that action can be taken.
5.3	Tenancy Officers and Caretakers carry out regular estate inspections to improve and maintain the environment. These also act as a means of gathering information and intelligence on anti social behaviour and allow us to work with the residents to tackle areas of concern.
5.4	SHL works with residents with diverse needs and will ensure that no resident is unduly excluded from involvement, advice and information. Information is provided in a range of languages and formats, at accessible locations, available on request and displayed on SHL's website. SHL will work with residents who are experiencing ASB in a way that best suits their needs.
6	Review

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6.1	<p>The Director of Housing Management is responsible for the implementation of this policy and review in line with the corporate review process.</p> <p>SHL will review its policy regularly in light of changes to legislation, regulatory guidance, best practice and customer and partner feedback. SHL will complete an annual Respect Standard diagnostic check to ensure the policy and procedure continues to reflect the targets of the Respect Agenda, standards of the Audit Commission's KLoEs and principles of best practice.</p>
6.2	<p>Best practice</p> <p>SHL works through the legal framework as set out in various Housing Acts to tackle ASB. SHL is mindful of its obligations and responsibilities when dealing with ASB and works proactively to review operating procedures and strategies in light of best practice yearly by completing diagnostic checks against standards including KLoEs and the Respect Agenda. SHL will measure the outcomes of each ASB case and feed this back into improving the process and create estate and block plans to deal with ASB and map incidents throughout the borough by type to identify trends and hot spots (areas of increased ASB activity) enabling co-ordinated action to be taken. Annual reviews of ASB activity enable action plans and annual targets to be set for area and to link in and influence SBC strategy and work with other organisations.</p>

7	<p>Delegated Authorities</p>
7.1	<p>Overall responsibility rests with the SHL Board and the Delivery and Implementation Committee (D&I) is the responsible committee.</p> <p>Delegation:</p> <ul style="list-style-type: none"> ➤ Formulation and monitoring of policy and procedures: D&I ➤ Agreeing amendments to policy: D&I ➤ Implementation of policy: Director of Housing Management ➤ Monitoring of implementation: Director of Housing Management subject to 6 monthly monitoring by D&I <p>As this is a customer facing strategy, it will be agreed by Stevenage Borough Council.</p>
8	<p>Associated Documents</p>

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8.1	<p>Internal:</p> <ul style="list-style-type: none">• Anti Social Behaviour Statement of Procedure• Summary of ASB Policy and Procedure for residents• Domestic violence policy and procedure• Customer Service standards for ASB, harassment and domestic violence• Equality and Diversity
8.2	<p>External:</p> <ul style="list-style-type: none">• KLOEs 6: Tenancy and Estate Management• The Respect Standard for Housing Management - The Department for Communities and Local Government• Housing Act 1985 and 1988 Schedule 2• Housing Act 1996 s175-218• Audit Commission [2003.11] Victims and witnesses: providing better support• Anti Social Behaviour Act 2003 s12-17• Children Act 1989• Civil Evidence Act 1995• Crime and Disorder Act 1998 s1-6, s115• Data Protection Act 1998• Environmental Protection Act 1990 s79-82• Human Rights Act 1998• Police and Criminal Evidence Act 1984 s24• Protection from Harassment Act 1997 s1-7