

ANTI-SOCIAL BEHAVIOUR

THE POLICY AND PROCEDURE STATEMENT OF NEW CHARTER HOMES

ANTI-SOCIAL BEHAVIOUR POLICY AND PROCEDURE

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যদি আপনার অনুবাদের জন্য কোন সাহায্যের দরকার হয়, মেহেরবাণী করে কর্মীদের কোন সদস্যকে বলুন।

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FOREWORD

New Charter Homes has played a lead and active role both locally and nationally in developing initiatives to tackle anti-social behaviour, in support of the delivery of its mission statement “Great Homes, Great Neighbourhoods and Great People”.

Improving services and renewing homes will not be enough if residents feel threatened and frightened in their homes and surrounding areas. This is why we are actively involved in the development, application, and monitoring of effective long term strategies to deal with anti-social behaviour. New Charter Homes has achieved considerable success with a proactive approach to dealing with Anti Social Behaviour issues.

The Audit Commission Inspection Report published in January 2004 stated that “the way in which New Charter deals with anti-social behaviour and nuisance is good”. Good being the highest accreditation that the Audit Commission awards.

New Charter Homes are part of the “iN Business for Neighbourhoods” initiative promoted by the National Housing Federation to put pride back into communities, making them places where people want to live. Our commitment to dealing with anti-social behaviour is part of this overall objective.

We are a founder member of the national Social Landlords Crime and Nuisance Group, who continue to successfully lobby government and keep crime and nuisance as a high profile issue.

New Charter Homes is the local Housing Partnership’s representative on the Tameside Crime and Disorder Reduction Partnership. We are a pro-active member and work closely with other agencies, at a strategic and operational level.

The introduction of a series of statutes has provided the scope for further development of our work in dealing with anti-social behaviour. Section 218A of the Housing Act 1996 (introduced by the Anti-Social Behaviour Act 2003) requires Social Landlords to prepare and

publish their Policies and Procedures in relation to anti-social behaviour, together with a Summary, and these should be regularly reviewed.

In reviewing our policy we have continued to have regard to the statutory provisions and the Housing Regulator's Guidance for Housing Associations "Anti-Social Behaviour: policy and procedure" published in August 2004. More recently we have taken the reorganisation of the "Respect" functions into account, along with the Communities and Local Government ASB Toolkit.

The development of our existing approach gives us opportunity to incorporate new initiatives and demonstrate to our customers how we are working to tackle anti-social behaviour. We hope customers will feel empowered to join with us in 'taking a stand' so that quality of life for all can be improved. We are doing more now to help and encourage people to act more responsibly in their communities through a whole range of activities which we feel are part of the overall approach a modern landlord should be taking.

We will regularly review our policy and procedure and welcome any comments which will assist us in delivering an excellent service.



Tony Powell

Managing Director of New Charter Homes

August 2009

1. PURPOSE OF THIS POLICY STATEMENT

- 1.1. New Charter Homes recognises the adverse impact of crime and anti-social behaviour on residents, communities and assets. It is committed to playing a lead and active role in developing strategies and actions for tackling and preventing anti-social behaviour. The Company welcomes the provisions of Section 12 of the Anti-Social Behaviour Act 2003 requiring RSL's to publish Policies and Procedures in relation to anti-social behaviour and the transparency this will promote across all RSL's. It will significantly aid all parties to understand their role, manage expectations and effectively respond to anti-social behaviour issues.
- 1.2. In the preparation of this policy we have taken into account the guidance documents published by the Housing Regulator and the Government
- 1.3. The Policy also reflects the requirements of the Disability Discrimination Act 1995, the Race Relations Act 1976 and the Housing Regulator's standards as well as the Company's linked policies.

e.g.: Equality and Diversity
Allocation Policy
Homeless Prevention Policy Statement

2. THE COMPANY'S OBLIGATIONS

THE COMPANY'S OBLIGATIONS UNDER SECTION 218A HOUSING ACT 1996 AS INTRODUCED BY SECTION 12 ANTI-SOCIAL BEHAVIOUR ACT 2003.

- 2.1. The statutory obligations of the Act require the Company to prepare a policy and procedure on anti-social behaviour and publish the following documents:-
 - a) statement of policy
 - b) statement of procedure
 - c) summary of current policy and procedure
- 2.2. The anti-social behaviour to which this obligation applies is defined in Sections 153A(1) and 153B(1) of the Housing Act 1996 and is more particularly defined in Section 3.1 of this document.
- 2.3. This policy statement outlines our general approach to anti-social behaviour including specific policies on the varied issues comprising our approach to anti-social behaviour.
- 2.4. The statement of procedures is contained in Section 4 of this document.
- 2.5. The summary document highlights the main points of the policy and procedure statements and is contained in a separate document, but also

included in this document at Section 5.

PUBLISHING AND REVIEWING THE STATEMENTS AND SUMMARY

- 2.6. The publication date of the statements is included on the front of the document and upon review the latest review date will be added. This will make it easy to establish that the document is the most up-to-date version.
- 2.7. Copies of this document can be downloaded from our website free of charge at www.newcharter.co.uk. Alternatively by telephoning 0161-331 2000 a copy can be sent out in the post. This information is published on our website and in the Summary leaflet. The document can also be translated or made available in other forms on request.
- 2.8. The statements will be reviewed once in every twelve month period and re-published annually irrespective of changes in order to demonstrate that a review has taken place.
- 2.9. In the preparation of the statements the Company has consulted:-
- a) The Tenant's and Residents Federation and more recently the Tenant Management Team.
 - b) The Boards.
 - c) The local Crime and Disorder Reduction Partnership.
 - d) Staff.

3. CONTENT OF THE STATEMENT OF POLICIES

DEFINITION OF ANTI-SOCIAL BEHAVIOUR

- 3.1. The provisions of Section 218A Housing Act 1996 (introduced by Section 12 of the Anti-Social Behaviour Act 2003) require Landlords to publish statements of their policies and procedures in relation to anti-social behaviour as defined in Section 153A(1) and Section 153B(1) of the Housing Act 1996.

Section 153A(1)

"Any conduct which is capable of causing nuisance or annoyance to any person, and which directly or indirectly relates to or affects the housing management functions of a landlord".

Section 153B(1)

"Any conduct which consists of or involves using or threatening to use housing accommodation owned or managed by a relevant landlord for an unlawful purpose".

- 3.2. New Charter Homes lists examples of behaviour that it believes falls within this definition in its tenancy, occupancy and licence agreements. These and

some others are listed below:-

- Harassment and intimidation
- Insulting behaviour or language
- Using or threatening to use violence
- Damaging or threatening to damage another person's home or possessions
- Writing threatening, abusive or insulting graffiti
- Doing anything that may or does interfere with the peace, comfort or convenience of other people or causes offence to them
- Making noise, in whatever way, which is or is likely to be a nuisance or annoyance, which can include but is not limited to, the use of televisions, hi-fi's, radios, musical instruments, domestic appliances and power tools.
- Failing properly to control any pet or allowing it to foul or cause damage to other people's property and/or property belonging to us.
- Allowing any planting, trees, hedges or shrubs to become overgrown, blocking light or access or causing obstruction or trespass
- Interfering with the peace, comfort and convenience of other people by running any business from the Property
- Allowing people who live with you and/or your visitors to be noisy and/or disruptive
- Using the Property or allowing it to be used for an immoral or illegal purpose
- Playing ball games close to someone's home so as to cause, or be likely to cause nuisance or annoyance to any person
- Vandalising or damaging any part of the Common Parts or anything in the locality
- Leaving rubbish or storing things in unauthorised places
- Fly-tipping
- Failing to exercise reasonable control over children living with and/or visiting you
- Parking any vehicle, motorbike, caravan or trailer inconsiderately
- Carrying out work to any type of vehicle, motorbike, caravan, trailer or appliance in a way or place that causes or is likely to cause nuisance and annoyance
- Using or growing or selling controlled drugs
- Using a property as a 'crack' house
- Using or carrying firearms, knives, machetes or other offensive weapons
- Harassing or assaulting any person in the Property or locality for whatever reason. This includes behaviour that is motivated by that person's race, colour, ethnic origin, nationality, gender, sexuality, disability, age, religion or other belief
- The fouling of public areas
- Hate behaviour that targets members of identified groups because of their perceived differences
- Street nuisance
- Domestic violence

- Vehicle nuisance
 - Repairing vehicles in the street
 - Taking without consent
 - Abandoned vehicles
- Removing or altering boundaries without agreement
- Holding bonfires and inconsiderately discharging fireworks

3.3. These examples are given to assist people to know whether the behaviour they are complaining of, or are engaging in, is likely to constitute anti-social behaviour, but it is not exhaustive.

