



**HABINTEG**  
HOUSING ASSOCIATION LTD

# **ANTI-SOCIAL BEHAVIOUR**

Responding to Nuisance and Harassment



**‘Because we’re all different...’**

Habinteg Housing Association

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## I. Introduction.

The term 'anti-social behaviour' covers any kind of nuisance, unreasonable behaviour or harassment. Habinteg is committed to working with tenants to stop harassment and other forms of anti-social behaviour.

Our objective is to ensure that we respond to nuisance and harassment quickly and effectively and resolve such situations at the earliest opportunity.

If we receive a report that nuisance or harassment has taken place we will:

- Make sure that all complaints are taken seriously.
- Encourage those who are experiencing anti-social behaviour to play a full part in action taken to deal with it. Their views will be taken into account in reaching decisions on the course of action and they will be kept informed of progress and supported during any legal proceedings that may arise.
- Take firm and prompt action against perpetrators wherever possible and make every effort to support victims in their homes.
- Work with other agencies where necessary, with the victim's consent.

## 2. What is harassment?

### GENERAL HARASSMENT

Harassment can take several forms and is any behaviour that targets an individual, family or group, and intimidates, dominates or harms them, depriving them of the right to a 'peaceful and quiet enjoyment' of their home.

Harassment may include any of the following:

- Abusive or insulting behaviour - written or verbal.
- Violence and threats of violence.
- Vandalism to property.
- Arson or attempted arson.
- Repeated or unfounded complaints against a tenant, family or group.
- Actions or activities intended to deter a person from occupying a particular property.
- Abusive telephone calls.
- Uninvited visits to someone's home.
- Placing rubbish, excrement or offensive materials near or in a victim's home.
- Any of the above targeted at individuals because of their differences, e.g. disability, race or sexual orientation.

## RACIAL HARASSMENT

Racial harassment is harassment suffered by a person because of their colour, race, nationality or ethnic origin. Racial harassment is generally directed at members of black and minority ethnic communities. We will treat all reports of racial harassment seriously and take a victim-centred approach to investigating such cases.

## SEXUAL HARASSMENT

Sexual harassment refers to harassment suffered by a person because of their gender or sexuality and where the harasser is a person that the victim has no association with.

Harassment on the grounds of sexuality can be directed at people known or perceived to be lesbians, gay men, bisexual or transgender.

Where a person suffers harassment, including violence or threat of violence, from a person associated with them (E.g. spouse, ex-partner or relative), this is dealt with under the association's Domestic Violence Policy. You can report incidents of domestic violence to Habinteg in the same way as reporting anti-social behaviour via your local scheme office or the customer services team at Habinteg Direct.

### 3. What is nuisance?

Nuisance can include types of behaviour that may not be intended to cause harm but unreasonably interferes with other people's right to use and enjoy their home and community. For example:

- Noise nuisance including parties
- Intimidating behaviour from groups of people
- Car repairs and abandoned vehicles
- Drug and alcohol related incidents
- Rubbish dumping
- Using premises for commercial gain or outworking
- Graffiti, vandalism and damage to communal areas
- Nuisance caused by pets and other animals

### 4. Behaviour that is not considered to be anti-social

It is important to be tolerant of other people's lifestyles and make an effort to get on with neighbours.

Behaviour that results from different lifestyles, or which would not be considered unreasonable by most people is not anti-social behaviour.

## 5. Avoiding anti-social behaviour

The best thing to do is avoid action that might cause a nuisance to others. For example:

- Be considerate of your neighbours.
- Do not carry out loud work at night including repairs.
- Talk to your neighbours if you intend having a party.
- Do not play your TV, radio, hi-fi or musical instruments too loudly.
- Keep your dogs and other pets under control.
- Be aware of where your children are playing, who is supervising them and what they are doing.
- Talk to your children and visitors if their behaviour is likely to cause a nuisance or harassment to other people.
- Dispose of rubbish and waste in an appropriate manner.

