

Anti-Social Behaviour Policy

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1. Introduction/Purpose

- 1.1 The purpose of this Policy is to set out our approach to dealing with anti-social behaviour which involves preventative and reactive measures.
- 1.2 Rosehill owns and manages around 1000 houses in the Pollok area and covers the specific neighbourhoods of Craigbank, Househillwood, Priesthill and Nitshill.
- 1.3 We recognise that anti-social behaviour is widely regarded as a significant problem and can have a detrimental impact on individual tenants and communities.
- 1.4 It is our belief that all tenants have a right to live peacefully in their homes and communities. Therefore we are committed to tackling anti-social behaviour.
- 1.5 The main objectives of this Policy are to:
 - Develop and implement policies and practices to enable tenants to live peacefully in their homes and community.
 - Work with our tenants and key agencies to create a safer, peaceful community where people want to live.
 - Work with key agencies to provide a service which is effective in dealing with anti-social behaviour.
 - Undertake preventative measures as well as reactive measures e.g. raising tenants' awareness of the importance and benefits of being a good neighbour.
 - Respond promptly and appropriately to all anti-social complaints in line with our published standards and targets.
 - Ensure we take early action in relation to complaints of anti-social behaviour.
 - Communicate clearly and regularly with all affected parties until the issue has been resolved.
 - Provide appropriate advice and support to tenants who are affected by anti-social behaviour.
 - Maintain adequate records of anti-social complaints including action taken.
- 1.6 This is not a 'stand alone' policy due to the far reaching

consequences of anti-social behaviour and its impact on e.g. safety of tenants and staff, financial implications, impact on void turnover, desirability of area, tenant dissatisfaction and Rosehill's reputation. This policy links with other areas of our work including health & safety, allocations, tenant participation, void management, neighbourhood management, risk management, development, repairs and maintenance and complaints.

2. Legal and Regulatory Framework

2.1 Whilst this Policy sets out to explain Rosehill's approach to tackling anti-social behaviour it must do so in the context of legal and regulatory requirements. Therefore the following relevant legislation has been taken into account in the development of this Policy:

- The Housing (Scotland) Act 2001
- The Housing (Scotland) Act 2014
- Anti Social Behaviour (Scotland) Act 2004
- Crime and Disorder act 1998
- Equalities Act 2010
- General Data Protection Regulation 2018
- Human Rights Act 1998

2.2 The Scottish Social Housing Charter

2.2.1 The Social Housing Charter came into effect in April 2012 and was revised in 2017 and this sets the standards and outcomes that all social landlords should aim to achieve when performing their housing activities. The Charter replaces the Performance Standards and the outcomes relevant to this Policy are:

1. Equalities

Social Landlords perform all aspects of their housing services so that every tenant and other customer has their individual needs recognised, is treated fairly and with respect, and receives fair access to housing and housing services.

2 Communication

Social landlords manage their businesses so that tenants and other customers find it easy to communicate with their landlord

and get the information they need about their landlord, how and why it makes decisions and the services it provides.

3. Participation

Social landlords manage their businesses so that tenants and other customers find it easy to participate in and influence their landlord's decisions at a level they feel comfortable with.

6. Estate management, anti-social behaviour, neighbour nuisance and tenancy disputes

Social landlords, working in partnership with other agencies, help to ensure as far as reasonably possible that tenants and other customers live in well-maintained neighbourhoods where they feel safe.

11. Tenancy Sustainment

Social landlords ensure that tenants get the information they need on how to obtain support to remain in their home and ensure suitable support is available, including services provided directly by the landlord and by other organisations.

2.2.2 Social landlords are responsible for meeting the standards and outcomes set out in the Charter. The Scottish Housing Regulator is responsible for monitoring, assessing and reporting on how well social landlords, individually and collectively, achieve the outcomes.

2.2.3 In line with the regulatory principles, the Regulator's approach to monitoring landlords' achievement of the outcomes and standards in the Charter will be based on the landlords' performance information and their own assessment of their performance. Therefore, for each year ending on 30th September, we will be expected to:

- Measure and assess our performance in progressing towards or achieving the Charter outcomes and standards
- Provide the Regulator with some key performance information on our achievement of the outcomes and standards
- Report our performance to tenants and other service users who use our services.

.3. Organisational Values

Our Vision:

"We will provide excellent quality affordable and efficient homes in neighbourhoods that are well managed and maintained; we will contribute to sustaining communities where people feel safe and want to live by providing housing and other services and working with our voluntary and statutory partners."