GENERAL POLICY STATEMENT ON OUR APPROACH TO ANTI-SOCIAL BEHAVIOUR

3.4. New Charter Homes recognises the misery that anti-social behaviour can cause to individuals and communities and the costs of failure to act effectively in responding to anti-social behaviour issues.

3.5. The key strands of the Company's anti-social behaviour policy are:

- Partnership
 - Prevention
 - Effective Enforcement
 - Rehabilitation
- i) Anti-social behaviour is a complex matter and often the causes or solutions do not lie solely with one organisation. That is why we promote and participate in a multi-agency approach to dealing with it (See section 3.21. for further details).
- ii) New Charter Homes seeks to minimise incidents of anti-social behaviour by engaging in initiatives which will act as preventative measures. These are detailed in:
Sections 3.14. – 3.15.
- iii) We will take effective action on anti-social behaviour issues in order to build and support communities in the provision of safe, comfortable, secure and affordable homes, through partnership with others.

Standards of behaviour expected of its tenants by the Company are communicated clearly to them in the ways detailed in Section 3.7.

The service standards which complainants can expect from us are set out in Section 4 of the procedure statement and we can demonstrate, through the wide range of actions we utilise, a proportionate and flexible approach to the many and varied challenges posed by anti-social behaviour issues.

Where anti-social behaviour issues do arise New Charter Homes will be both proactive and reactive in its endeavour to eradicate anti-social behaviour and to confirm its commitment to both its tenants and the wider community. We will investigate complaints of anti-social

behaviour caused by or directed towards our tenants, members of their household or visitors from any source, for example:

- complaints from anyone who is living in our property and has a right to do so
- complaints from anyone living in other property in the neighbourhood, for instance owner occupiers or private tenants
- complaints from anyone working in the locality or using local facilities

New Charter Homes will facilitate the easy reporting of incidents maintaining confidentiality and seeking appropriate consents before releasing any sensitive information, in accordance with our Confidentiality Policy. Where the anti-social behaviour is a criminal offence, we will encourage complainants to report the matter to the police.

New Charter Homes has a specialist team of Officers comprising of Housing Officers, Enforcement specialists and Lawyers, to deal with more serious and/or complex issues. Their skills and knowledge will be maintained and developed in order to ensure the provision of an effective service.

Our response will be proportionate and flexible, depending on the circumstances. Our intention is to deal firmly but fairly with anti-social behaviour, to deter such behaviour and to encourage people to come forward as witnesses.

Complaints of anti-social behaviour are initially referred to and dealt with by Neighbourhood Management Staff within the Company's Neighbourhood Team. Issues which require specialist services, and/or legal action, will be referred to the Company's Tenancy Compliance Service, also part of the Neighbourhood Team which itself is part of the Directorate of Tenancy Services.

- iv) The Company seeks to provide social inclusion and will work with Partners to develop and support rehabilitative initiatives to restore those excluded as a result of their behaviour, to community living (See Section 3.16.).

3.6. **THE STRATEGIC CONTEXT**

The development of the policy and procedure reflects the existing statutory obligations of the Company, the Housing Regulator's standards and the content of associated policies of the Company. It supports the Company's delivery of its mission statement in that dealing effectively with anti-social behaviour, applying the four key strands of our general approach will aid in

the provision of great homes, great neighbourhoods and great people.

The Company has since its inception been a member of the local Crime and Disorder Reduction Partnership involved in the statutory Crime and Disorder audits and the development of the audit data into the Crime and Disorder Reduction Strategy, and the strategic priorities of the Partnership contained in it.

The Company contributes towards the achievement of the strategic priorities which relate to its business objectives and/or where it can effectively support partnership work.

OBLIGATIONS OF TENANTS

- 3.7. i) New Charter Homes expects its tenants to be good neighbours. That doesn't mean being good friends with neighbours, but it does mean that tenants are expected to act reasonably and in a considerate manner, being respectful of the different values and lifestyles reflected in the Community.
- ii) The terms of the Tenancy Agreement provide for the Landlord to be able to take enforcement action against those tenants who do not adhere to this required code of conduct.
- iii) New Charter Homes expects its tenants to abide by their tenancy terms and conditions. The tenancy agreement clearly sets out, mainly in Sections 5 and 6 their responsibilities in respect of the use of the property and their community responsibilities.
- iv) The tenancy agreement clearly states (in Section 1 About your tenancy agreement - Breach of Agreement) that the tenant is responsible for the conduct and behaviour of persons living with and/or visiting them, including children, in the home, the communal areas and the locality.

SPECIFIC POLICIES OF NEW CHARTER HOMES IN RELATION TO ANTI-SOCIAL BEHAVIOUR

- 3.8. New Charter Homes has specific policies in place relating to anti-social behaviour issues. These are detailed below:-

SUPPORT OF COMPLAINANTS/WITNESSES

- 3.9. a) The Company recognises the impact of anti-social behaviour on those affected by it and the conflict that can arise in challenging the behaviour and the fear of reprisals. How the company supports complainants is set out in Section 4.8. This is also mirrored in our witness support policy.
- b) **Obligations of Complainants/Witnesses**
- i) Complainants are required to:-

- provide an honest account of the situation
 - be accurate and concise in so far as is possible
 - maintain confidentiality and the integrity of any investigation
 - advise us of any material changes in circumstances and any issues which may adversely affect any investigation and/or legal action.
- ii) Complainants are at liberty to withdraw from being a witness which is understood, however in these circumstances they need to appreciate that an investigation may become prolonged, be compromised and legal action may be affected.

HATE INCIDENTS AND HARASSMENT

- 3.10. Incidents of harassment fall within our definition of anti-social behaviour. (See Section 3.2.).
- 3.11. New Charter Homes is committed to giving equality of opportunity to all persons in every aspect of activity carried out by the Company. It will, wherever possible, work in partnership with the community and organisations or agencies to promote equal opportunities, tackle discrimination and work in a pro-active manner to meet the needs of disadvantaged groups and/or minority groups. This is covered in more detail in our Equality and Diversity Policy.

New Charter Homes also has a separate policy on how it will deal with hate incidents. We define a hate incident as behaviour, deliberate or otherwise, motivated in whole or part by hatred, bias, or prejudice based upon the actual or perceived race, religion, sexual orientation, gender or gender reassignment, disability or age of an individual or group.

Complainants will be progressed in line with this policy and procedure as Level 1 Complaints (See Section 4.7.).

- 3.12. In the operation of this and our hate incidents policy we will:-
- Provide staff with appropriate awareness and procedural training.
 - Encourage victims to report incidents by adopting a victim focused approach.
 - Promote good relations between different groups of people.
 - Seek to eliminate unlawful discrimination and harassment.
 - Support complainants and their families.
 - Take action against perpetrators

DOMESTIC VIOLENCE POLICY

3.13. The Company recognises the destructive effect of domestic violence and believes that it falls within the statutory definition of anti-social behaviour and is cited in Section 6 of our Tenancy Agreement as an example of anti-social behaviour.

New Charter Homes has a separate policy on how it will deal with incidents of domestic violence, as follows:-

- New Charter Homes believes none of its tenants should live in fear of violence from a spouse or partner, former spouse or partner or other member of their household, and will take steps to assist and support any person suffering from or threatened with violence from inside the home
- All victims of domestic violence will be interviewed within one working day of making a report to a member of staff.
- All victims will be offered a choice of interviewer in terms of gender, and an interpreter service will be offered where required.
- Interviews will be carried out in a sympathetic and supportive manner. The victim will be assured of confidentiality and will be advised of our Confidentiality Policy.
- The victim will be advised of possible courses of action, both to respond to the immediate situation and to deal with the longer term (including legal remedies, rehousing options and other sources of advice and assistance e.g. Sanctuary Scheme)
- Where appropriate the Officer carrying out the interview will adopt a multi agency approach to assist by contacting external agencies, such as the Local Authority, Police etc.
- If the victim is unable to remain in the home, they will be referred to the Local Authorities Housing Options Service for the provision of temporary accommodation
- If emergency accommodation is not required, the victim will be advised to contact the Local Authority Housing Options Service for advice on the remedies available to them, and the availability of any support agencies. In addition, the Company will identify and determine appropriate housing options through its Relationship Breakdown Procedure
- will assist in providing additional security measures to properties at the request of the victim, if they feel that they would enable them to

stay in the property or secure a property they are transferring into.

