

Policy on:

Anti-Social Behaviour

**Compliant with Charter
Outcomes and Standards:**

Yes

**Compliant with Equal
Opportunities:**

Yes

Compliant with Business Plan:

Yes

Compliant with Risk

Yes

Date for Approval:

February 2022

Date for Review:

February 2027

Responsible Officers:

Ann Black, Customer Service Manager



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This policy is available, on request, in different languages and in other formats such as large print, audio format and braille as required.



1. Introduction

Shire Housing Association acknowledges that tenants and residents have the right to live within a peaceful, enjoyable environment and feel safe within their home. The Association recognises the detrimental impact that anti-social behaviour can have upon individual residents and communities as a whole.

The policy is relevant to a variety of stakeholders and partner agencies, including individual tenants and residents, together with tenants and residents groups, Shire Housing Association staff, Tenant Panel and Board members, Police Scotland, Strathclyde Fire and Rescue, East Ayrshire Council Officers, Community Health Care Partnership and Elected Members.

To realise our corporate vision of Better Homes, Better Lives, Vibrant Communities, we will apply the following actions:

- take timely, consistent and effective action against persons who behave in an anti-social manner.
- Provide support to victims and in appropriate circumstances, to perpetrators to positively change their behaviour, sustaining tenancies, where possible.
- Work in partnership with all relevant local agencies to reduce incidents of anti-social behaviour and their impact by maximising prevention, intervention, engagement and communication activities.

The statutory framework for this service area is set out within the following legislation:

- Antisocial Behaviour etc. (Scotland) Act 2004
- Housing (Scotland) Act 1988
- Housing (Scotland) Act 2001
- Housing (Scotland) Act 2014

This legislation sets out the grounds and process for recovery of possession and implementation/conversion to Short Scottish Secure Tenancies in appropriate circumstances.

Section 143 of the Anti-social Behaviour etc (Scotland) Act 2004 defines that ‘a person is engaged in anti-social behaviour if he/she:

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

Within the definition, ‘conduct’ includes speech.

The Act also refines and enhances the tools and powers available to Local Authorities and the Police to address forms of anti-social behaviour, including:

- Anti-social Behaviour Orders
- Closure of Premises



- Dispersal of Groups
- Noise Nuisance
- Provision of Anti-social Behaviour Strategies
- Registration of Private Landlords

The importance of effective partnership working is also emphasised.

2. Related Legislation

- Anti-social Behaviour etc (Scotland) Act 2004
- Data Protection Act 2016/679
- Disability Discrimination Act 2005
- General Data Protection Act 2018
- Homelessness (Scotland) Act 2003
- Housing (Scotland) Act 2014
- Matrimonial Homes (Family Protection)(Scotland) Act 1981
- The Children (Scotland) Act 1995
- The Housing (Scotland) Act 1987
- The Housing (Scotland) Act 2001
- The Human Rights Act 1998

Supporting Research and Analysis

- CIH – How to Manage Anti-social Behaviour Cases Effectively - 2011
- CIH – Making a Difference – 2012
- CIH – Respect: Delivering the ASB Charter for Housing - 2011
- HO - Effective ASB Management Principles - 2010
- Police Scotland – Hate Crime - 2018
- Scottish Social Attitudes Survey - Public Attitudes to Antisocial Behaviour in Scotland – 2009
- The Scottish Government – Promoting Positive Outcomes – Working Together to Prevent Anti-social Behaviour in Scotland – 2009
- The Scottish Government - The impact of Local Anti-social Behaviour Strategies at a Neighbourhood Level – 2007
- The Scottish Government - Use of Anti-social Behaviour Orders in Scotland – 2007

3. Policy Aims

Shire Housing Association recognises the harmful effect that anti-social behaviour can have upon tenants and residents' lives and will act consistently, effectively and proportionately to address causes of anti-social behaviour within its neighbourhoods, while supporting victims and witnesses.



