

FORUM HOUSING ASSOCIATION

ANTI SOCIAL BEHAVIOUR POLICY

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FORUM HOUSING ASSOCIATION

Forum Housing Association is committed to the promotion of Equality of Opportunity, recognising that passive policies will not succeed in combating discrimination.

All the Association's Policies and Procedures have implicit in them a determination to challenge discrimination and promote positive action to achieve Equality of Opportunity which is not a paper exercise but a reality.

The above statement is applicable to this Policy.

ANTI SOCIAL BEHAVIOUR

POLICY

Forum Housing Association recognises and acknowledges that in order to provide and deliver a quality service, and maintain continuous improvement it must be effective in tackling and addressing anti social behaviour. The assessment and management of nuisance and the prevention of distress to its resident group, visitors and the wider community has long been an Association priority. Responses and solutions to anti social behaviour do not exist within one agency and the Association will ensure it has in place the structures, framework and methodology to ensure active collaboration with recognised partners and stakeholders.

Forum Housing Association has a duty to its funders, Board, resident group and other stakeholders to prevent the risks associated with anti social behaviour.

Forum Housing Association is committed to a person centred problem-solving approach towards the management of anti social behaviour, and will use enforcement measures as a last resort. The unique nature of the Association ethos and its client base demands that alternative solutions by means of education, mediation and prevention are paramount in its vision, and one of its primary objectives is to promote and celebrate the worth and value of young people as active citizens and contributors within the wider community.

Forum Housing Association will abide by its legislative duties in respect of anti social behaviour, maintain awareness of change and develop and review policies and procedures that are cognisant of its responsibilities. The Association's Anti Social Behaviour Strategy recognises the need for policies and procedures to underpin the strategy and 'fit' with related local and national strategies.

Forum Housing Association residents have a right to live peaceably within their home, and be free from the blight of anti social behaviour. Acts of anti social behaviour will not be tolerated, and to this end the Association will ensure that its resident group are explicitly aware of what constitutes anti social behaviour, what can be done to prevent it, the effect on victims and the wider community, and the methods of dealing with it both formally and informally. This will be achieved during the admission and induction phase, ongoing through the lifetime of the young person's support contract and contractually where it is required and necessary to do so.

Forum Housing Association will ensure that its staff are equipped with the range of skills, resources and knowledge they need to effectively prevent and tackle anti social behaviour.

Forum Housing Association will systematically collect, analyse and report on data relevant to anti social behaviour in order to monitor trends and performance, costs, develop best practice and to enable the Association to take a corporate, cross-departmental approach aimed towards developing a common understanding and promoting cohesion. Forum Housing Association will in addition ensure that opportunities are maximised to design out and positively manage anti social behaviour within the areas of security, environment and insulation.

SECTION ONE

Legislative Framework ~ The Anti Social Behaviour Act 2003

The Anti Social Behaviour Act 2003 (The 2003 Act) was launched jointly by the Home Secretary and the Prime Minister with the clear emphasis on improvement and action affirmed by the strap line **'We are giving you the tools, now use them'**. The 2003 Act is a consolidating Act introducing and extending new powers.

The 2003 Act is split in to ten parts and is wide ranging covering the perennial problems of high hedges through to the closure of premises where drugs are used unlawfully:

- Part 1 creates new premises to close premises that are being used for drug dealing or use.
- Part 2 extends powers for tackling anti social behaviour in housing.
- Part 3 develops mechanisms for enforcing parental responsibility for children who behave in an anti social way in school or the community.
- Part 4 creates a new power for the police to designate areas where they can disperse groups causing intimidation.
- Part 5 is relevant to possession of firearms (air weapons).
- Part 6 extends powers for local authorities to clean the environment.
- Part 7 deals with public order and trespass
- Part 8 is relevant to the perennial problem of high hedges
- Part 9 is relevant to miscellaneous items including penalty notices and the extension of the powers to Community Support Officers
- Part 10 covers general matters not covered in the above.

SECTION TWO

Definition of Anti Social Behaviour

Anti social behaviour can be difficult to define as it covers a wide range of behaviours. Anti social behaviour can be perceptual and is viewed differently by different client, culture and age groups. A description wide enough to encompass the Association's understanding with regard to anti social behaviour is behaviour, is:

- capable of causing nuisance to any person; and
- directly or indirectly affects the housing management functions of the Association
- consists of or involves using or threatening to use owned or managed Association accommodation for an unlawful purpose.