- We may instigate tenancy enforcement or other legal actions (under the 1988 Housing Act) against a perpetrator.
- New Charter Homes will ensure that all parties involved in a case will be made aware of the named staff dealing with their case.
- We will investigate complaints of nuisance from members of the public who witness/are effected by domestic violence in accordance with Section 4 of this document

PREVENTION OF ANTI-SOCIAL BEHAVIOUR

3.14. Preventive action is an essential part of our approach to managing anti-social behaviour. We operate various good practice initiatives which assist in reducing incidences of anti-social behaviour, as follows:

3.15. a) **MEDIATION**

- i) The Company recognises the potential for disputes/complaints to escalate once a formal complaint has been made and is under investigation. In the first instance complainants are encouraged to try and resolve disputes themselves. The Company will give advice and assistance on how to approach neighbours directly.
- ii) In the event that this fails the Company's view is that independent mediation should be considered as the next course of action.
- iii) The Company uses an independent mediation service and referrals can be made in the action planning stages of a complaint investigation.

b) **UNIFORMED WARDEN PATROLS**

The Company has formed working links with the Local Authority Patrollers and can liaise with them to negotiate the allocation of Patroller resources to areas as need determines. This will be evidenced by complaints received.

c) **WARNINGS/CAUTIONS**

The Company uses warnings/cautions to challenge the unacceptable behaviour of perpetrators and reinforce the message that anti-social behaviour will not be tolerated.

Warnings/cautions are usually confirmed in writing to the perpetrator. They normally describe the unacceptable behaviour, confirm that the

behaviour is anti-social and warn the perpetrator of the consequences if the behaviour does not cease.

The use of warnings/cautions will be determined in the action planning stages of a complaint investigation.

d) **ACCEPTABLE BEHAVIOUR CONTRACTS**

The Company uses acceptable behaviour contracts with both adults and young people as a way of persuading people to modify their behaviour.

The contracts record the anti-social behaviour that the perpetrator has been involved in, the impact of their behaviour on others, the agreement of the perpetrator not to continue with the behaviour in future and any legal action that will be taken if the contract is broken.

Where an alleged perpetrator is aged between 10 and 17 years old, parents or guardians of the young person will be encouraged to attend any meetings about the anti-social behaviour with the alleged perpetrator. Where possible, New Charter Homes will facilitate support to address the underlying causes of the behaviour through the Crime and Disorder Reduction Partnership.

The use of an acceptable behaviour contract will be determined in the action planning stages of a complaint investigation.

e) **PARENTING CONTRACTS**

We recognise that where children are causing anti-social behaviour, it is important that parents or carers are informed at the first opportunity. Some parents will be unaware of what their child is getting involved in; others may be struggling to know how to manage their child's behaviour.

The company uses parenting contracts to record the steps that parents or carers need to take to prevent a child from continuing to engage in anti-social behaviour. Where appropriate these contracts will set out plans to support parents/carers to achieve this i.e. referral to a suitable parenting programme.

The use of a parenting contracts will be considered in the action planning stages of a complaint investigation

f) **FLOATING SUPPORT/TENANCY SUPPORT SCHEMES**

- i) The Company currently utilises the services of the floating support services provided by organisations called:-
 - People First
 - Threshold
- ii) The agencies provide support to sustain independent living. Referrals may be made to those services by the Company on behalf of its tenants.
- iii) Referrals will be determined in the action planning stages of a complaint investigation and/or in any resolution strategy.
- iv) From time to time the Company may also facilitate schemes whereby tenants receive specialist support in assisting them to independent living.
e.g. to support the rehabilitation of offenders.

g) **STARTER TENANCY SCHEME**

New Charter Homes operates a starter tenancy scheme and has a separate policy governing the use of starter tenancies.

Any new tenant, who is offered a New Charter Homes property, is given an assured short hold tenancy. This is usually for a probationary period of between 12 and 24 months. During this probationary period, we monitor the conduct of the tenancy. If the tenancy has not been conducted satisfactorily due to anti-social behaviour, then New Charter Homes can seek possession of the property.

h) **ALLOCATING ACCOMMODATION**

As part of its strategy in preventing anti-social behaviour, New Charter Homes requires anyone applying for accommodation to disclose information about criminal offences and anti-social behaviour in accordance with the Allocations Policy.

Through this disclosure and the Allocations Policy, we will seek to identify high risk offenders and vulnerable persons who may require additional management support and/or support from other agencies. Where appropriate, New Charter Homes will offer floating support.

In some circumstances a positive disclosure will mean that a person is not eligible for admission to the Company's Choice Based Lettings Scheme. Each case is looked at on its merits and a review mechanism is built into the process.

i) **PRE AND POST TENANCY INFORMATION AND COUNSELLING**

All new applicants who apply to New Charter Homes for housing are supplied with information about our Starter Tenancy Scheme, with

specific reference to how the tenancy can be ended for anti-social behaviour.

Applicants are given a copy of the tenancy agreement during the allocation process, which gives them the opportunity to read through legal documentation and seek their own independent advice **before** they attend the sign up interview.

Applicants receive extensive information about becoming a New Charter Homes tenant during the sign-up interview. This includes specific advice about our anti-social behaviour policy and the community responsibilities of all tenants, those that live with them and those that visit them. It highlights the Company's expectations of them and the consequences of breaching their tenancy terms and conditions.

During the first two months of the tenancy commencing we aim to visit all new tenants in order to check that they are occupying the property and complying with the terms and conditions of their tenancy agreement.

We also aim to visit all starter tenants 3 months before their tenancy is due to convert to a fully assured tenancy. This is to ensure that the tenant is still complying with all the terms and conditions of their tenancy agreement prior to the conversion taking place.

j) **24 HOUR FREE PHONE HELPLINE**

New Charter Homes has a designated free phone number which is available 24 hours a day to facilitate the reporting of anti-social behaviour incidents. Callers can speak to a member of staff during normal hours of business. Out of office hours, they can leave a message on the answer machine. Callers are asked to supply their name and address, but can report information anonymously if they wish. Telephone Number: 0800-027-0522.

k) **ESTATE INSPECTIONS**

Neighbourhood Management staff undertake regular estate inspections in order to highlight potential enforcement issues and the need for any environmental action both by the Company or in partnership with other agencies.

1) **LOCAL REGENERATION INITIATIVES**

Where anti-social behaviour is having an adverse affect on specific communities, New Charter may operate a more area based focus in dealing with the problems.

- by consulting with tenants and tenants groups to develop a joint approach to resolving local problems.
- by communicating with other local agencies and landlords to develop local strategies to deal with local problems
- by considering the use of initiatives available through the Crime and Disorder Reduction Partnership e.g. improved security and crime prevention initiatives
by identifying improvements to the physical area to eliminate causes of anti-social behaviour
e.g. alley gating, better use of communal areas/common land
- by suspending our allocation policy in favour of a more community based lettings scheme.

Any local regeneration initiatives are considered in accordance with our Regeneration and Sustainable Neighbourhood Strategy.

m) **DESIGNING OUT CRIME**

The Company, working with the Police and Local Authority, consider crime prevention as a key issue when carrying out property and environmental improvements.

In the preparation stage of improvement plans, there is close liaison between ourselves, the Police, the Local Authority and residents in order to ensure that the proposals reflect initiatives to design out crime.

REHABILITATION OF PERPETRATORS

- 3.16. We aim to tackle the underlying causes of anti-social behaviour. We recognise that in some cases those causing anti-social behaviour have problems and need support in order to change their behaviour.