Our Values:

Our Core Values are:

We Will

- Invest and Support

We will be

- Engaged and Responsive
- Accountable and Compliant
- Fair and Approachable
- Efficient and Responsible
- Excellent and Committed

4. Defining Anti-Social Behaviour

- 4.1 Anti-social behaviour can mean different things to different people. It is wide ranging with varying degrees of seriousness. It is important to note that the public perception of anti-social behaviour can vary considerably. What may be deemed as unacceptable behaviour by one person may be of little or no importance to another.
- 4.2 The Anti-social Behaviour etc. (Scotland) Act 2004 defines anti-social behaviour as follows:

A person engages in anti-social behaviour if he/she:

- (a) acts in a manner that causes or is likely to cause alarm or distress; or
- (b) pursues a course of conduct that causes or is likely to cause alarm or distress, to at least one person who is not of the same household.

“Conduct” includes speech; and a course of conduct must involve conduct on at least two occasions.

- 4.3 Appendix 1 provides examples of anti-social behaviour. (source: working together to build stronger, safer communities – Glasgow’s Anti-social Behaviour Strategy)

5. Categories of Anti-social Behaviour

- 5.1 There are different categories of anti-social behaviour ranging from lifestyle disputes, conflict between neighbours, breaches of tenancy and serious anti-social behaviour. At times, it can be difficult to identify the category of complaint and to identify the most appropriate action to remedy the complaint.

- 5.2 To help determine what course of action should be undertaken and who should be involved the following categories will be used:

Category A – Very Serious Complaints

Complaints which concern a conviction for drug dealing, criminal behaviour involving serious incidents of violence or threats of violence towards any member of the public including Rosehill’s staff, serious assault, serious harassment, racial harassment, incidents of sectarian abuse and serious damage to property including fire raising.

Category B – Serious Complaints

Complaints which concern aggressive/abusive behaviour, frequent disturbance, vandalism, drug/solvent/alcohol abuse, verbal/written harassment and frequent and persistent noise.

Category C – Minor Nuisance Complaints

Complaints which concern simple breaches of tenancy conditions including tenants not maintaining gardens, cleaning stairs in tenements.

Normally such complaints will be dealt with as Neighbourhood Management issues by the Generic Staff Team.

- 5.3 It is recognised that it is unlikely that all complaints will fit neatly within one category, however the complaints should be categorised in line with previous case history and the nature of the complaint.
- 5.4 Appendix 2 provides some examples of how cases could be categorised.

6. Dealing with Anti-social Behaviour

6.1 Responding to Complaints

- 6.1.1 Appendix 3 sets out the various response timescales for dealing with each category of complaint.
- 6.1.2 The associated procedures set out how we will deal with each type of complaint and clearly demonstrate the role of different staff at various stages in the process. The procedures are in accordance with those agreed with Community Safety Glasgow (formerly known as Glasgow Community Safety Services) as part of our “Silver Service” agreement with them.

6.2 Cross over with other Policies

- 6.2.1 The harassment of neighbours on the basis of their race, colour, religion, sex, sexual orientation, disability, illness, etc. is treated very seriously by Rosehill. As such this Policy will be implemented in conjunction with our “Racial and Other Harassment Policy” to deal with such issues.
- 6.2.2 As mentioned above Category C complaints are likely to be of a minor nature and will cross over into Neighbourhood Management issues. Therefore to ensure such complaints are dealt with effectively, this Policy will be implemented in conjunction with our “Neighbourhood

Management Policy”.

6.3 Recording Complaints

6.3.1 We encourage tenants to let staff know as soon as possible of any anti-social issues that are happening. Early intervention can be effective in preventing problems getting out of hand and can hopefully result in a prompt resolution of issues.

6.3.2 Although it is helpful if tenants put complaints in writing, providing as much detail as possible, this is not always feasible particularly where the tenant is letting us know about an issue quickly which is serious or very serious in nature. Therefore we will also initially accept complaints in person and by telephone.

6.3.3 We will accept anonymous complaints particularly for relatively minor breaches of tenancy that can be easily corroborated such as untidy gardens. For more serious or complex complaints the action we may take can be seriously limited if we are unable to obtain further information or clarify some points. Therefore whilst we will record all anonymous complaints we do not guarantee that we will be able to act on all of them.