A **non-exhaustive** list of examples could include:

- noise nuisance
- intimidation and harassment of residents, visitors or community members
- aggressive and threatening language and behaviour
- actual violence against people
- bullying
- drinking under age
- joyriding and vehicle crime
- begging
- prostitution
- engaging in threatening behaviour in large groups
- vandalism, damage and graffiti
- hate behaviour that targets members of identified groups because of their perceived differences
- using accommodation to sell drugs, or for other unlawful purposes
- littering
- domestic violence
- carrying an air weapon or imitation firearm in a public place (imitation means anything with the appearance of a firearm, whether or not it is capable of firing a shot or bullet)

It is apparent that wide-ranging behaviours require wide ranging solutions and responses. The Association will be guided by in its response to examples of anti social behaviour, by the reasonable stages and categories established within the Association Breakdown and Exclusion Policy.

SECTION THREE

Policy Objectives

3.1 Victim centred approach

Forum Housing Association is committed to a victim centred approach when dealing with anti social behaviour. The procedures are designed to avoid further stress, ensure complainant satisfaction, and where able to deal with matters promptly. Trust and confidence in the procedures are paramount, and will be assisted by an effective and timely response. The welfare and safety of residents whose complaints form the basis of any action must at every stage of the process be the first consideration.

The nature of anti social behaviour, and the fact that diverse communities perceive anti social behaviour differently requires the Association to take complaints seriously and always from the victim's perspective. Association residents have a right to be dealt with sensitively, to be kept informed of progress and where unsatisfied to be supported through to the next stage of the procedure.

3.2 Victim cross transfer and relocation

Forum Housing Association recognises that the cross transfer of a young person can be deemed a victory for the perpetrator (s). Where the victim wishes to leave their home and this is reasonable in the circumstances, alternative like for like accommodation will be sought, whilst action continues against the perpetrator.

3.3 Victim Security

Forum Housing Association will where reasonable provide additional security and personal safety enhancements including the use of panic alarms, increased surveillance and patrols and in serious or complex cases access to a named officer via the duty system.

3.4 Communication, publicity and promotion

Forum Housing Association will, in addition to this policy, ensure a wide range of appropriate medium is available to prospective and actual residents which sets out the Association's position in respect of anti social behaviour. Use of interactive medium for residents with lower literacy levels, hard copy information in the welcome packs, newsletters and displays and leaflets at project sites will ensure as wide a brief as is possible. The aim will be to deter perpetrators, and provide victims with the information and confidence to report cases of anti social behaviour.

3.5 Reporting, evaluation and review

Forum Housing Association will monitor the effectiveness of its anti social behaviour policies and procedures through established systems and formats and by reporting to the Association's Housing Services Committee. This committee is made up of Association Board members whose role in part involves the setting, scrutiny and measuring of operational procedures and local performance indicators in respect of anti social behaviour. The committee is able through data collection to monitor trends, recommend change and evaluate:

- the category of incidents
- socio economic details of both the complainant (s) and perpetrators
- the response and outcomes to reports and incidences and compliance with timescales
- the efficacy of relevant policies and procedures
- comparative data
- progress in respect of agreed performance indicators
- compliance with legislative duties and responsibilities

Complainant satisfaction is measured independently through the Associations Complaints and Harassment Procedures, measured annually through satisfaction surveys and is subject to Housing Services regular audit, which includes spot checks and verification.

3.6 Confidentiality

Forum Housing Association is committed to the highest possible standards of professional conduct and competence. All members of staff are required to observe a confidentiality stance as per Association Policies and Procedures; Code of Conduct, Access to Information.

3.7 Data sharing

Forum Housing Association will within their legal responsibilities under the Data Protection Act 1998 sign up to Local Authority protocols in respect of data sharing. Supported legislatively by Section 115 of the Crime and Disorder Act 1998, the protocols grant relevant authorities the power to share personal data when it is necessary or expedient to do so. Relevant authorities are listed as Local Authorities, Police, Strategic Health Authorities and the Probation Service.

3.8 Access to information

Forum Housing Association accepts the obligation to be publicly accountable in regard to information produced in respect of the management of the Association and will provide all such information in the most appropriate format for its different target audiences.

Forum Housing Association will act in accordance with relevant legislation including the Data Protection Act 1998 in the creation and holding of personal data, as per the Association Access to Information Policy.