These problems can range from disputes within the family to mental illness to drug or alcohol dependency

- 3.17. Where appropriate, we will work with the tenant or family causing the anti-social behaviour to ensure they receive all the advice or support they need to deal with their difficulties. We aim to ensure that people who may already feel stigmatised (e.g. those with mental health problems) are treated fairly and equitably when allegations of anti-social behaviour are made. In any action we take we will have regard to the Disability Discrimination Act 1995.

Where perpetrator support action fails then further action will be taken as appropriate. This may take the form of other non legal or legal remedies.

- 3.18. Where young perpetrators are involved, we will try to ascertain the causes of their behaviour through multi-agency working. We will consider involving their parents/carers and their schools and/or other appropriate agencies. We will use Acceptable Behaviour Contracts or Parenting Contracts wherever appropriate and use the Multi-Agency Early Intervention Group to share information and consider remedies.

The Company recognises the importance of supporting young people in rehabilitation and to this end is the process of developing a policy covering support to juvenile perpetrators.

- 3.19. In considering rehabilitation measures the Company will consider how to achieve long term changes in behaviour by:-

- promoting accountability for actions
- seeking to identify the causes of the behaviour
- identifying how such causes can be eliminated
- considering appropriate diversionary measures

- 3.20. In addition, the Company has developed a rehabilitation project with Action for Children, a charity that specialises in providing intensive family support. This intervention project has been set up to engage families whose behaviour has not been successfully changed by preventive and/or enforcement action.

The project enables specialised staff to work with up to six families, who are at risk of being evicted or who have been evicted for anti-social behaviour.

MULTI-AGENCY PARTNERSHIPS

- 3.21. New Charter Homes operates within mixed-tenure communities and therefore it is essential that we adopt a holistic approach to dealing with anti-social behaviour through multi-agency working.

We do not operate in isolation and recognise our role as part of the wider community. The problems are common to many agencies and together we can tackle them more effectively, if resources are pooled and focused.

- 3.22. We are members of the Multi-Agency Public Protection Arrangements Group and party to information exchange and risk management protocols. We are also members of Tameside's Crime and Disorder Reduction Partnership and are actively involved in the Crime and Disorder Reduction Strategy.

- 3.23. We operate a Data Exchange Protocol as detailed in Section 3.31.

- 3.24. New Charter Homes will, where necessary, request, arrange and attend Case Intervention Group meetings with those agencies who are party to the Crime and Disorder Reduction Partnership, where a multi-agency approach is required to resolve issues of anti-social behaviour.
- 3.25. Where appropriate, we will be actively involved in any resolution action recommended by the Case Intervention Group
- e.g.
- joint warning interviews of the alleged perpetrator(s) with other representatives of the Crime Intervention Group
 - joint warning letters to the alleged perpetrator(s)
 - suspension from New Charter's housing register
 - issuing of Acceptable Behaviour Contracts
 - issuing of Parenting Contracts
 - Landlord action against tenants

We operate a case referral protocol with Tameside MBC, whereby all complaints made to TMBC affecting New Charter Homes are referred to us in the first instance for consideration of our statutory and contractual obligations. We also use the protocol to seek the assistance of Tameside MBC in furtherance of their statutory obligations regarding statutory nuisance e.g. noise.

Within the statutory limitations we will also co-operate and communicate with other agencies, which are not part of the Crime and Disorder Reduction Partnership, in our endeavour to resolve and reduce incidents of anti-social behaviour in the community.

We may seek to engage other agencies, where necessary, to use their own powers/remedies.

- e.g.
- By considering the anti-social policy and procedure statements of other Registered Social Landlords that operate in the locality of New Charter Homes property and by referring incidents of anti-social behaviour and/or criminality directly to those agencies
 - By requesting the Police to use their powers.

WORKING WITH OTHER ORGANISATIONS MANAGING HOUSING ASSOCIATION STOCK

- 3.26. New Charter Homes may from time to time use a managing agent to manage some of its housing stock. For example, where special services or support is required for residents and these can best be provided by another agency.

In such circumstances it is the managing agent who would carry out the bulk of the housing management functions. Where managing agents are engaged we will seek their input in the review of its policy and procedure.

Where a managing agent has their own policy and procedure in respect of anti-social behaviour, we will liaise with the managing agent to ensure its operation does not conflict with New Charter Homes's policy and procedure or require that in the management agent's functions they will adopt our policy and procedure.

- 3.27. The roles and responsibilities of the managing agent will be clearly communicated through a Management Agreement, which will also set in place procedures for:
- Information Sharing.
 - Information Handling.
 - Complaint Handling.
 - Complaint Monitoring.

SUPPORTING WITNESSES/COMPLAINANTS

- 3.28. New Charter Homes recognises that witnesses are crucial to tackling anti-social behaviour, whether they are victims of anti-social behaviour directed against them specifically, or residents who witness anti-social behaviour directed against the community.

The evidence from a witness of anti-social behaviour provides a perspective on the true distress and annoyance anti-social behaviour can cause.

- 3.29. Further information about supporting witnesses/complainants of anti-social behaviour is contained in Section 4.8.

PROFESSIONAL WITNESS SCHEMES

- 3.30. New Charter Homes has a multi-disciplinary in-house team (Tenancy Compliance Service) dedicated to dealing with anti-social behaviour complaints, which are serious or cannot be resolved by the initial intervention of its Neighbourhood Management Team.

This team includes enforcement officers who have been trained in evidence gathering and surveillance techniques. These Officers when appropriate act in the capacity of a professional witness in order to gather primary evidence or supporting evidence of anti-social behaviour. The use of professional witnesses will be determined in the action planning stages of a complaint investigation.

DATA PROTECTION AND INFORMATION EXCHANGE

- 3.31. In our housing application form and tenancy agreement the Company makes it clear that it will share and/or hold information in relation to its tenancies and/or the landlord and tenant relationship. This is subject to the provisions of

Data Protection Legislation, in connection with the prevention and/or detection of crime and/or fraud and/or support of the operation of any of our policies and procedures.

e.g. details of any relevant criminal convictions, or Warnings issued for anti-social behaviour.

The Company has entered into formal data sharing protocol, which is data protection compliant with:-

- i) Tameside Metropolitan Borough Council.
- ii) Greater Manchester Police 'G' Division
- iii) Greater Manchester Probation Service

The Protocol sets out the circumstances in which data can be shared. Applications to share data and/or data being shared can only be made/disclosed by designated officers of the Company. Data shared must be relevant and proportionate to the purpose for which it is required.

CONFIDENTIALITY

3.32. The Company is conscious that complainants may be concerned about information relating to their complaint being disclosed to third parties.

The Company will not disclose any information about or provided by a complainant without their consent unless:-

- to do so would compromise the Company and/or its Directors and render it or them open to Legal action
- it does so in accordance with the Data Exchange Protocol previously mentioned.

3.33. Complainants need to be aware though that perpetrators may draw their own conclusions if approached about a complaint. This aspect will be discussed with complainants in the action planning stages of an investigation.

CROSS TENURE ISSUES

3.34. New Charter Homes seeks to sustain its communities and deal with anti-social behaviour issues irrespective of whether the complainant and/or perpetrator are a tenant of ours.

The Company has powers to act to protect people in its communities who are owner occupiers or private sector tenants and/or take action against them to protect our tenants, assets and communities.

- 3.35. We will contribute to initiatives to tackle cross-tenure issues, through its involvement and contribution to the Tameside Crime and Disorder Partnership at a strategic level.

Operationally, using the Data Exchange Protocol and local arrangements for problem solving, the Company will work with its partner agencies within the local Crime and Disorder Partnership to:

- Identify issues.
- Share information.
- Determine action plans to effect resolutions.
- Allocate appropriate resources to support the action plan.
- Monitor outcomes.

TRAINING OF STAFF IN DEALING WITH ANTI-SOCIAL BEHAVIOUR

- 3.36. New Charter Homes recognises the importance of its staff having confidence and the knowledge to identify and investigate reports of anti-social behaviour. In addition staff must be equipped to take the appropriate action. To this end the policy and procedure statements are available on the Company's internal website.

Those staff that receive complaints of anti-social behaviour and/or investigate anti-social behaviour will on induction be made aware of the Policy and Procedure Statements. As part of the mandatory actions during the start of their employment

Those staff who deal with anti-social behaviour as part of their job will receive training on the operation of the policy and procedure as required.