## 6. What about family members and visitors

If you are a tenant, you are responsible under the terms of your tenancy agreement for the behaviour of your household visitors and pets, both at your address and in the local vicinity. Your tenancy could be placed at risk if these conditions are broken. A copy of your terms and conditions can be obtained from your local member of staff or the customer services team at Habinteg Direct, who can also answer any queries you have about your obligations.

## 7. What to do if you are suffering from harassment or nuisance

The association, acting with other agencies to investigate complaints, can help to resolve problems of anti-social behaviour. However, the level of action we can take depends upon how severe the problem is. Therefore, where it is possible and safe to do so, it is always better to try and resolve these situations yourself and we suggest the following as ways in which you might do this.

## 8. Dealing with problems yourself

### SPEAKING TO THE PERPETRATOR

Firstly, if appropriate and safe, you should speak to whoever is causing you the problem. They may not be aware that they are disturbing you and a compromise may be reached.

Before approaching the person concerned you should think about what you are going to say:

1. Be clear about what the problem is and how it affects you.
2. Think about what the outcome is likely to be and stay calm and friendly. Being aggressive won't help.

3. Listen to their views and think about things from their point of view.
4. Try not to bring up incidents from the past, especially if they are not relevant to the present dispute. Instead, try to look to the future and how you want things to change.
5. If the person is unreasonable, leave the discussion.

## KEEPING A DIARY

Keep a detailed record of the nuisance and harassment you are experiencing, including the type of incidents and when they occur. These details will be very useful if you need to contact us and will help build up a case where further action is appropriate. This is done in most cases through recording events on diary sheets (copies can be obtained from the scheme or regional office). The sheets will include dates, times and who was responsible for the behaviour. The sheets can be used to compile detailed statements for use in legal proceedings, where court action is appropriate.

## REPORT THE PROBLEM TO YOUR LOCAL SCHEME OFFICE OR HABINTEG DIRECT

They will then advise you of the next step to take:

- All cases will be assessed to establish the severity of the problem.
  - Non-severe cases may be resolved immediately e.g. abandoned cars.
  - More severe cases will be referred to an officer for investigation. In an urgent case, this will happen immediately.
- Complaints are referred to the local Community Assistant or to the Community Housing Assistant.

## 9. What we will do when you report a problem

If appropriate, an interview will be arranged with you to:

- Find out more about the anti-social behaviour.
- Discuss what you can do to help yourself.
- Explain what we and other agencies can do to assist, e.g. talking to the alleged perpetrator.

If you or a member of your household are at serious risk, we will contact you within 24 hours and arrange to interview you within a further 24 hours. If you are at risk we will contact other services as a matter of urgency, such as the police.

If you are not at serious risk, we will interview you within 5 working days.

For other lower level incidents we will ensure we arrange to interview you within 10 working days.

## 10. Following the interview we will...

- Agree a course of action with you.
- Talk to the perpetrator if appropriate and agree a course of action.
- Look at what repairs and security measures can be provided for you.
- Keep you regularly informed of any action we are taking.
- Work in partnerships with other agencies such as the police to deal with anti-social problems.

We will contact you regularly whilst we are investigating your case. You may contact your Community Assistant or Community Housing Assistant by telephone or arrange an interview.

If you write to us or email us, we will send a response within 10 working days.

## 11. What action we will take

- Wherever possible, we will try to resolve disputes informally and help the people involved to resolve their differences.
- We can arrange mediation between the people involved if this is an appropriate way to resolve the problem.
- In some cases, we may set up a contract or agreement with the perpetrator called an Acceptable Behaviour Contract. The contract will list what the perpetrator will do to end the nuisance / harassment. We will monitor any contract that we set up.
- Where there is clear proof of anti-social behaviour, legal action can be taken. The action the association takes will depend on a number of factors such as the tenancy status of the perpetrator, but could include injunctions, demotion of tenancy, anti-social behaviour orders / injunctions or possession proceedings. Action can also be taken by other agencies we work with to resolve the problem, e.g. criminal proceedings by the police.