6.4 Preventative Measures

6.4.1 There are a number of factors, which can cause or aggravate anti-social behaviour. Many of these relate to wider, social issues, which are out with the control of Rosehill. However there are some factors, which we can address to minimise the risk of anti-social behaviour now and in the future. As such we will aim to prevent and discourage anti-social behaviour by:

- Designing out factors which encourage anti-social activity when developing new build housing.
- Maintaining our houses in good condition and ensuring common areas and open spaces are kept clean and litter free as far as possible.

- Making the best possible use of our stock through the fair and sensitive allocation of houses. Thus creating and maintaining sustainable communities.
- Providing clear and helpful information to new and existing tenants about their tenancy responsibilities.
- Raising tenants' awareness of the importance of being a good neighbour.
- Establishing links with a variety of agencies to provide support for a range of tenants' needs to assist them to sustain their tenancies.
- Promoting our services and those of our partnering agencies in relation to tackling anti-social behaviour.
- Supporting diversionary activities for children and young people.
- Ensuring that we have access to Community Safety Glasgow who provide a city wide service.

6.5 Reactive Measures

6.5.1 It is important that once a report of anti-social behaviour is reported that it is acted upon quickly. Contact with all parties concerned will be made within the timescales as listed in Appendix 3.

6.5.2 We will use a range of measures to tackle anti-social behaviour. The circumstances of each case will determine the appropriate course of action to be undertaken. The action which may be taken includes but is not limited to the following:

- Issuing of warning letters
- Suspension of Internal Transfer Applications
- Acceptable Behaviour Contracts
- Unacceptable Behaviour Contracts
- Providing Mediation Services (where appropriate)
- Identifying support needs and making referrals to other agencies
- Holding close/street meetings
- Tenancy Enforcement Action
- Demotion of Tenancy

6.5.3 Multi-Agency Approach

6.5.3. It is important to note that many anti-social issues can not be resolved by the landlord alone. The involvement of other external agencies can be essential to combating anti-social problems. Therefore we are committed to establishing links and good working relationships with Police Scotland, Social Services, Environmental Health, Environmental Protection Services, Land and Environmental Services, etc.

6.5.4 Community Safety Glasgow (CSG)

6.5.4.1 To assist us with tackling anti-social behaviour in our community we have signed an agreement with CSG (Community Safety Glasgow) to provide Rosehill with a range of services to tackle anti-social behaviour including the use of Mediation, professional witnesses, covert surveillance, preparation of criminal Anti-Social Behaviour Orders (ASBOs), provision of relevant information relating to incidents of anti-social behaviour, access to the Noise Team and provision of legal services for ASBOs. In addition, our staff can request advice and assistance about anti-social behaviour cases they are dealing with.

6.5.4.2 Cases of the most serious nature (Category A) will be referred to CSG within 24 hours of us receiving the complaint. Category B and C cases will be referred to CSG only once we have reached the point of issuing the second warning letter to tenants and the matter has not been resolved. The process for making referrals is covered in the attached procedures and is in line with the agreed procedures with CSG.

6.5.5 Deployable Camera/Sound Monitoring Equipment

6.5.5.1 We will use deployable security camera and sound monitoring equipment as and when required.

6.5.5.2 CSG will assist us with ensuring all relevant information is obtained from the equipment and used effectively and appropriately.

6.5.6 Other Legal Remedies

6.5.6.1 Once all other remedies including non legal and legal measures have been exhausted and the anti-social problems persist we will have

no option but to pursue other legal measures. Such measures would include the conversion of the tenant's tenancy to a short Scottish Secure Tenancy and ultimately seeking a decree for eviction.

6.5.7 Use of Housing (Scotland) Act 2014 powers: The new Housing act introduces two new powers which can be used for anti-social behaviour resolution. These are demotion of tenancy without the need to seek Sheriff approval and streamlined eviction for serious ASB or criminal activity. From enactment in May 2019 Rosehill will consider using these powers in serious cases.

6.5.8 Resolution of Complaints

6.5.8.1 The severity and complexity of a complaint will impact on how long it can take to resolve the issue. However we aim to resolve complaints as quickly as possible and have set, locally agreed, targets for resolving complaints as set out in Appendix 3.

6.5.8.2 Notwithstanding the resolution targets the following should be noted:

- Category A complaints are the most serious and as such are likely to have Police involvement as by and large they will be of a criminal nature. It is highly unlikely that in such cases we will have the authority or power to resolve the issue. However on completion of our own investigation within the response timescales set out in Appendix 3, cases that are confirmed as Category A will be referred to Community Safety Glasgow within 24 hours.
- The Scottish Housing Regulator defines a complaint as being resolved where:
 - The landlord has taken appropriate measures, as set out in its Anti-Social Behaviour Policies and procedure, to address the cause of the anti-social behaviour complaint and has advised the complainant of the outcome; or
 - 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.

