

# Co-op Homes

## Anti-Social Behaviour Strategy

### Background

Anti-social behaviour can affect whole communities, not just individuals. It can degrade an environment to the extent that residents cease to care about their surroundings and feel that no-one cares about them. When this happens, criminal activity tends to increase and those members of the community who are law abiding withdraw into their homes. Co-op Homes recognises the way in which communities and areas can decline when residents no longer feel they have any control over their environment. We are committed to help in building communities where residents feel safe and in which they take pride so we will deal with nuisance quickly, effectively and in a way that gives proper weight and understanding to the effect on victims.

Co-op Homes cannot achieve this alone. Strong communities can only be achieved by working in partnership with other agencies such as the police, Local Authority, Social Services, the Health Authority and the residents themselves. Enforcement action against problem neighbours needs the evidence of witnesses who refuse to tolerate anti-social behaviour.

### Aims and Values

**Our Strategic aim is to improve quality of life, for people who live in or visit our properties. Our strategy sets out five clear objectives:**

- To tackle anti-social behaviour by addressing the root causes wherever reasonable or possible through referral for support or care where appropriate.
- To ensure that existing legislation is used in the most effective manner
- To ensure that victims of ASB receive support to address the impact on their lives within the capabilities of Co-op Homes.
- To identify ways of ensuring that anti-social behaviour can be prevented from occurring
- To improve communication so that services and support can be readily accessed

This strategy is based on Group values, which encompass a strong belief in the importance of customer care. Because we understand the effects of anti-social behaviour on victims, we will

- Offer appropriate assistance to complainants in cases of neighbour disputes.
- Aim to resolve disputes as quickly as possible
- Keep complainants informed of progress.
- Attempt to find an acceptable solution to disputes whenever possible.
- Take firm enforcement action when attempts at resolution fail.
- Recognise and acknowledge the needs of vulnerable tenants and provide or secure appropriate support where possible.

- Provide comprehensive advice and information to complainants and make them aware of the legal and procedural framework within which complaints are handled, and their own responsibilities towards others.
- Adopt a preventative approach as well as a reactive one, by designing out crime, through effective housing management and by involving customers wherever possible.

Underpinning these aims is our firm belief that anti-social behaviour should not be endured by our customers and that the effect on victims should be given greater weight than the needs of anti-social tenants.

### **A Pro-Active Approach**

Co-op Homes plans to take a pro-active approach to housing management. Untidy gardens, abandoned cars and collections of rubbish make an area look drab and uninviting. This affects all residents. In future, tenancy conditions will be enforced rigorously but we will work with customers to find solutions to problems.

We recognise that some customers have difficulty in keeping their homes to the standard that they would like and we will work with these customers to find solutions to these problems. Customers who are able to maintain an acceptable standard but fail to do so, will be warned of the breach of their tenancy or lease conditions and enforcement action will be taken when necessary. Housing Assistants will be present on our estates and we will make use of estate inspections with resident representatives. This has the dual advantage of providing customers with an opportunity to report problems of inadequate service and to identify breaches of tenancy conditions.

### **Continuous Improvement**

Co-op Homes intends to give the best possible service to all its customers through a process of continuous improvement.

- By promoting a questioning culture among staff and customers so that procedures do not remain static but develop to incorporate best practice
- By keeping up to date with new legislation so that we can use the law to support our customers and make use of sanctions to deal with unacceptable behaviour.
- Through regular reviews of policy and practice that take account of customer feedback and involve staff, residents and Management Committee members
- By equipping staff to do their jobs effectively, using in house and external training courses and supervision.
- By working to make the resolution and prevention of anti-social behaviour an aim of every team and function in Co-op Homes.

### **Multi-Agency Work**

Anti-social behaviour can only be managed effectively if all local agencies work in partnership. The local Community Safety Department/Partnership which facilitates

the Anti-Social Behaviour Action Group and is an important means of co-ordinating efforts and sharing information. Protocols are in place that enable agencies to exchange confidential information that relates to the control of crime and disorder.

Anti-Social Behaviour Action Groups meet to discuss families and individuals causing concern and to determine jointly what action can be taken. Members of the Panel include

- Police
- Youth Offending Team
- Social Services
- Mental Health teams
- Registered Social Landlords
- The Local Authority
- Education Welfare Service

The Panel is also able to call on the services of other agencies, such as the Youth Service, when this is necessary.

Under the Crime and Disorder Act 1998, these agencies are able to share information relating to criminal activity, school attendance or family problems. The Panel discusses cases and shares relevant information and then determines what action is likely to be most effective in eliminating or reducing the behaviour. Part of the decision making process involves a discussion about the use of Anti-Social Behaviour Orders, injunctions or other voluntary contracts.

The Panel has enabled professionals to develop close working relationships with a variety of agencies that help us all to work together effectively outside the Panel meetings.

## **Objectives**

Our primary objective is

- **To reduce and prevent the incidence of anti-social behaviour** in our properties and on our estates so that they are safe and pleasant places to live. We want our residents to feel proud of their homes but we also want to reduce the cost of dealing with these cases so that we can keep rents and service charges as low as possible.

We will also

- **Promote pro-social behaviour** through consultation with residents so that everyone is clear about the boundaries of acceptability, wherever they live. We are particularly concerned that incidents of hate crime are dealt with swiftly and effectively. Racism, homophobia, domestic violence and faith crime are all breaches of our tenancy agreements and where perpetrators are identified we will work with the police to ensure that criminal proceedings are pursued. Where this is appropriate, we will also take action under the terms of our tenancy agreements.