Forum Housing Association will retain all documents according to its policies and procedures and the Association 'Documentation Retention Requirements' document. The Association's property portfolio and all supporting documentation will be held and managed by the Director of Housing Services. Any related archived documents will be held in accordance with the Association's Archiving policy.

The Association within its archiving process will ensure that all required documents are held securely and confidentially. The Association will ensure that the destruction of items is conducted appropriately.

3.9 Problem solving groups

Forum Housing Association will aim to provide early intervention and adopt approaches that prevent and inhibit anti social behaviour. One way of doing this is via problem solving groups, which will on occasion involve external agencies. The aim of the group will be to find positive ways forward and examine whether additional support internal or external will prevent an escalation of the problem. Minutes of the meeting will be taken and circulated within five working days to individuals with an interest.

3.10 Anti Social Behaviour case conferences

Forum Housing Association designated officers will attend case conference meetings where they are invited, have a direct connection or interest, and are able to assist with process. Under the data sharing principles established and outlined above, the Associations designated officer will share and discuss relevant information in order to:

- find out the extent of the problem
- assess whether any complaints are unfounded or motivated by malice
- ascertain what support is already being provided to the alleged perpetrator
- ascertain whether any enforcement action has been taken against the alleged perpetrator and how effective that has/has not been and;
- decide on the most appropriate way of dealing with the anti social behaviour.

At the end of the meeting a robust action plan will be drawn up which includes a package of measures to tackle the anti social behaviour.

4.0 Service Range

Forum Housing Association will deliver a proportionate and flexible response to the challenges of addressing and tackling anti social behaviour. In addressing personal responsibilities and duties under the 2003 Act, we will:

- undertake, enable and promote effective and ongoing consultation with young people in respect of anti social behaviour
- ensure an effective and meaningful balance is created between prevention, enforcement and resettlement
- ensure that eviction is used as a last resort with regard to Association residents
- ensure and enable a flexible, speedy and proportionate complaints procedure which recognises the nature, severity and complexity of the complaint
- ensure a commitment to victim and witness support is paramount in our service delivery as per Association harassment policy.
- adopt a zero tolerance approach to incidences of harassment, and be proactive where incidences of racial harassment are reported involving criminal justice agencies where appropriate and necessary to do so.
- maximise opportunities to deliver educational and prevention initiatives
- make explicit to young people the cause and effect of anti social behaviour and their duties to the wider community through licence and tenancy agreements, information packs, workshops and other educational opportunities.
- maximise opportunities to promote the positive worth of young people
- develop partnerships with agencies and other stakeholders that support and enable initiatives and approaches with regard to enforcement, prevention and resettlement.
- promote and support effective relationships between different groups of Association residents and the wider community.

4.1 Prevention of Anti Social Behaviour

Forum Housing Association is committed to the maintenance and development of a range of operational preventative initiatives and approaches that can prevent anti social behaviour. A non exhaustive list includes:

- Energy Programme ~ promoting active citizenship
- Speak Out ~ residents consultation and involvement strategy and procedures.
- PAYS ~ a range of diversionary activities available to at risk young people
- Access to mentoring and mediation programmes
- Offending Intervention Programme ~ generic and targeted offence focused work, including diversionary elements and witness support
- FRANK Co-ordinator ~ short term programme of substance misuse education and support
- Behaviour Support Programmes ~ access to parenting programmes, anger management, mentoring and mediation, specialist counselling, advice and advocacy services
- Use of acceptable behavioural contracts and action plans as detailed in the Association Breakdown and Exclusion Procedure.

- Use of Referrals and Allocations Procedures to promote and support the development of settled communities
- Problem solving groups
- Use of cross transfer ~ physical relocation available to appropriate young people
- Floating Support Programme ~ intense and additional support available to Association residents
- Monitoring and surveillance including the use of support worker patrols
- Welcome Packs and Induction ~ Innovative and user friendly formats that educate young people around Association Policies, Procedures, groundrules and opportunities for participation in a range of initiatives
- Specialist Support Agencies ~ co working protocols and arrangements with agencies in the statutory and non statutory sector that assist in the areas of substance misuse, youth offending, mental health and learning differences.
- Environmental Projects ~ site based projects that offer young people an opportunity to be considerate and mindful of their environment.