INFORMATION ON OTHER RELEVANT POLICIES

- 3.37. In the development of these statements, other policies of the Company with an impact on anti-social behaviour have been considered and links identified throughout.

MEDIA STRATEGY

- 3.38. i) Publicity is an essential part of the strategy to tackle anti-social behaviour in terms of:-
- Reassuring complainants and the wider community that successful action is being taken to tackle anti-social behaviour.
 - Publishing individual cases so that breaches of orders obtained/contracts entered into can be notified to the relevant agency.
- ii) In circumstances where a Court has not imposed reporting restrictions the Company may issue a press release on every occasion that:-

- An injunction
- Anti-social behaviour order
- Possession order
- Demoted tenancy order

is obtained in connection with anti-social behaviour.

The press release will give the name and address and date of birth of any person against whom the order has been made.

The Company may also engage in any other form of media coverage as it considers appropriate in each case.

iii) The Company may also in relation to Anti-Social Behaviour Orders:-

- Produce and distribute publicity leaflets in the locality of anti-social behaviour detailing the established facts of the case, the name and address of any person named in the order, photographs of them and when the order will expire.
- Engage in any other form of media coverage as it considers appropriate in each case.

PROTECTION OF STAFF

3.39. The Company recognises that in the course of their employment its staff and/or agents may themselves become victims of anti-social behaviour.

The Company will not tolerate anti-social conduct towards its staff and will take action against perpetrators in line with its anti-social behaviour policy and procedure as if the member of staff/agent was a complainant.

4. THE STATEMENT OF PROCEDURES

INFORMATION CONTAINED IN THIS STATEMENT OF PROCEDURES

- 4.1. This statement outlines the Company's procedure for dealing with complaints of anti-social behaviour.
- 4.2. This statement outlines:-
- a) the making of a complaint
 - b) the complaint handling process
 - c) the support offered to complainants
 - d) the range of enforcement tools and how they are used
 - e) how complaints are monitored
- 4.3. Where the Company uses managing agents to manage some of its stock, residents involved will be advised whether tenancy documentation of the respective responsibilities of the Company and the managing agent.

MAKING A COMPLAINT OF ANTI-SOCIAL BEHAVIOUR

- 4.4. A complaint of anti-social behaviour can be made by:

- i) - a tenant } or their representative
 - a resident }
 - agencies and/or support worker

the Company will also accept complaints made anonymously, however responses may be limited in these circumstances.

- ii)
- telephone - 0161-331-2000
 - fax - 0161-331-2001
 - email - info@newcharter.co.uk
 - in person at any of our customer service centres (shops)
(Details can be found in the Summary Leaflet Section of this document).
 - in person to our staff whilst engaged on Company business
 - in writing to Cavendish 249, Cavendish Street, Ashton-under-Lyne, OL6 7AT
 - by contacting or leaving a message on our Helpline 0800-027-0527, which is on 24 hours a day.

Complainants are advised to direct complaints in the first instance to their Neighbourhood Housing Officer.

In some circumstances complaints should also consider contacting other agencies.

- Police for issues of crime (0161-872-5050).
- Social Services for issues involving the vulnerable (0161-342-8355).
- Local Authority Community Safety Unit (0161-342-8355) for issues of anti-social behaviour and youth nuisance occurring in the community.

and/or we may refer complaints to other agencies where the complaint lies within their area of responsibility.

e.g. dog fouling }
 fly-tipping } Local Authority

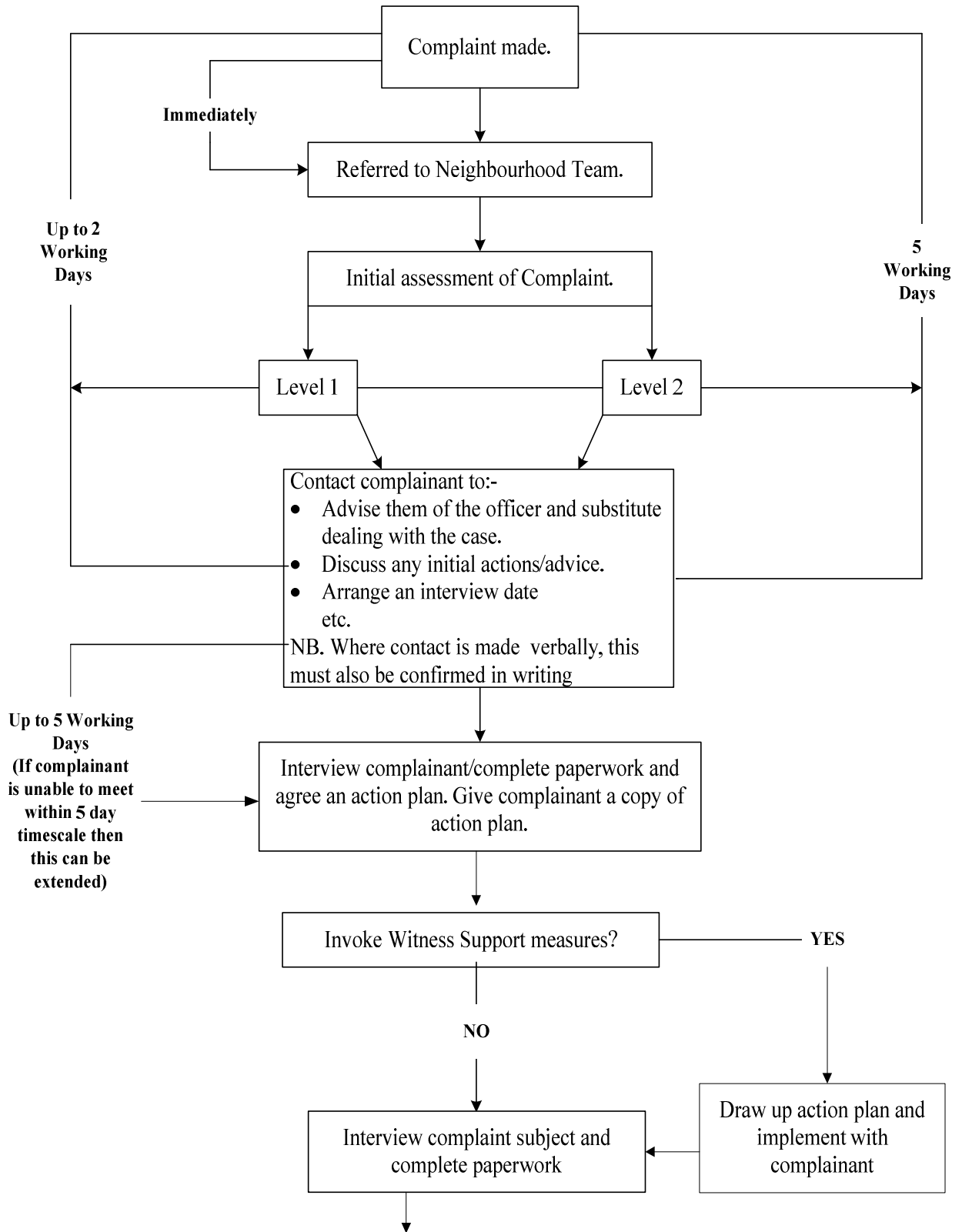
- 4.5. The Company is committed to responding early to complaints and agreeing action plans with complainants.