6.6 Communication

6.6.1 From when a complaint is received until it is resolved it is essential that the complainant is kept informed of the progress with their complaint.

6.6.2 The severity, nature and complexity of the complaint will determine the frequency of contact with the complainant. Whilst a case is ongoing

staff as a matter of good practice should touch base with the complainant to establish how things are going.

6.6.3 The attached procedures set out some examples of the anticipated frequency of contact with the complainant.

6.6.4 Upon resolution of a complaint the outcome should be confirmed, in writing, to the perpetrator and complainant.

6.7 Confidentiality

6.7.1 As stated at 6.6 good communication throughout the process is essential however this must be tempered with the need for confidentiality. Complainants must be provided with sufficient information to demonstrate and assure them that their complaint is being dealt with without breaching any need for confidentiality in respect of the alleged perpetrator.

7 Multi Tenure

7.1 In our geographical area of operation there is a reasonable level of owner occupation and private lets. We provide a factoring servicing to owners who reside amongst our stock. As such we recognise that neighbour nuisance and anti-social behaviour are not limited to tenants of social rented housing but are issues which occur across tenures. Therefore we aim to ensure appropriate mechanisms are in place to deal with the complex legal and practical issues associated with multi-tenure problems.

7.2 We will accept complaints from owners, sharing owners and tenants of private lets about our tenants and will respond in accordance with this policy and attached procedures.

7.3 We will accept complaints about owners, sharing owners and tenants of private lets. However such complaints will be referred to CSG directly for investigation.

8. The Legal Process and the Role of the Management Committee

8.1 The Management Committee has delegated authority to the Housing

Services Manager to decide whether or not to pursue legal action against a tenant and this would include pursuing and enforcing ASBOS, conversion of tenancies to Short Scottish Secure Tenancies and ultimately a decree for eviction.

8.2 The Management Committee will receive reports showing the number of cases referred to CSG. In addition the Management Committee will receive reports on any pending ASBOs and eviction cases. These reports will provide some information on the individual cases including the action taken to date and what the tenant has or hasn't done to deal with the anti-social problem.

8.3 The Management Committee regards eviction as a last resort and expects that every other means of dealing with the matter will have been attempted. The purpose of the above reports is to demonstrate that all available options have been exhausted prior to any decision to enforce a decree for eviction.

9. Performance Management

9.1 In addition to the above reports Committee will receive performance information, as part of the Quarterly and Year to Date Organisational Performance Report, about anti-social complaints as follows:

- Number of complaints received
- Number resolved within locally agreed timescales

10. Tenant Participation

10.1 We are a tenant focussed organisation which is reflected in our Tenant Participation Strategy. This key document clearly demonstrates that we are committed to involving tenants in all aspects of our work and ensuring that tenants are included, informed and consulted about decisions that have an impact on the way their homes are managed.

10.2 As part of this commitment we will involve our tenants in the development of our policies and seek feedback where appropriate. We will ensure that any significant changes to this Policy and other Policies which will affect our tenants will be the subject of consultation.

11. Equality and Diversity

- 11.1 We are committed to providing fair and equal treatment for all our staff and customers including tenants and will not discriminate against anyone on the grounds of race, colour, ethnic or national origin, language, religion, belief, age, gender, sexual orientation, marital status, family circumstances, employment status, physical ability and mental health. In implementing this policy we will positively endeavour to achieve fair outcomes for all.
- 11.2 We are committed to removing any barriers to communication. Therefore, if required, this Policy can be produced in another format e.g. Braille, large print, etc or another language.

12. Risk Management

- 12.1 In all the key areas of our business we need to consider any risks which may arise. To this end we have in place a robust Risk Management Policy and from this flows our Risk Register. We have identified our Material Risks which are regularly monitored by our Management Team and Audit Sub-Committee.
- 12.2 Key to the mitigation of the risks associated with anti-social behaviour is having a comprehensive policy in place to govern the management of such behaviour.
- 12.3 To ensure we continue to manage the associated risks we will periodically review this Policy to ensure compliance with all legislative requirements and regulatory and best practice guidance.

13. Complaints Procedure

- 13.1 We aim to get things right first time and provide a good quality service to our tenants. However, we acknowledge that things can go wrong and that some tenants may be unhappy with the service provided. We have a Complaints Policy and procedure. The procedure can be used where there is dissatisfaction with this Policy or its operation. Our Complaints Policy is available in our office or online at www.rosehillhousing.co.uk.