4.2 Rehabilitation of perpetrators

Forum Housing Association's client base requires that recognition is given to the positive aspects our support might have on the perpetrators of anti social behaviour, particularly where the behaviour is inextricably linked in to the young persons vulnerability. The Association has unique opportunities with some individuals to prevent displacement, effect behaviour change, promote social inclusion and avoid the escalation in to more chronic and costly forms of anti social behaviour. The Association provides, or has access to a range of services, which can support perpetrators. This non-exhaustive list includes:

- Floating Support Programme
- Offending Intervention Team
- Diversionary activities available through Offending Team or PAYP
- FRANK Co-ordinator ~ short term programme of substance misuse education and support
- Use of cross transfer ~ physical relocation available to appropriate young people
- Specialist Support Agencies ~ co working protocols and arrangements with agencies in the statutory and non statutory sector that assist in the areas of substance misuse, youth offending, mental health and learning differences.
- Use of acceptable behavioural contracts and action plans detailed in the Association Breakdown and Exclusion Procedure
- Behaviour Support Programmes ~ access to parenting programmes, anger management, mentoring and mediation, specialist counselling, advice and advocacy services
- Problem solving groups
- Energy Programme ~ promoting active citizenship
- Speak Out ~ residents consultation and involvement strategy and procedures.

4.3 Enforcement

Forum Housing Association will use enforcement as a last option, and only where evidence exists that all previous efforts have been exhausted. However, the Association recognises that in order to protect its community, its assets and its reputation it may be necessary to pursue formal action towards either its residents or, as more likely, those outside of this group. In doing so, the Association will consider the following non-exhaustive list of options:

- Formal warnings and Association behaviour contracts
- Exclusion or Possession ~ licence or tenancy termination
- Multi Agency formal Acceptable Behaviour Contract ~ (ABC) a voluntary contract between an individual and other agencies.
- Anti Social Behaviour Order ~ (ASBO) ~ a prohibitive court order which if breached will lead to prosecution. The order prohibits the person from entering certain areas or committing certain acts, and will stay in force for a minimum of two years.
- Injunctions and Exclusion Orders ~ court orders which if breached can lead to contempt of court proceedings with potential of an unlimited financial penalty or up to two years imprisonment. Injunctions can be issued without notice and can include the power of arrest. The injunction can be served due to actions which directly or indirectly the housing management functions of the Association. These actions do not necessarily have to have been carried out on the premises of the Association, for example if a resident regularly harasses another resident off site he/she could risk an injunction.
- Prosecution under the 1997 Harassment Act ~ covers a wide range of behaviours including racial harassment, is criminal and punishable by a fine or up to six months imprisonment.

4.4 Key roles ~ Support Workers

Support Workers are responsible for:

- Initial case investigation and co-ordinating whatever appropriate action the Association is able to take
- Providing the victim with advice and support
- Advising on other forms of advice and assistance available within the wider community
- keeping the victim informed of what action(s), the Association is taking to deal with the anti social behaviour
- reporting the case to the Project Manager and/or designated officer
- record keeping and maintenance
- where victim permission is granted and in appropriate instances, contacting the Police, for example where the behaviour is deemed to be criminal, has involved actual or threat of violence or has a racial or hate context. This course of action should unless exceptional circumstances exist be discussed with the relevant Project or Duty Manager
- in appropriate instances contacting Social Services following the Association's Safeguarding policy and procedures

4.5 Key roles ~ Project Managers

Project Managers are responsible for:

- discussing and agreeing the action plan with the Support Worker
- monitoring the anti social behaviour incidences within their areas of responsibility
- record keeping and maintenance
- investigative work in accordance with established procedures
- reporting to designated officer incidences of serious anti social behaviour as defined within the grading principles in the Breakdown and Exclusion policy.

5.0 Description of Association procedures aligned to Anti Social Behaviour

Association Policies aligned and relevant to this document include:

- Access to Information, Archives and Destruction
- Breakdown and Exclusion
- Code of Conduct
- Communications
- Complaints
- Confidentiality
- Developments and Estates
- Dignity at Work
- Disciplinary
- Disclosure
- Drugs
- Equality and Diversity
- Harassment
- Induction
- Move on and Resettlement
- Needs Assessment and Support
- Recruitment
- Referrals and Allocations
- Residents Participation
- Residents Visitors
- Risk Management
- Safeguarding
- Training and Development
- Vandalism
- Violence and Voids
- Aggression

Non-compliance with this policy may result in disciplinary proceedings.