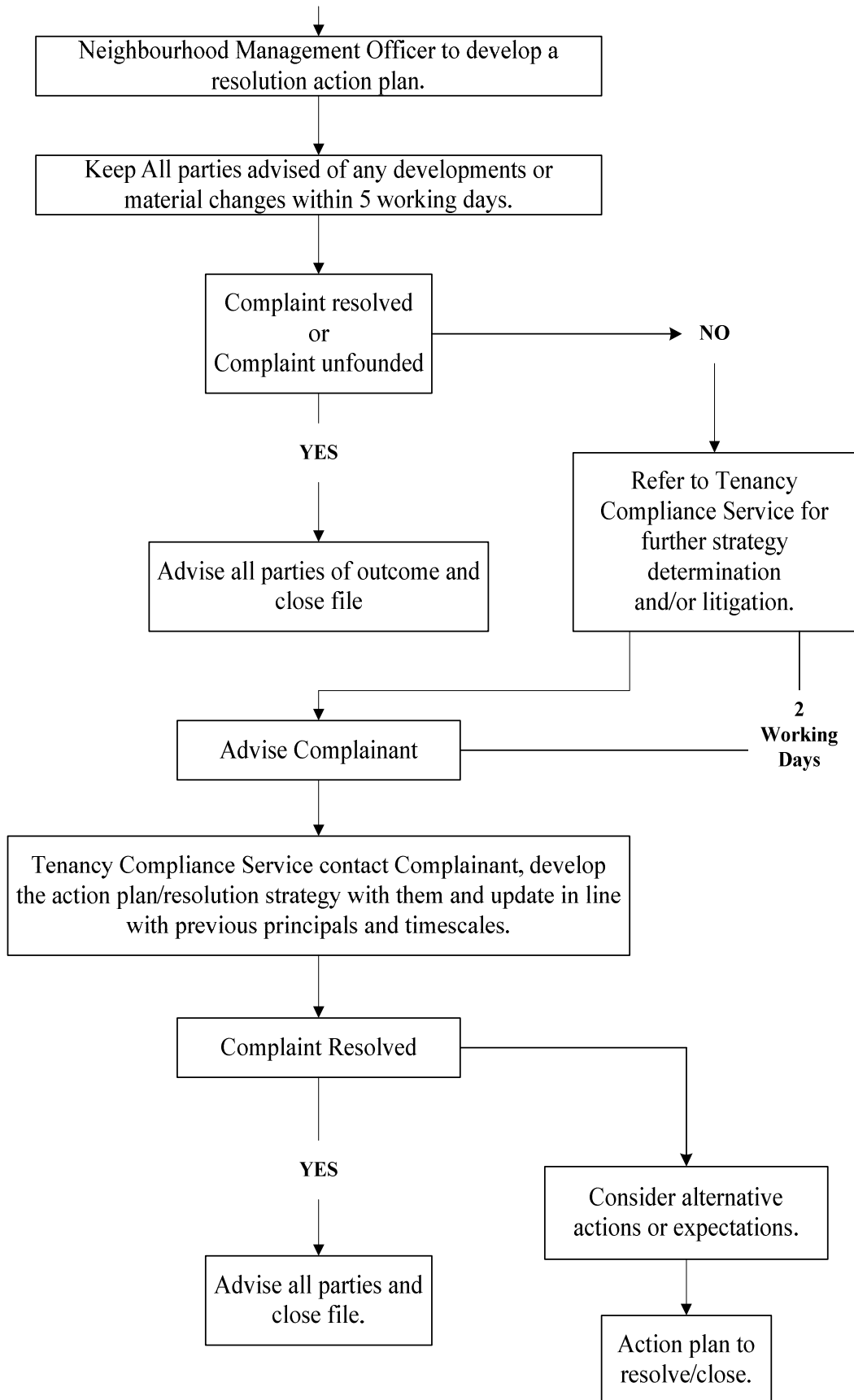
Arrangements to achieve this objective are detailed in the following flowchart. Due to the varied nature and complexity of the response actions, it is not possible to provide an overall time span for complaint handling.

However, all actions will be time targeted and complainants advised of any material changes or developments within five working days of them occurring.

Complainants will be advised upon receipt of their complaint of a named contact officer and substitute. They will be further advised if the contact officer and/or substitute changes.

4.6. COMPLAINT HANDLING FLOWCHART





WHAT HAPPENS WHEN A COMPLAINT IS RECEIVED?

- 4.7. A complainant will be contacted upon receipt of their complaint within either up to two days (Level 1) or five working days (Level 2) depending on the nature of the complaint. An initial assessment will be made on the basis of the information supplied by the complainant.

Complaints are categorised into two levels.

Initial Assessment of Complaint

Level 1

A severe case of anti-social behaviour involving drugs, violence or threats of violence, or other crime.

Level 2

An incident of anti-social behaviour not involving the above, which could be a neighbour dispute, issues of loud music, animal nuisance, noisy parties etc.

- The Company will keep complainants informed of the progress of the case by agreeing action plans with them and providing copies to them and by notifying them within five working days or any developments or material changes in their case.
- The Company cannot deal with complaints in isolation and a complainant needs to support the required actions. However, it is appreciated that complainants often feel intimidated and vulnerable and the Company would not want to make things worse. Therefore, the Company will (except in emergencies/extreme circumstances, or in order to protect the integrity of a case or protect the interests of the complainants and/or the Company) not take any action other than as agreed between it and a complainant.
- Clear lines of communication between the Company and the complainant will arise from the nominated contact officer arrangements and the commitment given to keeping complainants informed and time targeting agreed actions.
- If a complainant is unhappy with the service they have received it is recommended in the first instance that they contact the Neighbourhood Operational Manager.
If they remain dissatisfied, then the complainant can make a formal complaint about the service through New Charter's Complaints Procedure. Details of how to make a complaint about the service can be found on our website, by visiting one of our shops or by ringing us on 0161-331-2000.

SUPPORTING COMPLAINANTS

4.8. The Company supports complainants in a number of ways:-

- i) Providing varied methods by which a complaint can be made.
- ii) Responding to the reporting of complaints promptly.
- iii) Agreeing an action plan with the Complainant as soon as is reasonably practical and review this with them throughout the case until resolution.
- iv) Keeping the Complainant informed of any material change throughout the course of their complaint investigation/resolution within a reasonable timescale.
- v) Providing a telephone helpline.
- vi) Identifying and directing them to other agencies which may be able to assist them.
- vii) The Company will carry out a survey, with complainants at the end of a case to establish:-
 - what went well
 - any areas for improvement/what could have been done differently.

In addition we may:-

- viii) Provide professional witnessing to assist in corroboration of a complaint.
- ix) Liaise with other agencies in support of a complainant.
- x) Provide temporary or permanent re-housing and re-location packages to maintain in so far as is reasonable similar standards in any new home as those enjoyed in their previous home and/or to reflect required additional security

4.9 Our Witness Support Policy and Procedure identifies the type of support available to complainants and includes:

- xi) Carrying out a risk assessment for complainants in their homes to determine if any additional security measures are required:-
 - i.e.
 - alarms
 - fire extinguishers
 - panic buttons
 - smoke detectors
 - locks
 - language line-interpreters
 - secure letter boxes
 - mobile phones
- xii) Support packages to meet the needs of individual complainants, which may include
 - Out of hours service – round the clock telephone contact with a team of specialist officers
 - Nominated contact officer.
 - Regular contact from nominated officer.
 - Escorted to and from any Court hearings.
 - Expenses paid when acting as a witness.

- Pre-Court hearing visits and briefings.
- Post Court support and de-brief.
- Post case closure follow up contact and continued support for as long as is reasonably required and practical.
- Formation of support groups.

ENFORCEMENT ACTION

4.10. The Company uses a wide range of tools to tackle anti-social behaviour comprising of non-legal and legal actions.

The type of action to be taken is considered on a case by case basis, taking all relevant circumstances into account.

See point 3.15 of the Policy Statement for details of all non-legal actions.