14. Data Protection

14.1 On the 25th May 2018 the legislation governing data protection changed with the introduction of the General Data Protection Regulation (GDPR).

14.2 We hold a variety of Personal Data relating to individuals including tenants, waiting list applicants, factored owners, other service users, employees and Committee Members. Our Privacy Policy sets out the basis on which we can process and share such data with third parties, it also sets out how we will securely store individuals' data, whether electronically or in paper format. It also provides information on individuals' rights under GDPR including: to view personal data held about them by us; to request a restriction of processing of their data; the right to be forgotten and a right to object to us processing their data. In terms of the rights to be forgotten and to restrict or object to processing of Personal Data, any such requests will require to be considered on their own merits and legal advice will need to be obtained in some circumstances. We have the responsibility for accepting or refusing such requests and will do so in writing.

14.3 Under GDPR we are required to provide all customers whose Personal Data we hold with a Fair Processing Notice (also known as a Privacy Notice). The Notice sets out the Personal Data we process and the basis for doing so.

14.4 We will only keep and process Personal Data for the original purpose we gathered it for and we will not keep it for any longer than necessary. Attached to our Privacy Policy is a table of Retention Periods for Personal Data held and processed by us. We recognise that not all Personal Data can be processed and kept for the same period of time, and this will vary depending on the individual circumstances of each person whose Personal Data we hold.

14.5 The Privacy Policy sets out what should happen in the event of a Data breach e.g. does the breach require reporting to the Information Commissioner's Office and whether the individual affected should be notified. Timescales are set out for dealing with data breaches.

14.6 Full copies of our Privacy Policy are available upon request at our office or from our website www.rosehillhousing.co.uk

15. Policy Review

- 15.1 This Policy will be reviewed at least every three years or sooner to ensure it continues to reflect current thinking and practice and to comply with legislative requirements and regulatory guidance.

Appendix 1

EXAMPLES OF ANTI-SOCIAL BEHAVIOUR*

Disregard for Community/Personal Well being	Acts Directed at People	Environmental damage	Misuse of Public Space
Noise	Intimidation/harassment	Criminal damage/vandalism	Drugs/substance misuse and Dealing
Noisy Neighbours Noisy Cars/Motorbikes Loud Music Alarms (persistent ringing/ Malfunction)	Groups or individuals making threats Verbal Abuse Sending nasty/offensive letters Obscene/nuisance phone calls	Graffiti Damage to street furniture Damage to buildings Damage to trees/plants/hedges	Taking Drugs Sniffing volatile substances Discarding needles/drug paraphernalia Presence of dealer or users
Rowdy Behaviour	Can be on the grounds of:	Litter/Rubbish	Street Drinking
Shouting and swearing Fighting Drunken Behaviour Hooliganism/loutish behaviour	Race Sexual Orientation Gender Religion Disability Age (including youth as well as older people)	Dropping Litter Dumping Rubbish Fly tipping Fly posting	
Nuisance Behaviour			Abandoned Cars
Throwing missiles Climbing on buildings			

Impeding access to communal areas
Games in restricted areas/
inappropriate areas
Misuse of air guns
Letting down tyres

Animal Related Problems

Dog Fouling

Vehicle Related Nuisance and Inappropriate Vehicle Use

Setting vehicles alight
Racing cars
Off road motorcycling/
quad bikes

*(As detailed in Glasgow's Anti-Social Behaviour Strategy – “Working together to build stronger, safer communities”, based on Scottish Executive Guidance)

Appendix 2

Examples of how complaints could be categorised:

Nature of Complaint	Possible Category
Serious assault, drug dealing, harassment (including racial, sectarian or homophobic Incidents and harassment of people with Disabilities)	A – Very Serious
Assault, disturbances, allegations of drug Dealing, threats of violence, persistent noise complaints	B – Serious
Environmental issues, unkempt gardens and minor tenancy breaches	C – Minor

Appendix 3

Standard Response Times for Dealing with Anti-Social Complaints and Resolution Targets

	Category A	Category B	Category C
Visit Complainer	24 Hours	2 working days	5 working days
Visit Neighbours/ Witnesses	24 Hours	2 working days	5 working days
Visit/Interview Perpetrator	24 Hours	5 working days	7 working days
Liaise with other Agencies	24 Hours	7 working days	9 working days
Resolve complaint	2 weeks	4 weeks	4 weeks