In achieving this, we will

- **Employ a range of solutions** in the prevention and detection of anti-social behaviour and the enforcement of acceptable behaviour.

### **Prevention**

Community development is part of the process of prevention because it helps communities grow strong enough to resist anti-social behaviour. By working with formal agencies and voluntary organisations, Co-op Homes can help to build communities that have the power to enforce their own agreed boundaries of behaviour. We will do this by

- engaging with young people
- giving support to vulnerable tenants to enable them to manage their tenancy
- supporting Tenant Management Groups
- promoting initiatives that build community cohesion and foster feelings of security and well-being
- supporting the police in their campaigns within schools and with young people.
- promoting through the Group informal educational activities such as sports, music, drama and art provided through youth clubs, in partnership with other organisations

The second strand of our prevention strategy involves deterrence measures. These are part of a multi agency strategy formulated with other agencies in Boroughs. They include raising awareness of how residents can take control of their community and deal with anti social behaviour.

### **Detection**

The detection of perpetrators involved in anti-social behaviour can be complicated by several factors. It is not always easy to identify the culprits and occasionally, witnesses are threatened by perpetrators and are fearful of giving evidence. The main elements of successful detection are

- Good casework that records important events clearly
- The support of staff who have the skills and experience to pursue cases of anti-social behaviour to a satisfactory resolution
- The use of professional witnesses when evidence cannot be gathered by other means or in cases where hearsay evidence gathered through statements is admissible in Court. The use of professional investigation services is extremely expensive and will be reserved for the most intractable and serious cases because ultimately, this cost is passed on to our customers.
- We have a zero tolerance approach to perpetrators of racial harassment, domestic violence, homophobia and other hate crime. We will work closely with the police Community Safety Unit (which deals with these offences) and with support groups such as the Ethnic Minority Advocacy Group and Hounslow Racial Equality Council.

## **Enforcement**

We will take swift action on complaints so that low level problems are resolved at an early stage before they become intractable disputes. Changes in legislation are removing some of the obstacles that have made successful enforcement difficult in the past and we will use the full range of remedies available to us. These include

**Formal written warnings** that set out the behaviour that is causing difficulty and the action that will be taken if the behaviour does not cease.

**Acceptable Behaviour Contracts (ABC's)** which are voluntary agreements made with persons of any age over ten years. They specify the actions and behaviour that the person is prohibited from doing. They are not legally binding but a breach may justify further enforcement action.

**Parental Control Agreements** are used when the children involved in the anti-social behaviour are under the age of ten. In effect, the parent signs an ABC on behalf of the child and acts as guarantor of their behaviour.

**Anti-Social Behaviour Orders (ASBO's)** that specify the behaviours that are prohibited to the subject of the Order. A breach is a criminal offence punishable by a period of five years imprisonment and the Order remains in force in the whole of England and Wales for the period specified which could be for up to ten years. These Orders can only be made on persons above the age of ten years.

**Injunctions** are civil orders often used to restrain a person from harassing another or entering the property in which the other person resides.

**A Notice of Seeking Possession (NOSP)** which is the first stage of legal action to repossess the property. The Notice is valid for one year and action can be taken at any point within that time.

**Demoted tenancies** which are part of powers available to us since 30 June 2004 under the Anti-Social Behaviour Act 2003. If we need to seek possession against a tenant for nuisance behaviour, the tenancy can be demoted by the Court and the tenant will lose their security for a period of twelve months. If the nuisance behaviour continues, the demoted tenancy can be ended entirely. Once the demotion is granted, repossession is much quicker and easier. We have not yet demoted a tenancy.

Enforcement action will be taken after investigation if there is no satisfactory response to a warning interview or an earlier informal written warning. We will match the action to each individual case and take the steps that we consider to be most effective in the circumstances. Each case will be reviewed regularly to ensure that progress is constant and will have a clear action plan. Victims will be involved in regular updates of action.

Wherever it is appropriate, Co-op Homes will work with other agencies to ensure that enforcement is co-ordinated and as effective as possible.

## **Conclusion**

Sometimes we are asked to deal with behaviour that others find annoying but over which we have no control. As a landlord, we have powers to deal with breaches of tenancy agreements but we do not have unlimited powers to curtail the lives of residents. For example, complaints are sometimes made about noise from footsteps or domestic appliances in other properties. Although we sympathise and can request that neighbours show consideration to others, we do not have the power to restrict their use and enjoyment of the property provided that the noise is not at an unreasonable level and does not take place at an unreasonable time.

As in private accommodation, residents must make an effort to get on with their neighbours and must deal with disputes through negotiation and agreement or make use of civil remedies through the Courts if no compromise can be reached. If any customer reports a nuisance that we do not have powers to influence, they will be told this clearly but we will give advice about what action they can initiate themselves. Neighbour disputes are distressing and can be costly and it is always wise to attempt to build polite relationships with neighbours even if friendly relations are not possible.

Any strategy to deal with anti-social behaviour will include the elements of prevention, detection and enforcement detailed above. Ultimately however, success in dealing with the offending behaviour is dependent on information and assistance from customers and members of the public. Those who suffer nuisance are subjected to enormous levels of stress that becomes debilitating for many but it is extremely difficult for any landlord to eradicate anti-social behaviour without evidence. Collaboration between Co-op Homes and other agencies is vital but the most important partnership is the one between us and our customers, on whom we depend to report anti-social behaviour and to be prepared to give evidence.

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