Our legal actions currently include:-

<u>TOOL</u>	<u>WHEN MAY BE USED</u>
<p>i) <u>Anti-Social Behaviour Orders</u></p> <p>Anti-social behaviour orders can be applied for when a person aged 10 or over, has been behaving in an anti-social manner.</p> <p>Orders can be applied for against any perpetrators irrespective of where they live in Tameside.</p> <p>Any agency applying for an anti-social behaviour order must show that the alleged perpetrators(s) behaved in a manner “that causes or was likely to cause harassment, alarm or distress to one or more persons not of the same household” as the perpetrator and an order is necessary for the protection of persons from further anti-social behaviour.</p> <p>Anti-social behaviour orders are civil orders which contain conditions prohibiting the offender from specific anti-social acts or entering defined areas. They are effective for a minimum of two years. Orders are not criminal penalties and are not intended to punish the offender, but prohibit them from further acts of anti-social behaviour and/or persuade them to change their behaviour.</p> <p>However, breach of an order is a criminal offence and therefore criminal procedures and penalties apply. The maximum penalty for breach of an order is five years imprisonment for an adult offender. Juveniles, those aged 10-17 are subject to different penalties if they are found guilty of</p>	<p>Against any person over the age of 10 years where the anti-social behaviour is Level 1 OR the perpetrator has failed to positively respond to previous interventions e.g. Warnings.</p>

<p>breaching an order but this can include custodial sentences.</p> <p>New Charter Homes, as a Registered Social Landlord, is required to consult both the Local Authority and Police before applying for an anti-social behaviour order.</p> <p>Anti-social behaviour orders can be applied for in their own right or as an ancillary order on sentencing for a criminal offence.</p> <p>New Charter Homes will consider applying for orders against any person(s) where the anti-social behaviour is related to the premises for which we are responsible.</p> <p>Where this is not the case, we will actively work with other agencies that are able to apply for anti-social behaviour orders in accordance with our multi-agency approach to dealing with anti-social behaviour.</p>	
<p>ii) <u>Injunctions</u></p> <p>Injunctions and Exclusion Orders under Sections 153A, 153B, 153C or 153D Housing Act 1996, and/or Injunctions under civil law. e.g. Breach of Contract.</p> <p>An injunction is a civil remedy which is obtained through the County Court and either compels a person to do something or forbids a person from doing something. The breach of an injunction is not, in itself, a criminal offence but it is contempt of court and could lead to a fine, imprisonment or both.</p> <p>Section 13 of the Anti-Social Behaviour Act 2003 has amended the Housing Act 1996 and the extended provision of injunctions against anti-social behaviour. The Legislation now gives Registered Social Landlords the power to injunct anyone, not just tenants, who is involved in anti-social behaviour as defined by the Act. Where nuisance occurs in the locality of property and is caused by persons who are not tenants of NCHT.</p>	<p>Against any person over the age of 18 years. When the matter is a Level 1 issue <u>or</u> the perpetrator has failed to positively respond to previous interventions e.g. Warnings.</p> <p><u>AND</u> Where a breach is capable of remedy.</p> <p><u>OR</u> To seek immediate or timely respite.</p> <p><u>OR</u> To protect its staff and/or assets.</p>
<p>iii) <u>Power of Arrest</u></p> <p>When granting certain Injunctions, the Court can attach a Power of Arrest if it considers that the behaviour complained of includes the use or threatened use of violence or there is a significant risk of harm.</p>	<p>Will be used when the threshold is met and when it is fair and reasonable to do so.</p>

<p>iv) <u>Possession Proceedings</u></p> <p>New Charter Homes can seek to recover the possession of a tenant’s home in accordance with Schedule 2, Ground 14 of the Housing Act 1988 (as amended by the Housing Act 1996) where the tenant or a person residing in or visiting the dwelling house has:</p> <p>a) been guilty of conduct causing or likely to cause nuisance or annoyance to a person, residing, visiting or otherwise engaging in a lawful activity in the locality.</p> <p style="padding-left: 40px;">and/or</p> <p>b) has been convicted of</p> <ul style="list-style-type: none"> ▪ using the dwelling house or allowing it to be used for immoral or illegal purposes or ▪ an indictable offence committed in, or in the locality of, the dwelling house. <p>New Charter Homes may also rely on Ground 12 of the Act, which states possession can be sought when an obligation of the tenancy has been broken or not performed. We can use this additional Ground because we have extensive contractual requirements with regard to anti-social behaviour in all our Tenancy Agreements.</p> <p>In granting possession on Grounds 12 and 14, the Court must be satisfied that the Ground for possession has been established and it is reasonable to make the order.</p>	<p>Against a tenant. As a policy of last resort unless the case is Level 1 when earlier use may be necessary.</p> <p><u>OR</u></p> <p>Where a breach of tenancy condition or anti-social behaviour is not considered to be capable of remedy.</p> <p><u>OR</u></p> <p>Where the perpetrator has failed to positively respond to previous interventions.</p>
<p>v) <u>Demoted Tenancies</u></p> <p>Part II, Section 14, Subsection 4 of the Anti-Social Behaviour Act 2003 has amended Section 6 of the Housing Act 1988 to allow for Registered Social Landlords to apply to the County Court for a demotion order.</p> <p>A demotion order ends the assured tenancy on a specified date. If the tenant remains in occupation, a new demoted assured shorthold tenancy will begin on the same date. The Court may only make the order if the tenant, another resident or visitor to the tenant’s home has behaved in a way which is capable of causing nuisance or annoyance or if such a person has used the premises for illegal purposes. In addition, the Court must be satisfied that it is reasonable to make the order.</p> <p>Demoted assured shorthold tenants have limited rights and reduced security. If during the 12 month period of demotion,</p>	<p>Against any tenant where their conduct is capable of remedy.</p> <p><u>OR</u></p> <p>A support package can be used to support a tenant.</p> <p><u>OR</u></p> <p>Where a tenant indicates they will modify their</p>

<p>the tenant causes further anti-social behaviour and/or breaks any of the terms and conditions of the demoted tenancy, New Charter Homes can seek possession of the property.</p>	<p>behaviour.</p> <p><u>OR</u></p> <p>Where a tenant has failed to positively respond to previous interventions e.g. Warnings.</p> <p><u>OR</u></p> <p>Where the behaviour is not so serious as to justify possession proceedings but where the intervention required is not addressed by Injunctive action alone.</p>
<p>vi) <u>Supporting other legal actions</u></p> <p>New Charter Homes will support other agencies in any legal action they seek to bring in respect of anti-social behaviour issues providing it has been considered via a multi-agency discussion forum and does not prejudice the interests of the Company, or is promoted by the Police</p>	<p>Against any person as determined through multi-agency arrangements or is promoted by the Police</p>

MONITORING ANTI-SOCIAL BEHAVIOUR AND THE SERVICE

4.11. The Company recognises the importance of the continual monitoring of anti-social behaviour issues and the operation of its service in tackling and responding to such issues.

4.12. Effective monitoring enables the Company to:-

- Evaluate the effectiveness of specific anti-social behaviour initiatives.
- Identify key priorities and issues.
- Understand the nature and location of areas where anti-social behaviour is prevalent.
- Distinguish between different types of behaviour.
- Allocate resources.

- 4.13. Case closed surveys will be undertaken with complainants as referred to in Section 4.8. and used to monitor and review service delivery.
- 4.14. The Company's Board receive information on how this policy and procedure impact on reducing and tackling anti-social behaviour, at least once in any financial year.

DATA COLLECTION

- 4.15. The Company will collect and record data relating to anti-social behaviour reported to and investigated by it.
- 4.16. The data collected will be as follows:
- i) number of complaints received annually categorised by the nature of the anti-social behaviour. The categories will be classified as follows:-
 - Noise
 - Gardens
 - Criminal Behaviour
 - Harassment / Intimidation
 - Property Damage / Vandalism / Graffiti
 - Pets and Animals
 - Drugs / Alcohol Abuse
 - Vehicle Issues
 - Communal Areas
 - Street Nuisance
 - Boundary Disputes
 - Domestic Violence
 - Nuisance from Business Use
 - ii) number of hate incident complaints, categorised as follows:
 - Race
 - Religion
 - Sexual Orientation
 - Disability
 - Gender
 - Gender Reassignment
 - Age
 - iii) number of complaints received annually by town and estate. All the Company's properties comprise or are linked to an estate.
 - iv) Perpetrators will be classified by:
 - Gender – male/female
 - Age ranges
 - under 16
 - 16-30
 - 31-50
 - 51-70
 - 71 +

- Composition of household:
 - Single
 - Couple
 - Family

- iv) Both perpetrators and complainants will be classified by:
 - Ethnicity:
 - White :-
 - British
 - Irish
 - Other
 - Mixed:-
 - White & Black Caribbean
 - White & Black African
 - White & Asian
 - Other
 - Asian or Asian British:-
 - Indian
 - Pakistan
 - Bangladeshi
 - Other
 - Black or Black British:-
 - Caribbean
 - African
 - Other
 - Chinese or other Ethnic group:
 - Chinese
 - Other
 - Disability: Yes/No
 - Wheelchair user

- v) Case progression will be classified as follows:
 - Resolved by Neighbourhood
 - Mediation
 - Power of entry notice served
 - Warning Issued
 - Caution Issued
 - Tameside Patrollers deployed
 - Floating Support deployed
 - Abatement notice served
 - Acceptable Behaviour Contract action
 - Tenant Terminated
 - Tenant Abandoned
 - Tenant Rehoused
 - Suspended Applicant status
 - Negative Enquiries
 - Referred to Tenancy Compliance Service
 - Complaint Ceased / Withdrawn
 - Notice to Seek Possession issued

- Injunction Applied for
- Possession Proceedings issued
- Injunction obtained
- Undertaking given
- Outright Possession Order obtained
- Suspended Order obtained
- Warrant Issued/Executed
- Committal Applied for
- Committal Obtained
- Witness support provided
- Anti-Social Behaviour Order warning
- Anti-Social Behaviour Order obtained
- Surveillance Equipment deployed
- Noise monitoring equipment deployed
- Demoted Tenancy Order
- End starter tenancy action
- Referred to Neighbourhood for progression.

vi) Performance indicators based on our customer service standards contained in the Procedure Statement.