## 12. Injunctions

Injunctions can be taken out by the association against a tenant or

any other adult causing harassment / nuisance on a housing scheme. An Injunction is a ban or restriction that is ordered by the County Court.

If a situation is very serious, e.g. where there has been an assault or there is a serious threat of assault, the association can ask the court to grant an injunction on an emergency basis without a full hearing. This is called a 'Without Notice Injunction'.

If the terms of the injunction are broken, the court has the power to send the individual concerned to prison.

### 13. Anti-social behaviour orders / injunctions

Anti-social behaviour orders / injunctions (ASBOs / ASBIs) can be used against any body over the age of 10 who has acted in an anti-social way which causes harassment, alarm or distress to the local community. Your local council, the police and housing associations can apply for ASBOs / ASBIs.

It is a criminal offence to break the terms of an ASBO / ASBI. If the person breaks these terms, the Magistrates or Crown Court can give them a large fine or prison sentence.

## 14. Demotion of Tenancy

Landlords can apply to the Court to reduce the security of tenure for an existing tenant. Upon granting of the order, the tenancy is replaced with a less secure form of tenancy. A Demotion Order is a serious warning to the tenant: if they continue to cause nuisance, swift action can be taken to end their tenancy.

## 15. Legal action against a tenancy

If a tenant has breached their tenancy as a result of harassment or nuisance, the association can go to court to ask for possession of the property (i.e. evict the person responsible for the problem).

In order to evict a tenant, Habinteg has to prove to the court that the harassment or nuisance has occurred and convince the judge that it is reasonable for a possession order to be granted.

Habinteg can also ask the court to grant an injunction to compel the tenant to keep to the terms of their tenancy.

## 16. Victim Support

All reports of harassment are taken seriously and the safety of residents and their households is always most important.

- Women reporting sexual harassment or domestic violence will be offered an interview with a female member of staff where possible.
- We will arrange an interpreter or sign language interpreter to be present if required.
- We can visit you in your home, or arrange to see you at a local office if you prefer. If you cannot visit a local office, for example because of a disability, please contact us by telephone or through a third party so that we can arrange an appointment to visit you at your home. If you wish to have a carer or advocate present we will accommodate this.
- If you visit a local scheme office to report harassment or nuisance and would like to be interviewed in a private room, please tell us so that we can arrange it.
- Any reports of harassment will be treated as strictly confidential.
- No action will be taken against a person harassing a victim without the victim's consent.
- We can arrange for any letters or other written material sent to you to be translated into your preferred language.
- Any urgent repairs to properties as a result of harassment will be carried out on the same day where possible.
- Any offensive graffiti will be attended to within 24

hours of it being reported. Less offensive graffiti will be removed within 7 days.

- We will, wherever possible, put you in contact with other support services and appropriate agencies who can offer you support as well as practical assistance.
- In serious cases or harassment where perpetrator action is being taken and the complainant is at severe risk, temporary accommodation for the victim can be arranged. In the most severe cases, emergency re-housing will be considered if there are no other options.
- If you are not satisfied with the outcome of your case, or wish to suggest any improvements to our service, you can do this through the association's complaints procedure.

Further information and a complaints procedure form is available at your local office or by phoning customer services at Habinteg Direct:



01274 853160 or,

0845 606 2608 (call charges vary depending on telephone provider)

E-mail:  
[direct@habinteg.org.uk](mailto:direct@habinteg.org.uk)



## Useful Numbers:

Age Concern	0800 009 966
Childline	0800 1111
Crime Stoppers	0800 555 111
Domestic Violence Hotline	0808 200 0247 (24 hour)
NSPCC (National Society for the Prevention of Cruelty to Children)	0808 800 5000
Parentline Plus	0808 800 2222
RSPCA (Royal Society for the Prevention of Cruelty to Animals)	0300 123 4999 (24 hour)
Women's Aid	0808 200 0247
Habinteg Direct (South)	0845 606 5202
Habinteg Direct (North)	0845 606 2608

Website: [www.habinteg.org.uk](http://www.habinteg.org.uk)