To achieve this, we will:

- Work preventatively to reduce anti-social behaviour at the beginning of tenancies, new tenants visits and in appropriate circumstances the provision of Short Scottish Secure Tenancies.
- Work in partnership with all relevant agencies, including Police Scotland and East Ayrshire Councils Community Safety Partnership to identify sources of anti-social behaviour and strategically target resources to reduce their impact upon individuals and neighbourhoods.
- Practice early intervention to prevent situations escalating and where appropriate, the use of alternative approaches to conflict resolution, such as mediation and referrals for support.
- Embrace new technology and provide a range of mechanisms to report anti-social behaviour, together with clear and accessible information on policy and procedures relating to it's management.
- Investigate all reported incidents of anti-social behaviour in accordance within locally agreed target timescales, taking effective and proportionate action, including legal remedies, where alternative interventions have proven unsuccessful.
- Support victims and witnesses of anti-social behaviour and in appropriate circumstances extend support to perpetrators to positively influence behaviour and sustain tenancies. Where legal remedies prove necessary, we will utilize Expert Witnesses, where possible, to present evidence in court.
- Recognize the importance of effective communication and keep complainants informed of progress and actions arising throughout the duration of their complaint.
- Maintain accurate records relating to anti-social behaviour and monitor case progress and outcomes, and regularly review our anti-social processes, learning from our experiences and customer feedback.
- Manage anti-social behaviour openly with integrity and due regard to confidentiality.
- Ensure our staff have clearly defined roles and responsibilities and are adequately trained and equipped to manage anti-social behaviour.
- Develop information sharing and joint working protocols between other agencies concerned with the management of anti-social behaviour, including Police Scotland, Strathclyde Fire and Rescue and East Ayrshire Council.
- Research and embrace best practice concerning prevention and tackling anti-social behaviour.



- Assess and utilise information to contribute to community planning and investment programmes, assisting to design our anti-social/criminal behaviour and reducing fear of crime within neighbourhoods.

4. Staff Personal Safety

In dealing with cases of anti-social behaviour or harassment, our staff may occasionally find themselves facing hazardous situations. We apply a zero tolerance approach to any anti-social behaviour and shall take appropriate action against any tenant or customer behaving in an anti-social manner towards our staff or representatives.

All staff will be provided with relevant training and should treat their own safety as a priority and thereafter consider the safety of colleagues and other individuals involved in the case and follow the Associations Lone Worker policy.

5. Equality and Diversity

The Association will comply with the terms of our Equality and Diversity policy and our commitment to the promotion of equal opportunities throughout our day to day business. We do not discriminate on the grounds of ethnic origin, disability, gender, marital status, sexuality, age, language, political and religious beliefs, social class or any other form of discrimination.

The Association is committed to monitoring data and use our completed Equalities Monitoring Form to inform how we shape our service delivery.

6. Feedback and Complaints

Shire Housing Association strives to provide an excellent customer service at all times and welcomes feedback and comments from our customers. We will seek feedback via our website, e-mail, in writing and verbally to learn from service users experiences, using them to shape and develop our service.

The Association will regularly keep tenants informed about its policy and approach towards anti-social behaviour. The support of tenants is an important element in dealing with such issues and we will seek to maximise feedback from tenants through its various promotional and involvement activities.

All such feedback will be fed into the review of the policy and service provision to assist in the development of effective service delivery

We operate a Complaints Policy that is open and transparent, should any customer or service user feel the need to make a complaint against an individual or the organisation, the complaints policy and procedure will be implemented. All complaints will be recorded and



dealt with under Complaints Policy and Procedures, which meet the requirements of the Scottish Public Services Ombudsman.

7. Performance Monitoring and Review

In addition to the annual submission of performance against the Annual Return on the Charter to the Scottish Housing Regulator, the Management Board will review and approve Key Performance Indicators and targets on an annual basis and outcomes will be monitored at quarterly meetings.

This policy will be reviewed every 5 years or earlier if deemed necessary due to legislative or other changes.