4.17. The data will be collected:-

- i) in the course of investigations into complaints.
- ii) outcomes will be recorded as they occur and upon the closure of a case.
- iii) through all Case Management Systems

4.18. The data will be used to:-

- i) identify any problem areas.
- ii) identify any vulnerable groups.
- iii) identify trends.
- iv) allocate resources.
- v) identify measures to address issues and inform policy and procedure development.
- vi) identify effectiveness of measures used and monitor complaint levels across areas to identify increases/decreases.

4.19. Multi-agency partnership issues are covered in Section 3.21. and professional witnessing in Section 3.30.

5. CONTENT OF THE SUMMARY

The summary has been produced and published as a separate document and is inserted here.

DEALING WITH ANTI-SOCIAL BEHAVIOUR - A SUMMARY

যদি আপনার অনুবাদের জন্য কোন সাহায্যের দরকার হয়, মেহেরবাণী করে কর্মীদের কোন সদস্যকে বলুন।

જો તમારે ભાષાંતર કરવામાં મદદ જોઈતી હોય તો, મહેરબાની કરી સ્ટાફના સભ્યને મળો.

در صورت نیاز به کمک ترجمه ای، لطفاً به یکی از کارمندان ما مراجعه کنید۔

اگر آپکو ترجمے میں مدد کی ضرورت ہو تو براہ مہربانی عملے کے کسی ممبر کو ملیں۔

Si vous avez besoin d'assistance avec cette traduction prière de contacter un membre du cadre.

Se precisa de alguma ajuda com esta tradução faz favor contactat um membro do quadro.

Jeśli potrzebujesz pomocy w tłumaczeniu, zwróć się do kogoś z personelu

PURPOSE OF THIS SUMMARY

The Law obliges New Charter to prepare and publish its statements of policy and procedure, with a summary, about how we respond to anti-social behaviour. The policy and procedure help us to build and support communities in the provision of safe, comfortable, secure and affordable homes, through partnerships with customers and others. This is line with our mission statement of “Great Homes, great neighbourhoods and great people.”

This summary provides information to tenants, residents and other interested parties on the main points of our anti-social behaviour policy and procedure statements. You can get a free copy of these by contacting us on 0161 331 2000 or by visiting our website www.newcharter.co.uk.

We review the Anti-Social Behaviour Policy and Procedure Statements and this summary together each year.

WHAT IS ANTI-SOCIAL BEHAVIOUR?

The term “anti-social behaviour” can mean different things to different people. We think it is important to define such behaviour, so those suffering from it and those committing it are clear what we mean by the term. The legal definition contained in the 1996 Housing Act is summarised here:-

- any conduct which is capable of causing nuisance or annoyance to any person, **and** which relates to or affects the housing managements functions of New Charter
- any conduct which consists of or involves using (or threatening to use) New Charter’s housing accommodation for an unlawful purpose

We give examples of anti-social behaviour in our tenancy and licence agreements, such as:-

- harassment and intimidation
- domestic violence
- damaging or threatening to damage another person’s home or possessions
- failing properly to control any pet or allowing it to foul or cause damage to property
- hate behaviour that targets members of identified groups because of their perceived differences
- allowing people who live with you and/or your visitors to be noisy and/or disruptive

OUR APPROACH TO ANTI-SOCIAL BEHAVIOUR

We expect tenants to be good neighbours. That doesn’t mean we expect tenants to be good friends. A good neighbour is someone who acts reasonably and considerately and respects the different values and life styles reflected in the community.

The Tenancy Agreement is a legal contract between New Charter and its tenants. It says tenants are responsible for their own behaviour **and** the behaviour of people who live with them or visit them. This means that we can take action when tenants are proven to be acting anti-socially and where people living with them, including children and visitors, are causing problems.

We are committed to tackling issues of anti-social behaviour and adopt four key strategies in our approach:-

- Partnership working
- Prevention
- Effective enforcement
- Rehabilitation of perpetrators

These strategies enable us to deliver a proportionate and flexible response to anti-social behaviour issues.

If you are affected by anti-social behaviour yourself or you have witnessed someone else being affected by it, you can make an initial complaint to us irrespective of whether you are a New Charter tenant.

As well as contacting New Charter, you should consider contacting other agencies who may be able to help you

- Where crime is involved contact Greater Manchester Police on 0161-872-5050 or 999 in an emergency
- Where vulnerable people are involved – contact Social Services 0161-342-8355
- For issues of anti-social behaviour and youth nuisance in the community - contact the Tameside MBC Community Safety Unit on 0161-342-8355

HOW DO I MAKE A COMPLAINT?

Before making a complaint, consider whether you can resolve the issue yourself. For example, a neighbour may not be aware that their behaviour is upsetting you. We can give you advice on how to do this.

Whatever the problem, we take all complaints seriously. You can contact New Charter in various ways:

- telephone our switch board on 0161-331-2000, where you will be put through to someone who can help you.
- telephone our free Helpline number 0800-027-0522, where you can give details of your complaint to a member of our staff during normal hours of business. Outside these times you can leave a message on the answer machine service.
- call into any of our 4 shops, where a member of staff will be able to help you. Our shops are open Monday 9am – 5pm, Tuesday 10.30am – 5pm, Wednesday 9am – 5pm, Thursday 9am – 4.30pm and Friday 9am – 4pm. They are located at:

2 Henrietta Street, Ashton-under-Lyne

12 - 14 Clarendon Street, Hyde

9 Albert Street, Denton

63 – 65 Grosvenor Street, Stalybridge

- write or fax us at our Head Office; details on the back of this leaflet.
- e-mail us with details of your complaint at info@newcharter.co.uk

We will not disclose any information provided by you or about you, without first getting your consent, unless to do so would compromise New Charter or make the Company or its employees open to legal action.

WHAT HAPPENS WHEN I MAKE AN INITIAL COMPLAINT?

We are committed to responding early and effectively to complaints. We do this by:

- making an early assessment to decide whether the anti-social behaviour is severe or less severe based on the information you have provided
- contacting you within 2 working days of receiving your complaint if the anti-social behaviour is severe, or within 5 working days if it is less severe
- assigning your complaint to a named New Charter member of staff, who will deal with the complaint
- ensuring this member of staff contacts you within 5 working days to discuss the details of the complaint, agree an action plan with you and confirm this in writing.
- discussing any need for witness support.
- telling you of any developments or material changes in your case within 5 working days of them occurring.

We do not deal with complaints alone, but work in partnership with you. The initial action plan forms the basis of this partnership. It will include required actions by New Charter **and** by you, to sustain the action and try to resolve the problems you are experiencing.

WHAT IF I AM UNHAPPY ABOUT HOW NEW CHARTER RESPONDS?

If you make a complaint about anti-social behaviour and are unhappy with the service you have received, firstly you should contact the manager of the named member of staff who has been dealing with your case. This is the Neighbourhood Operational Manager, whose details you will be given in your acknowledgement letter.

If you remain dissatisfied then you can make a formal complaint about the service you have received by following New Charter's Complaints Procedure. You can find out more

information about making a service complaint by visiting any of our shops or by telephoning 0161-331-2000.

MONITORING THE SERVICE WE PROVIDE

One way we do this is by undertaking surveys as cases are settled with the person who complained. By seeking your views we are able to check our effectiveness and continually improve the service we provide for customers. Please help us to do this.