

## Anti-Social Behaviour – Customer Information

### Our approach to tackling Anti-Social Behaviour

Shire Housing recognises that everyone has the right to live in a peaceful environment and to feel safe within their homes and communities. This includes being free from domestic and racial abuse. We take reports of antisocial behaviour (ASB) very seriously and are committed to tackling and investigating all reports of ASB if one or more of the individuals involved is a Shire Housing tenant. We have an ASB policy that is available from our website and associated procedures that ensure we:

- Take timely, consistent, and effective action against people who behave in an anti-social manner,
- Provide support to victims of antisocial behaviour, and where appropriate to perpetrators to help them change their behaviour, and to sustain tenancies,
- Work in partnership with relevant local agencies to reduce ASB and its impact on our customers by maximising prevention, intervention, reassurance, and engagement activities.

#### What is anti-social behaviour?

The full legal definition can be found in the tenancy agreement but generally ASB is something that the tenant, their household or visitors are doing that persistently causes alarm or distress. This could include excessively loud noise, music or parties, unkempt communal gardens, harassment or threatening behaviour, drug issues, racial abuse, dog fouling or noisy and unruly pets.

#### What will Shire do when I make a report?

Your customer services officer will:

- Agree an action plan with you i.e., methods of communication, frequency of updates and steps required to resolve the situation, including the assistance that we require from you.
- Speak with the perpetrator of the behaviour (with your permission and in confidence) to discuss the complaint.
- Investigate your complaint - this will involve speaking with witnesses, other neighbours, and liaising with other agencies as appropriate to confirm reports.
- Liaise with our partners in Police Scotland, Scottish Fire and Rescue Service, and appropriate teams within East Ayrshire Council, including the Antisocial Investigation Team and Environmental Enforcement Teams to support you and progress appropriate action.
- Take appropriate action in accordance with the outcome of investigations – this may include referring you to a Mediation Service in the case of neighbour disputes.
- Seek your feedback on how we are performing and how we could improve our service.



## **How long will Shire take to contact me and deal with my complaint?**

Where it is appropriate, and safe to do so, we would ask that you resolve issues with your neighbour by talking to them. If you are unable to do so, or this does not resolve the issue, please contact us in confidence.

When you report ASB to us, your customer services officer will contact you within the following timescales:

- One working day in the case of extreme or serious ASB
- Five working days where the complaint relates to a neighbour nuisance.

Extreme ASB examples include drug dealing, violence and or threatening behaviour and serious harassment (including racial harassment).

Serious ASB examples include persistent disturbances, excessive noise, extreme incidents of nuisance resulting from alcohol or drug misuse and damage to property.

Neighbour nuisance examples include minor vandalism, breach of the peace, failing to control pets, behaviour of children and noise nuisance.

We aim to resolve all ASB cases within 12 weeks and apply the Scottish Housing Regulators definition of 'resolved' as follows:

*Where the landlord has taken appropriate measures, as set out in its ASB policies and procedures, to address the cause of the ASB complaint and has advised the complainant of the outcome;*

*or where the landlord does not have the authority or powers to resolve, and it has provided a full explanation of the landlord's position to the complainant.*

## **What outcome could there be to a complaint?**

ASB is often resolved quickly as neighbours will often adjust their behaviour when they realise that it is having a negative impact upon someone else.

We work closely with our partner agencies to address ASB including situations when the individual may require support to help change their behaviour. Our aim is to create an appropriate support package that prevents them from losing their tenancy.

Other tools available to us include:

1. Good neighbour agreement – early intervention tool with the agreement signed at the start of all new tenancies.



2. Acceptable Behaviour Contracts – early intervention tool designed to change individuals' behaviour, the contract is voluntary and not legally binding but would be used as evidence should further enforcement action be needed.
3. Formal Tenancy Warnings – progressed where an incident of ASB has been verified.
4. Intervention Visits – often carried out with partner agencies, designed to prevent further serious issues arising.
5. Antisocial Behaviour Order (ASBO) – order obtained through the court to prevent someone carrying out specific ASB associated actions and is obtained via close liaison with Police Scotland and East Ayrshire Council.
6. Possession Orders for Evictions – used where the perpetrator refuses to adjust their behaviour or in extreme cases. This is considered as a method of last resort as it does not change an individual's behaviour but moves the problem elsewhere. Such an order requires a legal case to be presented to a sheriff for judgement.

Eviction proceedings are not straightforward and can take a long time to progress through the legal system. The landlord is required to demonstrate that they have taken all appropriate steps to resolve the situation, including the provision of support and must build a case with supporting evidence that meets legal requirements.

### **Who needs to act as a witness in Court?**

Where a case is presented at Court, we will try to progress evidence via Officers accounts and the evidence that they have collated. This will include evidence being presented by our Officers and Police Scotland or any other agencies who have been involved but you could still be called to act as a witness.

If a victim was required to present evidence, we will work with Victim Support and the Court Services to support you through this process.

### **Is there anything I can do to help?**

Firstly, be a good neighbour. Be aware of your behaviour may impact on others who live around you or in your community. Secondly, if you are reporting an issue or an incident of ASB, please let us know the following information:

- Do you know the perpetrator?
- When did the incident occur?
- How often does it happen?
- Did you contact the police or any other agency?
- Did you get a Police incident report number?



- Did you speak to the tenant yourself?

If you are working with your customer services officer regarding an ongoing ASB issue, it is helpful to keep a log or diary of all the events, with dates, times, details, any witnesses and if you reported this to another agency. This will help your customer services officer to pursue the perpetrator and provide a useful source of evidence should the case go to court.

### **Report an issue**

You can report ASB during normal office hours by telephoning 01290 421130 or emailing us at [info@shirehousing.co.uk](mailto:info@shirehousing.co.uk). Alternatively, you can get in touch by completing the online contact form found on our website to report an issue.

In an emergency you can call Police Scotland on 999. Please use the 101 number to contact Police for all non-emergency issues.

### **Other useful contacts**

- East Ayrshire Council Anti-Social Team – 01563 576000
- Crimestoppers – 0800 555111
- Victim Support Scotland – 0845 6039213

